

THE POLITICS OF CANAL CONSTRUCTION:

THE ASHBY CANAL, 1781-1804

Thesis submitted for the degree of

Doctor of Philosophy

at the University of Leicester

by

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January 2012

# Abstract

## **The Politics of Canal Construction: The Ashby Canal, 1781-1804 by Drew Campbell.**

Between 1781-1804 the residents of a number of parishes in Derbyshire, Leicestershire and Warwickshire found themselves on the receiving end of the promotion and construction of the Ashby Canal. As with most new developments, especially those that have an impact on the landscape, the local inhabitants had to decide whether they supported or opposed it, while outsiders had to consider what gains could be made from any involvement in the project. In this instance those in favour of the waterway won the day and the building process began in 1794. However, this was by no means an end to the negotiations as the canal company had to deal with continual internal disagreements and disputes with landowners over various issues such as damage, route changes and late payments for their land.

Using sources which include contemporary newspapers, canal company records, a Parliamentary Act, and the diary of a local constable this thesis provides a micro-study of the complex politics of canal construction. It examines the considerations affecting participation in the process, the numbers of people who were involved, the workings and internal structures of the canal company and the exchanges of opinions within the organisation and between its supporters and opponents. Its findings reveal that the Ashby Canal had a significant and variable effect not only on the residents of the parishes the canal cut through, but also on people who were considered outsiders, such as non-local investors, Members of Parliament and the engineers, contractors and labourers who relocated to gain employment.

# **Acknowledgements**

I would like to thank the following for their help with this dissertation: Penny Campbell for assisting my analysis of provincial newspapers and minute books and joining me in excavating the canal's mud spoils; Gerald Box for access to his own research; Douglas Burbidge for permitting me to use photographs from his personal collection; Lucy Byrne for drawing my attention to relevant sources and providing technical advice; Margaret and Joe Guttridge for providing me with an office to carry out my work and I.T. assistance, and Prof. K.D.M. Snell for his support, good humour and his much appreciated encouragement and advice.

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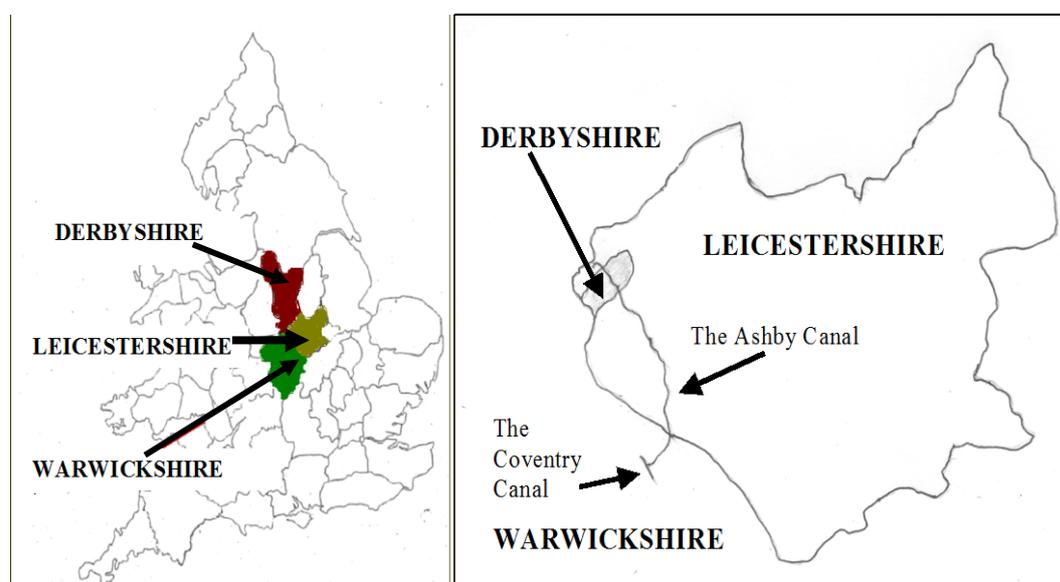
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## **Abbreviations**

L.C.R.O.	Leicestershire County Record Office.
W.C.R.O.	Warwickshire County Record Office.
T.N.A.	The National Archives.

## Chapter 1: Introduction

The Ashby Canal, sometimes referred to as the Ashby-de-la-Zouch Canal, opened in 1804.<sup>1</sup> It was constructed as a contour canal meandering from the Coventry Canal through the counties of Warwickshire, Leicestershire and Derbyshire to the coalfields and limeworks near Ashby-de-la-Zouch (Figures 1 and 2).<sup>2</sup> Originally this waterway measured at 30 miles.<sup>3</sup> However, mining subsidence throughout the twentieth century has resulted in the loss of eight miles of its northern section (Figure 3).<sup>4</sup>



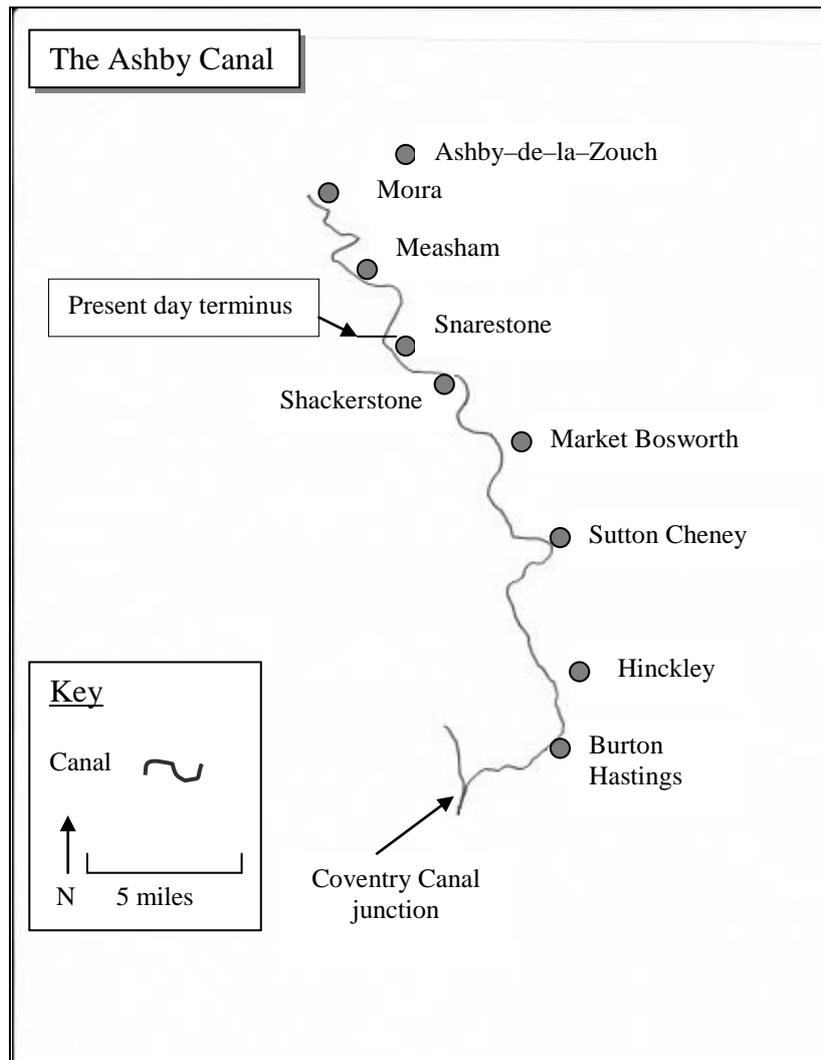
**Figure 1: The location of the Ashby Canal concerning the affected counties.**

<sup>1</sup> The Ashby Canal was also referred to by the working boat community as the 'Moira' or the 'Moira Cut'. See S. Stewart, *Ramlin Rose: The Boatwoman's Story* (Oxford, 1993), pp. 208-12, and D.E. Maas, *The Locals' Guide to the Ashby Canal and its Surroundings* (2000, Hinckley, 2004), p. 5.

<sup>2</sup> D. Perrot (ed.), *The Ordnance Survey Guide to the Waterways 2, Central* (1983, Southampton, 1985), p. 13.

<sup>3</sup> C. Hadfield, *The Canals of the East Midlands, Including Parts of London* (1966, Newton Abbot, 1970), p. 152. The canal would have been longer; however, it was decided in 1798 to use tramways instead of canal branches to Ticknall and Cloudhill.

<sup>4</sup> G.E. Pursglove, 'Canals, subsidence, policy and decline: A study of the Ashby and Coventry Canals' (unpub. M.A. dissertation, Ironbridge Institute, 1990), pp. 43-56.



**Figure 2: Settlements situated along the Ashby Canal when fully operational.**

R. Szostak states that the ‘combination of an extensive network of waterways and of suitable roads’ played a major part in facilitating the English Industrial Revolution.<sup>5</sup> This thesis will address the individuals, collectives and institutions that were affected by one of these, the waterways. It will analyse the numbers of people involved; their background, their opinions and their levels of input, while also acknowledging those who opposed the project and those who were excluded from the consultations. Investigations will be made into how the canal company operated by

<sup>5</sup> R. Szostak, *The Role of Transportation in the Industrial Revolution: a Comparison of England and France* (London, 1991), p. 6.

considering its structure, its decision-making processes, its policies, its treatment of contractors and employees, its land purchases and its public relations.

In addition to broadening our knowledge of the canal network this study also intends to integrate the analysis with wider political, social, agricultural, landscape, ecological and industrial issues, in order to contribute to our understanding of how we respond and adapt to the commercial developments (especially those concerning the use of water resources), that today impact upon our communities and environment. At the heart of this study is the question of how people affect other people and their surroundings as they strive to impose what they consider rightly or wrongly to be progress.



**Figure 3: An icebreaker at Bridge 71 (c.1948 to 1951).<sup>6</sup>**

Source: From D. Burbidge's private collection.

### **The development of water management and commercial canals**

Throughout the ancient world there is much evidence of empires such as Mesopotamia, China and Egypt building watercourses.<sup>7</sup> One of the earliest known

depictions of water management can be found on an Egyptian macehead from c.3200 BC that shows King Scorpion ceremonially digging the first sod of an irrigation project (Figure 4).<sup>8</sup> While this construct was initially introduced for agricultural purposes it is considered that once in operation these waterways were then utilised for moving goods.



**Figure 4: King Scorpion's irrigation project.**

Source: J. Hill, Ancient Egypt Online. [www.ancientegyptonline.co.uk/Scorpion.html](http://www.ancientegyptonline.co.uk/Scorpion.html) (12.12.2010).

In Britain the second century AD constructs of the Carr and Foss Dykes which contributed to draining the Fens (Figure 5) provide us with early examples of large-scale, man-made watercourses. Whether they were made specifically for moving goods and people, as historians had once considered, is now being questioned, yet it is hard to believe that they were not used for such a purpose.<sup>9</sup>

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<sup>6</sup> This section of the canal no longer exists, due to mining subsidence that occurred north of Snarestone between bridges 63-74. See figure 2 regarding the present day terminus.

<sup>7</sup> See V.L. Scarborough, 'Water management adaptations in non-industrial complex societies: an archaeological perspective', *Archaeological Method and Theory*, 3 (1991), pp. 101-54.

<sup>8</sup> A.K. Biswas, 'Chapter 1, Hydrology prior to 600 B.C.', *History of Hydrology* (Oxford, 1970), pp. 1-35. See H. Barty-King, *Water: an Illustrated History of Water Supply and Waste Water in the United Kingdom* (London, 1992), p. 30, for an account and illustration of Sir Francis Drake carrying out a similar ceremony to mark the construction of a water pipe from Dartmoor to Plymouth in 1590.

<sup>9</sup> B.B. Simmons, 'The Lincolnshire Car Dyke: Navigation or Drainage?' *Britannia*, 10 (1979).

Britain has a long history of improving rivers for transport, but W.G. Hoskins argues that the first independent watercourse built specifically for this purpose was the Exeter Canal, which was constructed between 1564-1567.<sup>10</sup> While waterways continued to be adapted to facilitate the development of trade (especially between 1600-1750),<sup>11</sup> the next ‘true canal’ appeared in 1761 in the form of the Bridgewater Canal.<sup>12</sup> This project financed by the Duke of Bridgewater captured the imagination of the nation,<sup>13</sup> and led to the construction of a network of canals and navigations that reached the county of Leicestershire in 1778 in the form of the Soar Navigation.<sup>14</sup> Three years later, for reasons this study will address, a proposal was put forward for the construction of the Ashby Canal.



**Figure 5: Car Dyke at Dunsby Fen in Lincolnshire.**

Source: R. Needle, The Bourne Web Site.

<http://homepages.which.net/~rex/bourne/cardyke.htm> (12/1/2011).

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<sup>10</sup> W.G. Hoskins, *The Making of the English Landscape* (1955, London, 1969), pp. 191. See also C. Hadfield, *The Canal Age* (Newton Abbot, 1981), p. 217.

<sup>11</sup> T.S. Willan, *River Navigation in England, 1600-1750* (1936, London, 1964).

<sup>12</sup> The Sanky Navigation was constructed before the Bridgewater Canal; however, as it incorporated an existing river the waterway is considered to be a ‘navigation’ rather than a canal.

<sup>13</sup> H. Malet, *Bridgewater: the Canal Duke, 1736-1803* (Manchester, 1977).

## The historiography of canals and studies on the Ashby Canal

In 1950 De Mare, Hadfield, and Rolt released important works concerning British canal history.<sup>15</sup> Yet, this was by no means the birth of canal historiography, as prior to this date numerous books on the waterways' network and specific canals had been published along with reports by the Government, canal companies, engineers and philanthropists, with pamphlets, essays and letters by interested parties.<sup>16</sup> However, during the second half of the twentieth century as interest in the country's waterways developed, so research into canal history increased.<sup>17</sup>

Many of these works entered the public domain through the efforts of the publishing company David and Charles,<sup>18</sup> while academic studies found their way into publications such as the *Journal of the Railway and Canal Historical Society* and the *Journal of Transport History*.<sup>19</sup> Today there is an extensive range of research on canals that include studies on the working boat people, the industrial archaeological aspects of waterways, the carrying companies and canal engineers.<sup>20</sup> Such is the interest in the subject that a number of magazines are now published which regularly includes excellent historical articles such as *Waterways World* and *Canal Boat* and

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<sup>14</sup> T.J. Chandler, 'The canals of Leicestershire: their development and trade', *East Midland Geographer*, 10 (1958), pp. 28-9.

<sup>15</sup> E. De Mare, *The Canals of England* (1950, London, 1965), C. Hadfield, *British Canals: an Illustrated History* (1950, London, 1994), and L.T.C. Rolt, *The Inland Waterways of England* (1950, London, 1979).

<sup>16</sup> For a comprehensive list of canal publications prior to 1950 see A. Baldwin, 'Bibliography of British Canals, 1623-1950' in M. Baldwin and A. Burton, *Canals: a New Look* (Chichester, 1984), pp. 131-191.

<sup>17</sup> There were a number of reasons why interest in the canal network increased. One was the establishing of the Inland Waterway Association, which in 1946 formed to protect and promote the countries shrinking network. Another was the publication of L.T.C. Rolt, *Narrow Boat* (1944, Sparkford, 2004).

<sup>18</sup> Charles Hadfield and David St John Thomas formed David and Charles in 1960. For a bibliography of Hadfield's work see M. Baldwin and A. Burton (eds), *Canals: a New Look* (Chichester, 1984), pp. 4-8.

<sup>19</sup> The history of the Ashby Canal is addressed by a number of journals. For example see C.R. Clinker and C. Hadfield, 'The Ashby Canal: importance of its tramroads', *Modern Transport*, 7 (1954).

<sup>20</sup> For example see J. Stone, *Voices from the Waterways* (Stroud, 1997), E. Corrie, *Tales from the Old Inland Waterways* (Newton Abbot, 1998), D. Sullivan, *Navyman* (London, 1983), H. Potter, *The Last Number Ones* (Burton-on-Trent, 2007), R. Harris, *Canals and their Architecture* (1969, London, 1980) and C. Richardson, *James Brindley: Canal Pioneer* (Burton-on-Trent, 2004).

there is now available *Narrowboat*: a quarterly publication specifically concerned with the history of the waterways.

The first reference to the Ashby Canal can be found in *A General History of Inland Navigation* by John Phillips. This is an interesting piece as the author provides a full description of the canal 12 years before its actual completion. This explains the numerous inaccuracies such as ‘This canal with all its branches is 50 miles long, and has 252 feet lockage’; when in fact, due to financial restraints, the company only constructed 30 miles of canal and replaced the branches that required locks with tramways.<sup>21</sup> Evidently Phillips had access to the details of the proposed project and was presuming that the finished work would match the initial proposals.

Nichols’ work on Leicestershire provides a number of accounts of the Ashby Canal’s early history. In his first reference to the canal he states that he is writing just after the initial proposal to Parliament to construct the waterway was turned down in April 1793. Yet he accurately predicts that despite the canal company’s failure, the Bill ‘will probably be revived in the ensuing session’.<sup>22</sup> In the same publication he picks up the story following the acquiring of Parliamentary assent and provides an accurate synopsis of the terms upon which the canal company had to operate, which suggests the historian had access to copies of the Parliamentary Act.<sup>23</sup>

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<sup>21</sup> J. Phillips, *A General History of Inland Navigation* (1792, Newton Abbot, 1970), pp. 329-32. Much of Phillip’s account reads as if the canal is already finished, however, his final sentence indicates that the waterway is not actually in operation as he states ‘The large collieries in the north part of this canal will be vastly increased on this canal’s completion’, p. 332. Regarding the Ashby Canal tramways see P. Neaverson, ‘The Ticknall lime industry and transport system’, *Leicestershire Industrial History Society*, 19 (2007) and H. Usher, *The Ticknall Limeyards* (Ticknall, 1995).

<sup>22</sup> J. Nichols, *The History and Antiquities of the County of Leicester, Volume 1, Part 1* (1795, Wakefield, 1971), p. cixvii.

<sup>23</sup> Nichols, *History and Antiquities of the County of Leicester*, p. cixix. Much of this account mirrors word for word the text found in the Act. The Parliamentary Act is an excellent source as it provides a wealth of detail concerning the many financial, structural and local issues. See 34 Geo III c. 93, ‘An Act for making and maintaining a Navigable Canal from the Coventry Canal, at or near Marston Bridge in the Parish of Bedworth, in the County of Warwick, to a certain Close in the Parish of Ashby de la Zouch, in the County of Leicester, and for continuing the same from thence in One Line to the Limeworks at Ticknall, in the County of Derby, and in another Line to the Limeworks at Cloudhill, in the said County of Leicester, with certain Cuts or Branches from the said Canal. (9<sup>th</sup> May 1794).

Issues relating to the Ashby Canal also came under scrutiny by the county reports made by the Board of Agriculture, the first being Monks' report of Leicestershire in 1794, the year the canal was completed.<sup>24</sup> This was followed by another Leicestershire report by W. Marshall, who not only criticised his predecessor, but also attacked the driving force behind the Ashby Canal, Joseph Wilkes, for a number of offences including persuading the canal committee to construct the waterway as a wide cutting instead of opting for the less expensive narrow canal.<sup>25</sup> Marshall's views were rare, as to date he appears to be the only contemporary or later commentator who considered that Wilkes was deserving of criticism; other historic works instead focus their attention on the industrialist's positive contributions.<sup>26</sup>

The Ashby Canal continued to be included in general works on canals during the nineteenth and first half of the twentieth century by authors such as Priestley,<sup>27</sup> and occasionally would be referred to in specialised studies such as George Smith's reports on the living conditions of those who lived on working boats.<sup>28</sup> However, no historical studies concentrated specifically on the Ashby Canal until 1958 when

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<sup>24</sup> Monks' report can be found in the publication of the second report, see W. Marshall, *The Review and Abstract of the County Records to the Board of Agriculture, Volume 4, Midlands Department* (1815, Plymouth, 1968).

<sup>25</sup> See Marshall, *Review of County Records*, pp. 205-6, where in describing Wilkes' influence on the Ashby Canal project he states: 'How mischievous is genius, without judgement and foresight to direct it; especially when urged on by wild commercial, otherwise gambling, speculations'. Marshall also appears to be the first author to wrongly date the canal's completion as being 1805 rather than 1804. Most historians accepted this date until Temple Patterson's research rectified the mistake. See A. Temple Patterson, 'The making of the Leicestershire canals, 1766-1814', *Transactions of the Leicestershire Archaeological and Historical Society*, 27 (1951). For an example of another agricultural report dealing with the issue of the canal see the report on Derbyshire, the second of the three counties affected by the canal, J. Farey, *General View of the Agriculture of Derbyshire in the Observations on the Means of its Improvement, Volume III* (London, 1817).

<sup>26</sup> For example see A. Young, *Tours in England and Wales* (London, 1932), pp. 271-88.

<sup>27</sup> J. Priestley, *Historical Account of the Navigations, Rivers and Canals and Railways of Great Britain* (1831, Newton Abbot, 1969). Joseph Priestley was in fact the son-in-law of the Ashby Canal's chief engineer, Robert Whitworth Senior and the brother-in-law of its resident engineer, Robert Whitworth, Junior. Yet, despite his strong links with the Whitworths, Priestley's work contains numerous errors in his observations concerning the Ashby Canal.

<sup>28</sup> For example see G. Smith, *Our Canal Population: a Cry from the Boat Cabins* (1875, Wakefield, 1894), pp. 26-7.

Clinker and Hadfield published their paper on the waterway, which in 1978 appeared as a small book.<sup>29</sup>

Other historical works addressing the Ashby Canal include publications by A. Temple Patterson, whose research attempted to unravel the complexities of canal politics throughout Leicestershire,<sup>30</sup> J.R. Ward, who analysed in detail the financing of numerous canals including the Ashby Canal,<sup>31</sup> M. Palmer, whose publications provide much information on the relationship between the canal company and the Earl of Moira,<sup>32</sup> and A. Burton, whose book focused on the constructing of canals in this country.<sup>33</sup> There have also been a number of academic studies on the canal, which include Gerald Box's research on the canal's construction.<sup>34</sup>

Mark Baldwin writes about publications on canals that 'Many are excellent, some trivial ... a few poor'.<sup>35</sup> Regarding those studies that disappoint, most make the mistake of simply cherry-picking snippets of information from canal company sources

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<sup>29</sup> See C.R. Clinker and C. Hadfield, 'The Ashby-de-la-Zouch and its tramways', *Transactions of the Leicestershire Archaeological Society*, 34 (1958) and C.R. Clinker and C. Hadfield, *The Ashby-de-la-Zouch Canal and its Railways* (Bristol, 1978). Hadfield also included a section on the Ashby Canal in C. Hadfield, *The Canals of the East Midlands, Including Parts of London* (1966, Newton Abbot, 1970).

<sup>30</sup> See A. Temple Patterson, 'The making of the Leicestershire canals, 1766-1814', *Transactions of the Leicestershire Archaeological Society*, 27 (1951), A. Temple Patterson, 'Canals', in W.G. Hoskins and R.A. McKinley (eds), *A History of the County of Leicester, Volume III* (London, 1955) and A. Temple Patterson, *Radical Leicester: a History of Leicester, 1780-1850* (Leicester, 1954).

<sup>31</sup> J.R. Ward, *The Finance of Canal Building in Eighteenth-Century England* (London, 1974).

<sup>32</sup> M. Palmer, 'The Earl of Moira', in D. Cranstone (ed.), *The Moira Furnace: a Napoleonic Blast Furnace in Leicestershire*, (Coalville, 1985) and M. Palmer, 'Francis Rawdon-Hastings, First Marquis of Hastings, and the development of the Leicestershire estates, 1780-1830', in M. Palmer (ed.), *The Aristocratic Estate: the Hastings in Leicestershire and South Derbyshire* (Loughborough, 1982).

<sup>33</sup> A. Burton, *The Canal Builders* (1972, Newton Abbot, 1981). For an excellent chapter on the vernacular aspects of canal construction and waterways' contribution to the landscape see also A. Burton, 'Canals in the landscape', in M. Baldwin and A. Burton (eds), *Canals: a New Look* (Chichester, 1984).

<sup>34</sup> G. Box, 'The construction of the Ashby Canal' (unpub. M.A. dissertation, University of Leicester, 1997). This research is mainly concerned with the construction process, techniques and the men 'on the ground'. See also G.E. Pursglove, 'Canals, subsidence, policy and decline: a study of the Ashby and Coventry Canals' (unpub. M.A. dissertation, Ironbridge Institute, 1990).

<sup>35</sup> M. Baldwin and A. Burton (eds), *Canals: a New Look* (Chichester, 1984), p. 130. Many canal historians were – and are – simply enthusiasts who dedicate themselves to telling the often forgotten stories of how our waterways were constructed and operated, and we must be grateful for their contributions, good and bad. It must also be remembered that the previous generation of writers did not have the technological benefits modern day historians now have: digital cameras to photograph documents, computers to store and analyse data, and word processors to assist the writing process.

without previously considering any particular approach.<sup>36</sup> This results in forming what can only be described as a descriptive mosaic of events, which cobbles together nothing more than a story of miscellaneous connected themes.

Most books on specific canals follow a pattern of chronologically addressing the canal's promotion, construction, heyday years, decline and occasionally its resurrection due to tourism. While such works provide an excellent overview of the waterways' fortunes and misfortunes they often lack any real in-depth analysis of the available sources. For instance in most studies some members of the company's select committee will be referred to (normally the committee chairmen); yet to date no historian has quantified the attendance rate of each member, the numbers of meetings cancelled due to poor turn-out and the electing of different chairman. This data would allow us to consider a number of issues, such as the elected representative's variable levels of input and which individuals dominated the governing of such proceedings.

There is also reluctance in many works to cross-reference company documents with other local histories, which is unfortunate as this can provide information on how canals impacted upon parishes and their inhabitants. For example there are many surviving lists of shareholders stating where they are from,<sup>37</sup> which show us how many inhabitants of each affected parish invested in the project.<sup>38</sup> If we then compare these figures with the data we have concerning the population of the affected towns and villages we can then determine what percentage of the settlement's population put their money into the project, and begin to consider other issues such as which factors

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<sup>36</sup> See C. Hadfield, 'An approach to canal research', *Journal of the Railway and Canal Historical Society*, 1 (1955) and C. Hadfield, 'Writing railway and canal history', *Journal of the Railway and Canal Historical Society*, 8 (1962).

<sup>37</sup> Regarding the Ashby Canal see T.N.A., RAIL 803/9/1 (1794 Shareholders' List), T.N.A., RAIL 803/9/2 (1800 Shareholders' List) and RAIL 803/8 (Share Transfer Ledger).

<sup>38</sup> See J.R. Ward, *The Finance of Canal Building in Eighteenth-Century England* (London, 1974) for the most comprehensive work carried out on canal investment.

affected these levels of investment and why some parishes put more money into the project than others.

Some canal historical works could also be criticised for their reluctance to consult research on wider topics such as transport, the industrial revolution and social structure.<sup>39</sup> Historians such as H.J. Dyos and D.H. Aldcroft, B. Trinder and F.M.L. Thompson often consider the issue of canals and approach their development from a different angle and many canal studies would benefit from consulting their publications.<sup>40</sup> Furthermore, to fully understand the history of waterways we must not limit ourselves to works that refer to them. The fortunes of canals are inter-linked with many other aspects of human development concerning communities, class, employment, equality, architecture, economics and power, and a greater understanding of such subjects can only contribute to our knowledge of the waterways; just as increasing our knowledge of canals has to augment what we know of these wider issues.<sup>41</sup>

It must also be noted that whereas the politics of development in the nineteenth century are well covered, by comparison, historians of the eighteenth century have yet to get into the habit of studying them. This needs to be addressed, as there is a marked difference in their nature. In general, the improvements that occurred prior to the Napoleonic Wars involved mostly localised ventures such as

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<sup>39</sup> See A. Wilson, 'A critical portrait of social history' in A. Wilson (ed.) *Rethinking Social History: English Society, 1570-1920 and its Interpretations* (Manchester, 1993), regarding the importance of embracing other disciplines when constructing history.

<sup>40</sup> See H.J. Dyos and D.H. Aldcroft, *British Transport: an Economic Survey From the Seventeenth Century to the Twentieth* (1967, Leicester, 1971), pp. 97-106, B. Trinder, *The Making of the Industrial Landscape* (Gloucester, 1982), pp. 54-60 and F.M.L. Thompson, *English Landed Society in the Nineteenth Century* (London, 1963), p. 157.

<sup>41</sup> For example see K.D.M. Snell, *Parish and Belonging: Community, Identity and Welfare in England and Wales, 1700-1950* (Cambridge, 2006), D. Cannadine, *The Decline and Fall of the British Aristocracy* (1990, London, 1992), P. Laslett, *The World We Have Lost – further explored* (1965, London, 1983), B. Hill, *Women, Work and Sexual Politics in Eighteenth-century England*, (1989, London, 1994), J. Barry and C. Brooks (eds), *The Middling Sort of People: Culture, Society and*

enclosures, roads and canals, where the input came mostly from the affected areas,<sup>42</sup> whereas following the conflict with France the state took a firmer grip on society and became more involved in proposing, financing and imposing change. Therefore, by re-examining the political aspects of eighteenth-century improvements – such as canals – we are provided with an insight into how ‘progress’ was managed and perceived prior to the increased intervention of government during the nineteenth century.

### **The ‘political’ approach of this study and its structure**

Canal politics exists today in many forms. The government now owns the country’s waterways and since 1963 they have been managed by British Waterways who, amongst their many duties, have had to maintain the canal network and its property. They have also had the responsibility of liaising and negotiating with those who use it: local businesses, holiday makers, walkers, fishermen and owners of boats, and these groups often had and still have conflicting opinions on how this resource should be promoted, managed, financed and structured.<sup>43</sup>

Adrian Leftwich wrote that ‘politics is at the heart of all collective social activity, formal and informal, public and private, in all human groups, institutions and

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*Politics in England, 1550-1800* (Basingstoke, 1994) and P. Clark, *British Clubs and Societies, 1580-1800* (Oxford, 2001).

<sup>42</sup> The government’s role was mainly to legalise the process and to set out the boundaries of the company’s powers by passing a Parliamentary Act. See S. Lambert, *Bills and Acts: Legislative Procedure in the Eighteenth Century* (Cambridge, 1971). See also H.S. Cobb, ‘Parliamentary records relating to internal navigation’, *Archive*, 9 (1969/70) and J.S. Phipps, *Leicestershire in Parliament: a Record of the Use of the Private Bill Legislation to Benefit and Improve the City* (Leicester, 1988).

<sup>43</sup> There are over 30,000 crafts licensed to use the canals. These boats are used either for leisure or accommodation. Regarding those who live on the canal, this is an interesting community as it is spread in a linear fashion over 2000 miles of canal and can be subdivided into two main groups: those who have moorings and those who are continuous cruisers (sometimes referred to as ‘bridge hoppers’). Between these subgroups – and within them – there is much politics. In fact a common term often used by boaters when referring to gossip within the canal community is ‘towpath politics’. See P. Stone, *Living Afloat* (Macclesfield, 1998): This publication was written under the guidance of the Residential Boat Owners Association (R.B.O.A.); one of the many pressure groups that represent users of canals.

societies’,<sup>44</sup> and with this in mind I intend to provide a micro-study of both the internal and external politics of the Ashby Canal’s creation, while also adding to our knowledge of the politics and power struggles that were occurring within the affected area. Yet the intention is not to focus solely on local issues; the canal’s construction will also be compared to the wider developments that were taking place throughout the country that Asa Briggs described as ‘improvement’,<sup>45</sup> and seen within the development of capitalism as Britain become more industrialised.<sup>46</sup>

While the study is thematically structured, attempts will be made to represent the chronology of events within the constructs of each chapter. The thesis will commence by investigating the campaign to gain the required Parliamentary consent to construct the Ashby Canal between 1781-1794, in Chapter 2: the promotion. F.H. Spencer states that during the eighteenth century ‘projects for procuring a local Act often began with private individuals, who associated with them such influential persons as they could and worked in committees’.<sup>47</sup> Chapter 2 will expand upon this by considering the origins of the Ashby Canal’s promotion, the arguments concerning the project, the reasons for becoming involved in the debate, the social and geographical structure of the canals’ supporters, the internal operations and debate within the supporters’ collective, and the exchanges between the canal supporters’

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<sup>44</sup> A. Leftwich, ‘Politics: people, resources and power’, in A. Leftwich (ed.), *What is Politics? The Activity and Study* (1984, Oxford, 1988), p. 63.

<sup>45</sup> See A. Briggs, *The Age of Improvement, 1783-1867* (London, 1959), pp. 1-24. It could be considered that the canal network is undergoing a second wave of ‘improvement’ as there now exist numerous pressure groups who are dedicated to preserving today’s network and resurrecting once abandoned areas of it, as exemplified by the Ashby Canal Association which formed in 1966. See R. Squires, ‘Waterway restoration: public money, private muscle’, in M. Baldwin and A. Burton (eds), *Canals, a New Look* (Chichester, 1984).

<sup>46</sup> See G.R. Searle, *Morality and the Market in Victorian Britain* (Oxford, 1998). See also G. Turnbull, ‘Canal, coal and regional growth during the industrial revolution’, in *Economic History Review*, XL, 4, 1987.

<sup>47</sup> F.H. Spencer, *Municipal Origins: an Account of English Private Bill Legislation Relating to Local Government, 1740–1835, with a Chapter on Private Bill Procedure* (London, 1911), p. 7.

committee and external forces. A sense of these debates was conveyed by Cruickshank as shown in Figure 6.



**Figure 6: A representation of a canal meeting by Cruickshank.**

Source: A. Burton, *Canal Builders* (1972, Newton Abbot, 1981), p. 39.

Much of the data for this chapter's analysis shall be gleaned from the canal company's first minute book, provincial newspapers for the county of Leicestershire and the diary of Market Bosworth's high constable, Joseph Moxon. It will consider why people became involved, although issues of altruism or the pursuit of personal gain will be left open – opinions voiced in public arenas do not always correspond with privately held beliefs. Chapter 2 also addresses the problems of introducing improvement schemes to communities, especially those concerning water management. It establishes how ideas and proposals often brought about changes, even before being implemented.

The following four chapters will then address the construction process that occurred between 1794-1804, starting with Chapter 3: the company management. Here consideration will be given to the company's managerial structure and

regulations, its legal representation, the meetings and decisions made by the select committee and the assembly, and the role of the company chairman. Additional sources will include the second minute book, the Parliamentary Act and the solicitor's bills. Here we gain an insight into how a collective of successful lobbyists set about restructuring their organisation into what was – in effect – a construction company.

Attention will then be turned to how the project was financed in Chapter 4: the shareholders. This will look at the mechanisms and regulations concerning the company's methods for raising money, the role of the treasurers, payment procedures, the selling of shares, the different interest groups involved, the contribution made by women, the status and professions of investors, where the investors came from, the issue of arrears, the impact shareholders had upon the canal's construction and how becoming an investor affected some of those who participated. The cash flow problems experienced by the company had a major impact on the outcome of the project and the morale of those involved. Through detailed studies of the company's shareholders' list, arrears records and biannual accounts recorded in the minute books, we can fully disclose the financial problems experienced by the company and its investors and look at the course of action that was taken as a result.

Next, Chapter 5: land, water and tramways, will consider the company's relationship with the landscape and those who lived and worked in the area. It will analyse the land-owning support and opposition to the canal before the 1794 Parliamentary Act, the process of consultation, the developments that occurred during the canal's construction, the variable amounts paid for land, the role of the company's land agent Samuel Wyatt and other select committee members in the negotiations, the disputes property owners had with the company, the construction of a feeder reservoir and how some landowners reacted to not having a promised branch of waterway

cutting through their land. Much of the details concerning the affected property owners will be taken from the company's book of reference and accompanying map, the minute books 1-3 and other relevant local sources such as directories.

Finally Chapter 6 will provide an account of the actual building of the canal. This issue will be left late in the thesis so that attention can first be given to the various negotiations and financial arrangements that had to take place, and to highlight how the physical aspect of a project was/is not the only way commercial developments manifest themselves. The chapter will begin by investigating the chain of command regarding the actual construction process and look in detail at some of those who were involved. It will consider the numbers of workmen, the numbers of contractors employed and the percentage of them who were from outside the affected parishes, the legally binding agreements they entered into, the disagreements, the dismissals and the impact of the works on local employment levels. It will analyse four chronologically distinctive phases of the works, which involved specific sections of the waterway and its accompanying structures, a feeder reservoir and over 12 miles of tramways.<sup>48</sup>

New developments, especially those that bring changes to the landscape, often have political implications. By focusing on the Ashby Canal the intention is to further our understanding of how previous generations dealt with the many issues that accompanied introducing or imposing commercial ventures upon existing communities.

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<sup>48</sup> Tramways are also referred to as railways (or rail tracks) in some studies; however, in this thesis I have opted to mostly use the term 'tramway' for horse-drawn rail transport.

## Chapter 2: Promoting the canal

The imposing of man-made structures upon land owned and utilised by a multitude of individuals can be an emotive issue, often resulting in the formation of associations to champion or oppose the proposed development. The Ashby Canal was no exception. Through analysing the campaign to acquire the required Parliamentary consent to construct the Ashby Canal the intention is to emphasise people's perception of change and how, even before the canal became a physical reality, lives were affected either from individuals' involvement in the negotiations, or from being lobbied by pro-and anti-campaigners.

This chapter will begin by establishing how people became drawn into the debate. What were the circumstances from which the idea of the Ashby Canal materialised? What were the arguments that dominated the negotiations? What were the reasons for people becoming involved and what was the response of the waterway's detractors to the canal company's altruistic claims?

It will then examine the collective nature of the debate through comparative analysis of the canal's supporters and opposition, considering the following issues. How were the two campaign groups structured? How often did the supporters convene and how many attended? What was the social structure of the committees and how exclusive was either side and did each lobbying group have stronger support in certain geographical locations?

Finally it will turn its attention to the internal and external debates that occurred. Where did the supporters meet? Who dominated the chairmanship? What internal issues were divisive? What were the outside forces involved and who were some of the key 'players' in the negotiations?

## **The origins of the canal's promotion and its relations with other Leicestershire canals**

The movement to promote the Ashby Canal became established and gained momentum because of three important developments.<sup>1</sup> The first was the West Leicestershire and South Derbyshire colliery owners' need to improve transport links with existing and potential customers.<sup>2</sup> C. Owen's research reveals how, despite the coal industry's technological advances during the seventeenth and eighteenth century, coal output remained the same in this area due to poor communications. Colliery owners (and proprietors of limeworks) faced the problem of having what they believed to be vast reserves of extractive material, yet no reason to increase production as the existing modes of transport prevented them from reaching other potential markets.<sup>3</sup>

The second factor was the mobilising of these West Leicestershire and South Derbyshire colliery owners into collective action against competition from Nottinghamshire and other Derbyshire coal producers,<sup>4</sup> and the realisation that – when united – they could be effective lobbyists. Previously the West Leicester and South Derbyshire extractors had dominated the Leicestershire market.<sup>5</sup> However, the construction of the Erewash Canal in 1779 and the Soar Navigation in 1778 (later

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<sup>1</sup> See A. Temple Patterson, 'The making of the Leicestershire canals, 1766-1814', *Transactions of the Leicestershire Archaeological and Historical Society*, 27 (1951).

<sup>2</sup> W.D. Holmes, 'The Leicestershire and South Derbyshire coalfield (1); the coal mining industry', *East Midland Geographer*, 1 (1958), p. 21. The mining of coal in the Leicestershire and South Derbyshire coalfields dates from the thirteenth-century. See C. Owen, *The Leicestershire and South Derbyshire Coalfield, 1200-1900* (Ashbourne, 1984), p. 119, regarding how by the eighteenth-century the Earl of Huntingdon, the Earl of Chesterfield, Earl Ferrers and Lord Beaumont dominated coal production in the area, with mining being 'one of a number of inter-dependent estate activities'. See also M.W. Flinn, *The History of the British Coal Industry, Volume 2, 1700-1830: the Industrial Revolution* (Oxford, 1984), pp. 180-9, for an account of the affects of canals upon the coal industry.

<sup>3</sup> Owen, *Leicestershire and South Derbyshire Coalfield*, p. 135. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 28.1.1792, p. 45, regarding Mr Jewsbury and five other gentlemen being ordered by the supporters' committee to survey 'the Woulds, Measham, Willesley, Okethorpe, Donisthorpe and other places' to ascertain the available amount of coal.

<sup>4</sup> See A. Burton, *The Canal Builders* (1972, Newton Abbot, 1981), for an account of who opposed the construction of canals, pp. 37-48.

<sup>5</sup> Temple Patterson, 'Leicestershire canals', p. 69: 'The Soar Navigation had brought down the price not only in Loughborough but to some extent in Leicester and all the south and east of the county as well'. Temple Patterson adds 'Hitherto the Coleorton and other West Leicestershire mines had enjoyed a monopoly of these markets'. See Owen, *Leicestershire and South Derbyshire Coalfield*, p. 142, regarding

referred to as the Loughborough Navigation) linking the River Trent to Loughborough,<sup>6</sup> brought more coal into the county (Figure 7), which reduced the price of a hundredweight of coal from a shilling to sixpence within two years.<sup>7</sup> Owen states ‘Taken unawares by the rapidity and severity of the change, Leicestershire colliery proprietors had no choice other than to reduce the price of their coal and to join in opposition to the new competitors’.<sup>8</sup> They spent the next ten years in collaboration with other detractors collectively opposing proposals to extend the new waterway to Leicester (the Leicestershire and Northampton Union Canal), which the owners of the Leicestershire and South Derbyshire collieries claimed would close their pits.<sup>9</sup>

The third factor was the effort of the industrialist and owner of Leicester collieries, Joseph Wilkes of Measham (1732-1805).<sup>10</sup> Through his involvement with the Trent Navigation Company he had gained direct experience of the benefits of canal transport,<sup>11</sup> and Owen claims it was Wilkes who came up with the idea for the waterway in 1780; adding that he ‘lavished much time, money and energy on continuing to promote the Ashby Canal project, which he came to regard as the only real solution to the area’s isolation problem’.<sup>12</sup>

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how the collieries were the main suppliers for ‘Leicester, Loughborough, Melton Mowbray, Market Harborough and other Leicestershire towns’.

<sup>6</sup> T.J. Chandler, ‘The canals of Leicestershire: their development and trade’, *East Midland Geographer*, 10 (1958), pp. 28-9. See also P.A. Stevens, *The Leicester and Melton Mowbray Navigations* (Stroud, 1992), p. 1. This involved the canalisation of just over nine-miles of the River Soar.

<sup>7</sup> Temple Patterson, ‘Leicestershire canals’, pp. 68-9: ‘The Derbyshire mine-owners in the 1780s were supplying almost half of the thirty thousand tons or so consumed annually in Leicester itself, and fully half of the whole county’s estimated consumption of sixty thousand tons or more. The competition naturally obliged the West Leicestershire men to lower their prices, so that as early as 1780 it was estimated that coal had been cheapened by an average of twopence a hundredweight throughout the whole area’, p. 69.

<sup>8</sup> Owen, *Leicestershire and South Derbyshire Coalfield*, p. 142.

<sup>9</sup> *Leicester Journal*, 29.10.1795. They further claimed that once their pits closed, the Derbyshire colliers would then increase their coal prices. Regarding opposition to the Leicester extension see Stevens, *Leicester and Melton Mowbray Navigations*, pp. 5-12.

<sup>10</sup> See D. Wright, ‘A survey of the industrial and commercial activities of Joseph Wilkes in the parish of Measham in the late eighteenth-century’ (unpub. B.A. dissertation, University of Nottingham, 1968). For a contemporary account of Wilkes see A. Young, *Tours in England and Wales* (London, 1932), pp. 271-88.

<sup>11</sup> Burton, *Canal Builders*, p. 20. Burton states how the Bridgewater Canal recouped the Duke of Bridgewater’s investment within less than eight years, providing him with immense wealth and displaying to the mining industry the consequences of what improved transportation links between collieries and customers could achieve for the owners of coalmines.

<sup>12</sup> Owen, *Leicestershire and South Derbyshire Coalfields*, p. 133.

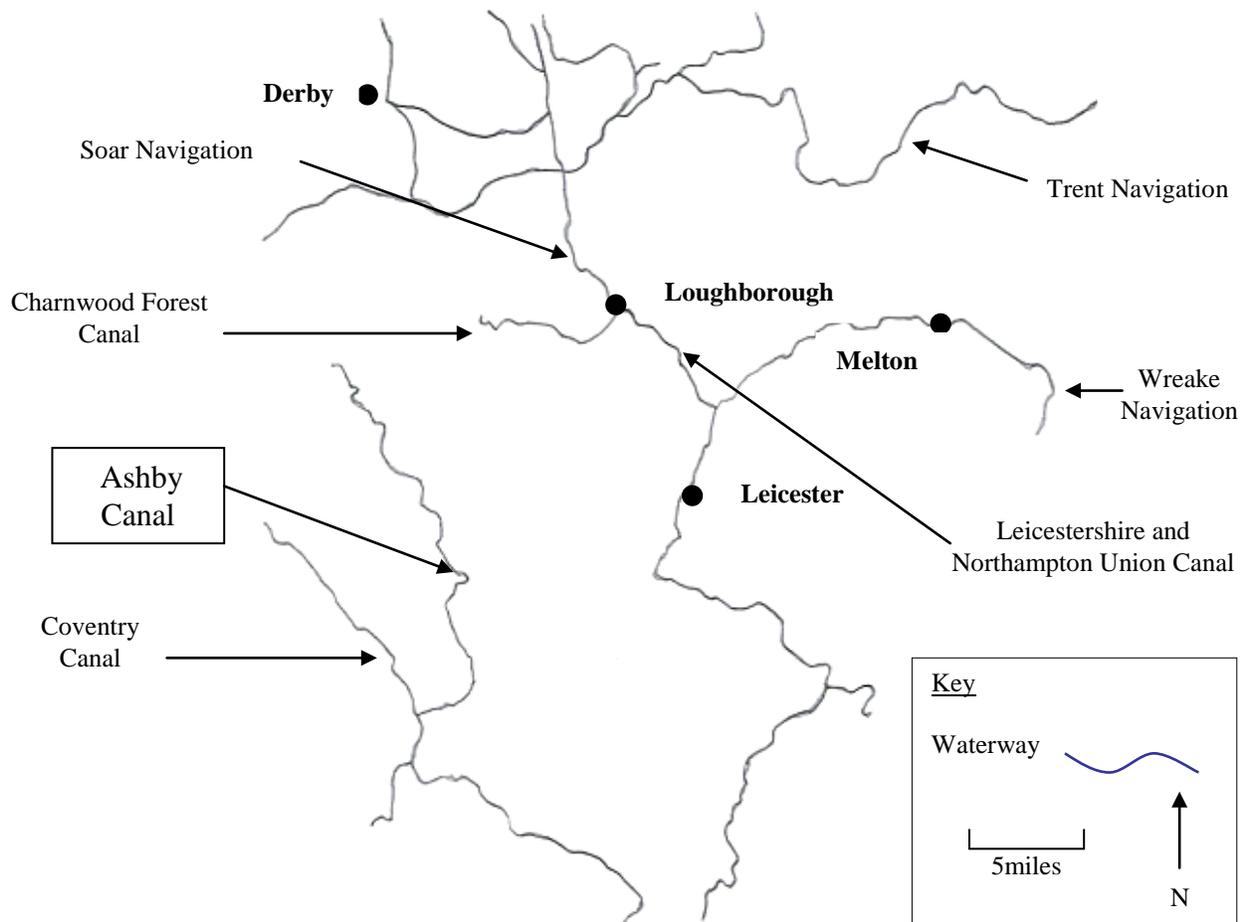
Wilkes and his fellow coal producers may have supported the Ashby Canal, but much more was required to convince local residents and Parliament of its merits. A number of meetings were held during the 1780s to discuss the proposed waterway; yet such was the opposition of the landowners whose land was to be affected, the project gained no real momentum.<sup>13</sup>

In contrast the Leicestershire and Northamptonshire Union campaign was much more advanced, having at least made applications for a Parliamentary Act, albeit unsuccessfully. However, ten years on from the initial opening of the Soar Navigation (Figure 7), the West Leicestershire colliery owners (supporters of the Ashby Canal) continued to be effective in opposing the waterway's extension to Leicester. Attempts to appease some of them were made in 1786 with a proposed branch from Loughborough to their workings in Coleorton,<sup>14</sup> yet, as this would not have benefited Lord Rawdon (later to be made Earl of Moira),<sup>15</sup> he remained opposed to the scheme, which was sufficient to halt its progress in Parliament.

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<sup>13</sup> Between 1781-1792 numerous meetings were held concerning a possible Ashby Canal, such as advertised in the *Leicester and Nottingham Journal* 26.1.1782, where those invited included 'all persons desirous to encourage a design of the most public utility, and also 'all the proprietors of land within the several parishes and places through which the said navigation is intended to pass'.

<sup>14</sup>This became the ill-fated Charnwood Canal. See C.P. Griffin, 'Transport change and the development of the Leicestershire coalfield in the canal age: A reinterpretation', *Journal of Transport History*, 4 (1978), concerning the canal's relationship with the Ashby Canal and a re-examination of why it failed.



**Figure 7: The various waterways involved in the negotiations between Leicestershire, Nottinghamshire and Derbyshire colliery owners.**

Source: Griffin, 'Transport change and the development of the Leicestershire coalfield in the canal age', pp. 235.

Despite a decade of political manoeuvring involving countless public claims and counter-claims, canal construction in Leicestershire did not progress.<sup>16</sup> The counties' colliery owners were in favour of constructing waterways (especially if these benefited their own works) yet invested much time and energy in opposition to canals that would give their competitors an advantage. Both Stevens and Temple Patterson agree that the

<sup>15</sup> Lord Rawdon became the Earl of Moira and for the remainder of this study will be referred to by this name.

<sup>16</sup> Temple Patterson, 'Leicestershire canals', pp. 75-6.

key to breaking this deadlock was facilitating the wishes of Moira,<sup>17</sup> which the supporters of the Leicestershire and Northamptonshire Union Canal finally achieved in 1790.

We cannot be sure what changed Moira's mind concerning this proposed waterway. The noble had no extractive interests in the area and the new canal would harm his existing and planned commercial concerns. It was probably the combination of public support for the project and pressure from fellow Leicestershire colliery owners such as Joseph Boulton, who had previously welcomed an offer made by the supporters of the Leicestershire and Northamptonshire Union Canal for an extension to his Colerton and Swannington pits.<sup>18</sup> It is further possible that an agreement was made that the supporters of the link from Loughborough to Leicester would not raise any objections concerning the Ashby Canal proposal, which was slowly gaining momentum. On the subject Temple Patterson adds 'it may have been one of the considerations which induced Rawdon to withdraw his opposition; but it was not to form part of the immediate undertaking on which there was now general agreement at last'.<sup>19</sup>

In 1791 a Parliamentary Act was granted for the construction of the Leicestershire and Northamptonshire Canal with its branches to Charnwood Forest and Melton (Figure 7). Having focused much of their attention on opposing the proposed canal and failed, the West Leicestershire colliery owners could now concentrate on promoting their own waterway and by 1792 there was sufficient interest to establish 'the Committee for Conducting the Business of the proposed Ashby de la zouch Canal'.<sup>20</sup>

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<sup>17</sup> See Stevens, *Leicester and Melton Mowbray Navigations*, p. 5 and A. Temple Patterson, 'Canals', in W. G. Hoskins and R.A. McKinley (eds), *A History of the County of Leicester, Volume III* (London, 1955), p. 96.

<sup>18</sup> Temple Patterson, 'Leicestershire canals', p. 75. Despite Boulton's support, his influence was not sufficient to over-ride Moira's objections in 1786.

<sup>19</sup> Temple Patterson, 'Leicestershire canals', p. 78. See also Stevens, *Leicester and Melton Mowbray Navigations*, p. 12, who states: 'As a *quid pro quo* for Rawdon's co-operation the Leicester promoters promised to support a scheme of great importance to him, the project which was ultimately to materialise as the Ashby de-la-Zouch Canal'. Clearly Stevens differs from Temple Patterson regarding the importance of the Ashby Canal in the negotiations concerning the Leicestershire and Northamptonshire Canal.

<sup>20</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 22.9.1792, p. 12. At the previous three meetings the organisation referred to itself as 'Friends' of the proposed canal. For example see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 1.9. 1792, p. 3.

## The arguments concerning the Ashby Canal

As early as 1781 supporters of Ashby Canal advertised how the waterway would provide a link between the coal producers and the main network of canals (Figure 8 and 9), as the title of Robert Whitworth's first map states:

A PLAN of the intended NAVIGABLE CANAL from the COVENTRY CANAL near Griff in the County of WARWICK, to the Coal Mines at MEASHAM, OAKTHORP, DONISTHORP AND ASHBY-WOULDs, in the counties of LEICESTER and DERBY.<sup>21</sup>

Analysis of the Leicester newspapers during the 1790s, especially the *Leicester Journal* which Temple Patterson describes as 'a constant advocate of any scheme that would bring coal and other commodities more cheaply to Leicester',<sup>22</sup> reveals that the Ashby Canal supporters' main argument was that increasing the production of coal in these areas would significantly reduce the cost of fuel throughout the county.<sup>23</sup> Considering they had spent the previous decade preventing the advocates of the Leicestershire and Northamptonshire Canal from achieving the same objective, it is surprising that none of the Ashby Canal's detractors drew attention to this point. The Wilkes brothers, Thomas and Joseph regularly wrote to newspapers arguing:

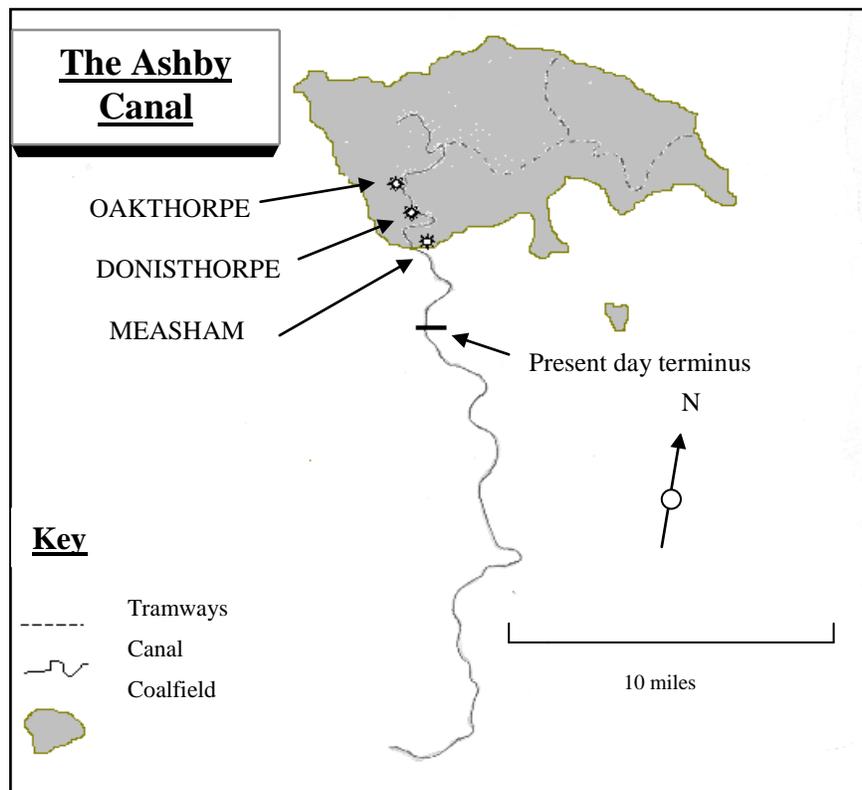
There are many Thousands acres of Coal, Lime, Iron, Stone and other Minerals, on the banks of the intended canal, that must remain useless to the public and the neighbourhood unless a canal is obtained, and that those who prevented access to such minerals were an ENEMY to the TRADE and OPULENCE of this part of the County.<sup>24</sup>

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<sup>21</sup> L.C.R.O., DE 421/4/21. See A. Skenton, *Biographical Dictionary of Civil Engineers, Volume 1, 1500-1830* (London, 2002), pp. 778-83, where Robert Whitworth (1734-1799), is described as a 'leading canal engineer'.

<sup>22</sup> Temple Patterson, 'Leicestershire canals', p. 76.

<sup>23</sup> A. Temple Patterson, *Radical Leicester* (Leicester, 1954), p. 29: 'The dominant factor in the canal movement...was the desire to obtain supplies of coal more easily and cheaply'. See P.S. Bagwell, *The Transport Revolution from 1770* (London, 1974), p. 23: 'The Duke of Bridgewater is much quoted as stating "a good canal should have coal at the heels of it"'. See also B.F. Duckham, 'Canals and river navigations', in D.H. Aldcroft and M.J. Freeman (eds), *Transport in the Industrial Revolution* (Manchester, 1983), p. 130: 'The easier conveyance of coal was, of course, the primary motive behind the creation of most canals'. See also J. Priestley, *Historical Account of the Navigations, Rivers and Canals and Railways of Great Britain* (1831, Newton Abbot, 1969), p. 31: 'The principal object of this navigation is the export of the produce of the extensive coal and lime works in the neighbourhood of Ashby-de-la-Zouch'.



**Figure 8: The Leicestershire and South Derbyshire coalfield and the location of coal mining settlements referred to on Whitworth’s 1781 map.**

Source: C. Owen, *The Leicestershire and South Derbyshire Coalfield, 1200-1900* (Ashbourne, 1982), p. 12.

However, the opposition dismissed such claims, maintaining that the canal would increase the cost of transporting such materials – especially coal and lime (Figures 8 and 10) – and that the public would further suffer the inconvenience of having to collect their deliveries from the canal’s ‘useless wharves’.<sup>25</sup> The canal’s supporters response was to argue it was ‘preposterous’ to suggest that land carriage was cheaper than water carriage,<sup>26</sup> and the Wilkes brothers (Figures 11,12 and 13), further guaranteed lower

<sup>24</sup> *Leicester Herald*, 9.2.1793.

<sup>25</sup> For example see *Leicester Journal*, 4.1.1793 where deliveries to Market Bosworth are calculated as being ‘Seven Pence per Hundred’ and ‘Eight Pence per Hundred’ for Hinckley. See also *Leicester Journal* 31.5.1793, where the opposition reiterates that coal and lime will be dearer. To date no evidence has emerged to explain how the opposition calculated the increase in carriage charges due to canal transport.

<sup>26</sup> *Leicester Journal*, 4.1.1793. H.J. Dyos and D.H. Aldcroft, *British Transport: an Economic Survey From the Seventeenth-Century to the Twentieth* (1967, Leicester, 1971), p. 106. ‘All canals had the initial effect of lowering the costs of overland carriage by at least half’. See also C. Hadfield, *British Canals: the Inland Waterways of Britain and Ireland* (1950, Stroud, 1994), p. 19. ‘Almost every account of the opening of a canal refers to the reduction of the price of coal and the consequent benefit to the poor’.

prices and deliveries to the door, adding that as a result of cheaper coal brought by the Ashby Canal the town of Hinckley would save £2500 a year.<sup>27</sup>



**Figure 9: The close proximity of collieries to the canal in Oakthorpe.**<sup>28</sup>  
Source: From D. Burbidge's private collection.



**Figure 10: A limestone quarry at Staunton Harold owned by Earl Ferrers by an unknown painter.**  
Source: Snibston Discovery Museum.

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<sup>27</sup> *Leicester Herald*, 9.2.1793. The Wilkes brothers' prices from their mines in Oakthorpe and Measham to Market Bosworth are quoted at 'Five Pence Farthing a hundredweight' and for Hinckley 'Six Pence Farthing'.

<sup>28</sup> This section of the canal no longer exists due to twentieth-century mining subsidence.



**Figures 11, 12 and 13: The family homes of the Wilkes brothers.<sup>29</sup>**

Advocates of the canal also had to refute allegations that the canal would cause disruption to the development and management of affected estates. One such landowner was Penn Assherton Curzon (1757-1797) of Gopsall Hall,<sup>30</sup> who complained that the canal would disrupt his plans to extend and develop his estate,<sup>31</sup> and that it would damage

<sup>29</sup> The top and bottom right image is Overseal House that was built for Joseph Wilkes, whereas the house featured bottom left was owned by his brother Thomas. As the bottom right image shows the two dwellings were located next to each other. The positioning of their houses suggests that the brothers had a close relationship privately as well as in business.

<sup>30</sup> G. Oakley, *A History of Gopsall* (Sheepy Magna, 1995), p. 16.

<sup>31</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), p. 6. A copy of a letter sent by Curzon to Doctor Kirkland for the attention of the Ashby Canal Committee to be read at the meeting held 4.9.1792.

existing water supplies to his home.<sup>32</sup> The response of the canal supporters was to consider inserting a clause into the Parliamentary Bill ‘pledging the whole amount of the subscription being one hundred and fifty thousand pounds, for securing the same spring uninjured to Mr Curzon his Heirs and Assigns forever, in Consequence of this Canal being made’.<sup>33</sup> However, perhaps upon hearing Curzon’s own compensation demands,<sup>34</sup> this offer was reduced to £50,000.<sup>35</sup>

As well as individual complaints the supporters had to deal with attacks from an association of detractors formed in 1792.<sup>36</sup> Their campaign focused more on collective concerns rather than individual grievances.<sup>37</sup> This involved disputing the impact the waterway would have on transport costs and drawing attention to the effect of the canal upon land use; claiming if the development went ahead, ‘three hundred acres would be laid waste’.<sup>38</sup> On this issue the canal’s advocates counter-claimed: ‘this is a Fallacy which every One must see through, for the Number of Horses that one would be required

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<sup>32</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.10.1792, p. 18. Another possible motive for Curzon’s opposition could have been that he feared his investments in Warwickshire coal would suffer as a result of the prosperity of the mines that would benefit from the Ashby Canal. See W.H.B. Court, ‘A Warwickshire Colliery in the Eighteenth Century’, *Economic History Review*, 7 (1937), pp. 225-6 regarding Curzon owning a Warwickshire colliery called Charity.

<sup>33</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 15.3.1793, pp. 58-9. See also T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 7.4.1793, p. 62.

<sup>34</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 5.11.1793, p. 84.

<sup>35</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 11.12.1793, pp. 95-7. The committee offered Curzon a choice between possible compensation for any damage done to his spring or changes to the route of the canal. They further offered to pipe the water to him, move the towpath, and remove and relocate any topsoil. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 17.12.1793, pp. 100-1, for Curzon’s response. Curzon still refused to offer his support to the canal; instead he stated that he would ‘not give any opposition to it’.

<sup>36</sup> The historiography on the debates concerning the proposed Ashby Canal during 1792-4 depicts the almost solitary figure of Penn Assherton Curzon of Gopsall Hall pitted against the collective force of the canal supporters consisting of nobles, lawyers, industrialists, bankers and clergymen. While this is an accurate representation of the supporters, canal historians have not given sufficient attention to the collective structure of the opposition. The *Leicester Journal*’s report of opposition meetings such as held on the 2 August 1793, which was attended by land owners and millers, indicates that during this period Curzon operated within a group of associates who recognised the conventions of listing those present, recording resolutions and advertising them publicly. It further indicates that other individuals were revered within the organisation such as Willoughby Dixie who is listed as chairing the meeting, despite the presence of Curzon.

<sup>37</sup> *Leicester Journal*, 4.1.1793: ‘We have never troubled you with a Word on the Subject of the Spring, it being a separate private Objection of Mr Curzon’s’.

<sup>38</sup> See Burton, *Canal Builders*, pp. 44-5 and Hadfield, *British Canals*, pp. 21-2 for examples of other objections to canals, which included that the English climate would be affected by the increased moisture in

to be used for the Land Carriage would consume the Produce of as many thousand Acres'.<sup>39</sup>

Mill owners also voiced concern regarding the effect of the intended canal upon their water supplies.<sup>40</sup> However, despite the opposition's collective title including 'the Proprietors of Mills',<sup>41</sup> and at least two mill owners being active within the association,<sup>42</sup> analysis of the provincial newspapers throughout Leicestershire provides no evidence of their objections being voiced publicly. Yet some millers did communicate directly with the supporters' committee concerning their fears, which resulted in assurances that culverts would be 'equal to any Floods',<sup>43</sup> water supplies would remain unaffected, and that the intended Bill would include clauses guaranteeing mill owners against injury due to loss of water.<sup>44</sup>

The canal's supporters' main arguments were that the Ashby Canal would reduce prices and increase the availability of commodities, it would not affect other water supplies, and it would reduce the impact of transport upon the landscape. Still canals brought many more benefits, including: the creation of employment from the construction and operational needs of canals and the expansion of manufacturing and extractive concerns,<sup>45</sup> an increase in the value of land from having a canal cut through it,<sup>46</sup> a

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the air and women in the locality of new canals would be distressed by the sight of increased public bathing.

<sup>39</sup> *Leicester Journal*, 4.1.1793.

<sup>40</sup> Hadfield, *British Canals*, p. 22. Disputes over water supplies were well established prior to the construction of canals, see M. Watts, *The Archaeology of Mills and Milling* (Stroud, 2002), p. 127: 'Many leats were established in the medieval period and they, or the right to the water flowing along them, were often jealously guarded and were frequently a cause of controversy'. See also N. Ashton, *Leicestershire Water Mills* (Melton Mowbray, 1977), pp. 45-72, for descriptions of mills located on the Rivers Sence and Gilwiskaw.

<sup>41</sup> *Leicester Journal*, 2.8.1793.

<sup>42</sup> *Leicester Journal*, 2.8.1793. Through cross-referencing the names listed at the opposition's meeting held on this date, with P.J. Foss and T. Parry (eds), *A Truly Honest Man: the Diary of Joseph Moxon of Market Bosworth 1798 and 1799* (Macclesfield, 1998), p. 8 and p. 29, it is possible to establish the presence of millers William Cooper and Francis Skelton at the opposition meeting.

<sup>43</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 19.2.1793, p. 51.

<sup>44</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 10.6.1793, p. 70. Geo III c. 93, p. 1624: The act stated that 'Mills injured by the Navigation, to be purchased by the Company if so required by the Owner'.

<sup>45</sup> Dyos and Aldcroft, *British Transport*, p. 103.

reduction in the regional segregation of agriculture,<sup>47</sup> ‘the receipt of dividends, interest payments and or the appreciation of capital value of shares’,<sup>48</sup> an increase in national output,<sup>49</sup> less damage to roads due to not having to carry heavy bulky loads,<sup>50</sup> a reduction of the threat of famine,<sup>51</sup> and benefits to agriculture from many soil deficiencies being rectified.<sup>52</sup> However, no evidence has emerged to indicate that the promoters of Ashby Canal made any of these claims.<sup>53</sup> If the available evidence concerning the Ashby Canal represents the true extent of the arguments made in favour of its construction, it must then be considered why its advocates did not list such benefits. One possible explanation could be that when the canal’s promoters made references to either ‘Public Utility’,<sup>54</sup> or ‘the great advantages to the community at large’,<sup>55</sup> there was an acceptance that many of the advantages mentioned above were encompassed in such terminology.

What we do have is evidence of the opposition’s annoyance concerning the canal’s supporters’ altruistic declarations. This is exemplified by a letter written to the *Leicester Journal* where a reader implores the advocates of the canal to ‘say as little as possible of PUBLIC GOOD and PUBLIC UTILITY: It is an ill compliment to suppose Mankind such Fools as to believe them actuated by such Motives’,<sup>56</sup> and an account in the same newspaper of investors descending upon Ashby following false rumours that shares were being issued, prompting the reporter, obviously with some sympathy for the

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<sup>46</sup> Temple Patterson, *Radical Leicester*, p. 33. A. Squires, *The Greys: a Long and Noble Line* (Hale, 2002), p. 123. The Earl of Stamford, one of the Ashby Canal’s supporting nobles, had already prospered from owning property the Bridgewater Canal cut through.

<sup>47</sup> Dyos and Aldcroft, *British Transport*, p. 106.

<sup>48</sup> J.R. Ward, *The Finance of Canal Building in Eighteenth-Century England* (London, 1974), p. 126.

<sup>49</sup> S. Pollard, *Essays on the Industrial Revolution* (Aldershot, 2000), p. 31.

<sup>50</sup> Dyos and Aldcroft, *British Transport*, p. 109.

<sup>51</sup> Hadfield, *British Canals*, p. 19.

<sup>52</sup> T. Williamson, *The Transformation of Rural England: Farming and Landscape, 1700-1870* (2002, Exeter, 2003), pp. 124-5.

<sup>53</sup> It is possible that the promoters of the canal may have listed some of these benefits in the pamphlets that they issued during their campaigns, however, to date no such evidence relating to the Ashby Canal has been found. See Burton, *Canal Builders*, pp. 39-40, for examples of the pamphlets issued by the opponents and opposition to the proposed Trent and Mersey.

<sup>54</sup> For example see *Leicester Journal*, 26.1.1782.

<sup>55</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 30.8.1792, p. 1.

<sup>56</sup> *Leicester Journal*, 31.5.1793.

canal's opposition, to explain how 'The idea of so Much *public good* being manipulated by a few individuals was a sufficient stimulus to rouse the spirits of our Leicester heroes'.<sup>57</sup>

### **Reasons for becoming involved in the debate**

There are far too many numbers involved and insufficient evidence to analyse the motivation for every participant's involvement in this debate.<sup>58</sup> Still, it is possible to consider some of the factors that contributed to people becoming engaged in the various negotiations.

Living in the parishes the canal was intended to cut through made it almost inevitable that people would discuss the proposed development.<sup>59</sup> Yet the 'public' debate excluded the lower orders of society, who had to be content with exchanging their opinions without being involved in the official talks regarding the proposed project.<sup>60</sup> Unfortunately, little evidence exists concerning the poor's opinions about the introduction of canals. Nevertheless, it is reasonable to assume that many impoverished households would have appreciated the prospect of cheaper and more available coal,<sup>61</sup> in addition to the increased employment created by the canal's construction and operation.<sup>62</sup>

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<sup>57</sup> *Leicester Journal*, 28.9.1792.

<sup>58</sup> See Ward, *Finance of Canal Building*, p. 126. 'Material giving a candid and authentic view of the aspirations of canal proprietors is scarce'. See also F.M.L. Thompson, *Gentrification and the Enterprise Culture, Britain 1780-1880* (Oxford, 2001), p. 6, regarding how analysis of what motivates entrepreneurs has been left to social and cultural historians 'who have illuminated the subject with paradoxical effect'.

<sup>59</sup> While acknowledging the danger of conforming to the nineteenth-century stereotypes of 'Hodge', referred to in K.D.M. Snell's, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge, 1985), pp. 5-9, it could be considered that, despite canals being in existence for 20 years prior to Whitworth's 1781 proposal, some parish residents, especially agricultural labourers, may not have been aware of the developing canal network that was emerging outside their parishes. However, there is no evidence that can confirm this.

<sup>60</sup> See P. Laslett, *The World We Have Lost – further explored* (1965, London, 1983), p. 73, regarding the 'peoples parliament' of the alehouse.

<sup>61</sup> Flinn, *History of the British Coal Industry*, p. 187. 'In some areas, above all in the East and West Midlands, the canals generated competition between coalfields that itself was responsible for lowering the price of coal'.

<sup>62</sup> See Burton, *Canal Builders*, p. 204, regarding how many of the local labourers would have been aware that the navy was 'better paid than the farm worker'.

Whereas some parish residents could chose to ignore the debate, for those who owned land the canal was to cut through, such detachment was harder.<sup>63</sup> These individuals often found themselves on the receiving end of lobbying from the canal's opposition and supporters and had to consider whether the commercial benefits of having a canal close by – in addition to the money for the purchase of their land – outweighed the inconvenience of having a waterway running through their property. They also had to think about how siding with one particular group would affect their relationship with fellow landlords and influential magnates who chose differently.

For landowners involved in mining and quarrying such as the Wilkes brothers and Sir Frances Burdett, the decision to support the canal was an easy one. They had much to gain from the proposed development, and many were important supporters of the project.<sup>64</sup> For them the canal gave hope to their ambitions of expansion and wealth, whereas, owners of estates with no extractive operations were more likely to campaign against the canal,<sup>65</sup> such as the two leading figures within the opposition movement: Willoughby Dixie of Bosworth Hall (Figure 14),<sup>66</sup> and the previously mentioned Curzon. As Dixie's and Curzon's homes were situated within a mile of the intended route, they also would have had concerns about the potential noise, traffic, dirt and presence of

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<sup>63</sup> W.C.R.O., QS111/2/6 (1794 Book of Reference). The Book of Reference was a required condition of Parliamentary standing orders, and provides a list of the owners, tenants, location and the size of plots of land the canal intended to pass through.

<sup>64</sup> See H. Usher, *The Ticknall Limeyards* (Ticknall, 1995), pp. 6-8, concerning the extractive industry in this area and Sir Francis Burdett's involvement. See also D. Spring, 'English landowners and nineteenth-century industrialism', in J.T. Ward and R.G. Wilson (eds), *Land and Industry: the Landed Estate and Industrial Revolution* (Newton Abbot, 1971), p. 26, for an account of the owners of mineral lands also campaigning for railways as well as canals.

<sup>65</sup> G. Evans, *Mallory Park, Leicestershire: Portrait of a Country Estate* (Stowe by Chartley, 2001), pp. 30-4. One noticeable exception was Lord Viscount Wentworth, who had the honour of being 'Lord of the King's Bedchamber'. Despite having no involvement with the extractive or manufacturing industries he was still the most actively involved noble in the affairs of the supporters' committee. Yet where Wentworth differed from the canal's leading opponents, was that his family home was situated approximately four rather than one mile away from the line of the canal (Figure 15).

<sup>66</sup> P.J. Foss, *The History of Market Bosworth* (Melton Mowbray, 1993), pp. 102-3. Dixie was made 'acting squire', following the declared insanity of his brother Wolstan, and is described by Mary Noel as 'boorish but entertaining'. See also B. Newman, *The Bosworth Story* (Plymouth, 1967), pp. 57-9. Dixie became a dominant force in the opposition to the Ashby Canal. However see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 7.9.1792, p. 12, where he is listed as being elected to the canals' supporters' first general committee.

labourers during the construction process,<sup>67</sup> and the perceived threat of boatmen constantly passing through the area once the canal was in operation (Figure 15).<sup>68</sup> Still, there is no evidence of the detractors making such complaints, which suggests the opposition considered that such grievances could be construed (or misconstrued) as selfish, in light of the potential benefits, and therefore opted to keep such grievances out of the public domain.

It is also probable that certain employees or tenants were pressurised into entering the debate by their employers and/or landlords.<sup>69</sup> Through cross-referencing evidence provided by an advertised meeting of canal's dissenters in the *Leicester Journal* during August 1793,<sup>70</sup> with the 1794 Book of Reference,<sup>71</sup> it can be established that of the 60 individuals listed as opposing the canal, nine were tenants of Dixie, who is also listed as chairing the opposition's meeting. Furthermore, no evidence has been found of Dixie's or Curzon's tenants supporting or investing in the canal, which adds weight to the possibility that coercion was taking place.<sup>72</sup>

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<sup>67</sup> See Hadfield, *British Canals*, pp. 26-7, for an account of navvies being perceived as 'rough men' capable of robbery, rioting and murder. See also Burton, *Canal Builders*, pp. 155-71.

<sup>68</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 28: Such threats did not deter Captain Hall's enthusiasm for the project. Hall produced no extractive material and his family home in Shackerstone was situated less than an eighth of a mile away from the proposed waterway, yet still he actively supported the project.

<sup>69</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 8. Highlighting the oppressive nature of life under Dixie, one of his tenants William King, is quoted as stating that the best policy to adopt living in Bosworth was to 'Lie still in the wagon' and not to speak out of turn. This could explain his presence at a meeting held by those in opposition to the canal, which was chaired by Dixie. See *Leicester Journal*, 2.8.1793.

<sup>70</sup> *Leicester Journal*, 2.8.1793.

<sup>71</sup> W.C.R.O., QS111/2/6.

<sup>72</sup> W.C.R.O., QS111/2/6. This source further provides the names of ten of Curzon's tenants and eight of Dixie's. See also T.N.A., RAIL 803/9/1 (1794 Shareholders' List), where none of these individuals are listed as shareholders in the canal. This may be a coincidence, however, it also suggests that financially supporting the canal was not an option for those who rented land owned by Dixie and Curzon.

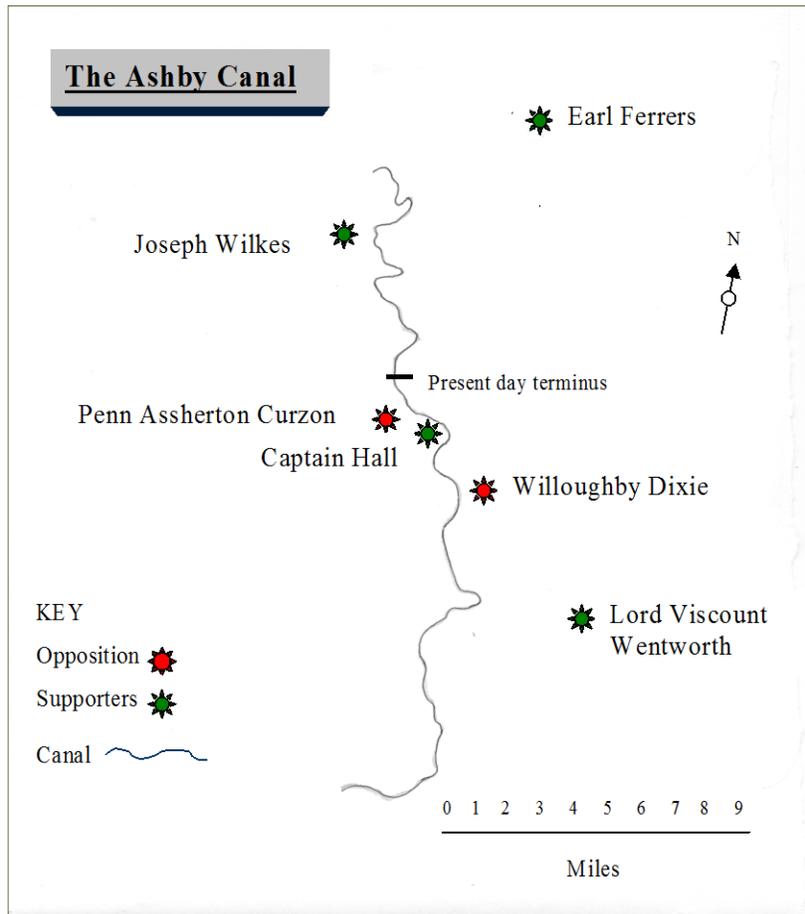


**Figure 14: The Dixie family of Market Bosworth. Willoughby Dixie (1742-1802) is situated to the left of the picture.<sup>73</sup>**

Source: P.J. Foss, *The History of Market Bosworth* (Melton Mowbray, 1983), p. 91.

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<sup>73</sup> The gentleman standing with his legs crossed is Willoughby's brother, Wolstan Dixie the 5<sup>th</sup> Baronet, who was rendered inactive during the debate due to mental illness.



**Figure 15: The family homes of some of the leading campaigners for and against the Ashby Canal.**

Source: Foss and Parry, *Diary of Joseph Moxon*.

Those who opposed the Ashby Canal were not necessarily opposed to the concept of improved water transport. One of the Ashby Canal's detractors, Sir Roger Newdigate (Figure 16), was so enthusiastic about the economic merits of canals that he famously surrounded his house with them.<sup>74</sup> Still he publicly campaigned against the Ashby Canal, presumably because he believed it would affect the profits of his mining concerns in Warwickshire.<sup>75</sup> Despite Curzon's obsessive opposition to the Ashby Canal it is also worth noting that he and his father were investors in the Chesterfield Canal, which G.

<sup>74</sup> See W.H.B. Court, 'A Warwickshire Colliery in the Eighteenth Century', *Economic Review*, 7 (1937).

<sup>75</sup> H.J. Compton, *The Oxford Canal* (Newton Abbot, 1976), p. 24. This appears to contradict Compton's view that Newdigate had 'done so much for canals'. See Ward, *Finance of Canal Building*, p. 159: Newdigate invested £500 in the Coventry Canal and £3000 in the Oxford Canal.

Box rightly claims adds weight to the accusation that the proprietors of Gopsall Hall were guilty of what is today referred to as Nimbyism.<sup>76</sup>



**Figure 16: Detail taken from a portrait of Sir Roger Newdigate.**

Source: P. Laverey, *Warwickshire in 1790* (Reading, 1984).

Promoting a canal was a costly process; therefore investment was required even before Parliamentary consent was given. However, as the shares became available during the height of the 1790's 'Canal Mania', there was no shortage of subscribers.<sup>77</sup>

Converting the supporters' committee into a joint-stock company increased the numbers of individuals involved in the negotiations; it also broadened the geography of the debate as 22% of the 534 investors in the Ashby Canal stated that they resided outside the three

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<sup>76</sup> G. Box, 'The construction of the Ashby Canal' (unpub. M.A. dissertation, University of Leicester, 1997), p. 11. For an excellent account of tension caused by local opposition to erecting fever sheds in Liverpool see P. Laxton, 'Fighting for public health: Dr Duncan and his adversaries, 1847-1863', in S. Sheard and H. Power (eds), *Body and City, Histories of Urban Public Health* (Gateshead, 2000).

<sup>77</sup> For a detailed account of 'Canal Mania' during the 1790's, see Hadfield, *British Canals*, pp. 83-104, where causes include the growing awareness of the profits made from investments in canals, the opening of the Thames and Severn which linked the Midlands to London and the publication of J. Phillips, *A General History of Inland Navigation* (1792, Newton Abbot, 1970). See also Dyos and Aldcroft, *British Transport*, p. 99: A year before investment in the Ashby Canal began one £140 share in the Birmingham Canal sold for £1250.

counties due to be affected.<sup>78</sup> As most of these individuals had no links with the relevant area, it can be assumed that their main motivation was to acquire a return on their capital.<sup>79</sup>

Parliament usually had the final say as to whether canals could be constructed; therefore other ‘outsiders’ such as MP’s and Lords were drawn into the debate through the lobbying of Ashby Canal supporters and detractors. Analysis of the canal company solicitors’ invoices reveals how their lawyer Mr Pestell was often employed to engage politicians as the following extracts shows:

For my Journey to London 21<sup>st</sup> Jan and attendance in Town soliciting the Interest of Members in favour of the Bill...For my attendance in Town Soliciting the Bill – Attending Committees attending upon and applying to Members & friends of both houses.<sup>80</sup>

To further the canal’s chances in Parliament the select committee relocated to London to monitor the Bill’s progress and to lobby Members of Parliament. Analysis of these 11 meetings held in 1793 indicates a degree of success as most meetings listed numerous peers and M.P’s who had been recruited to the committee.<sup>81</sup> Still, more work was required, as despite the efforts of such influential individuals, the first submission to Parliament resulted in defeat.

The proposal to construct the Ashby Canal engaged numerous local and national politicians, and it is reasonable to assume that many such figures would have balanced the canal’s impact upon the affected communities – especially if they represented them – with how it affected them personally before supporting or opposing it.<sup>82</sup> Hadfield goes as

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<sup>78</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders’ List).

<sup>79</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders’ List). It must be recognised that some of those listed as residing outside the area still owned property close to the canal, such as William Wollaston, the Lord of the Manor for Shenton and Mary Stuart, the Countess of Bute and Lady of the Manor for Sutton Cheney.

<sup>80</sup> T.N.A., RAIL 803/10/1 (Mr Pestell’s Bill).

<sup>81</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 9.2.1792-3.5.1793, pp. 48-68.

<sup>82</sup> P. Langford, *A Polite and Commercial People: England 1727-1783* (Oxford, 1989), p. 416. See Laslett, *World We Have Lost*, p. 224, concerning the importance of the gentry politicians representing the wishes of the labourers and freeholders. See also G.E. Mingay, *English Landed Society in the Eighteenth-Century* (London, 1963), p. 60, concerning the ‘desire to maintain popularity’ and ‘the land owners conception of his social responsibilities’.

far as stating that the nobles who supported canals did so not for personal gain, ‘though that came in time’, and that their motivation was ‘the pleasurable power that comes from acknowledged leadership in an activity that is manifestly of public benefit’.<sup>83</sup> Other historians such as Mee point to less altruistic motives, instead suggesting that those in positions of authority were more concerned with being seen to be acting for the benefit of the many, as this strengthened their political standing within the communities they represented.<sup>84</sup> Evidently, this is an issue much open to speculation.

### **The formation of supporters’ canal committees**

On the 30 August 1792, an association of Ashby Canal supporters was formed.<sup>85</sup> Those involved were mostly of the ‘middling sort’,<sup>86</sup> yet later contributions were made by a small number of nobles.<sup>87</sup> A. Burton states that the purpose of these organisations was to ‘raise local interest and enthusiasm, to get agreement on the general plan, and then to organise enough money and support to give to the plan a reasonable chance of getting through parliament’.<sup>88</sup>

To achieve this objective, the organisation had to establish working structures to govern and regulate it (Table 1).<sup>89</sup> It began by forming a general committee originally consisting of 83 individuals, who were required to subscribe towards the expense of

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<sup>83</sup> C. Hadfield, *The Canal Age* (Newton Abbot, 1981), pp. 38-9.

<sup>84</sup> G. Mee, *Aristocratic Enterprise: the Fitzwilliam Industrial Undertakings, 1795-1857* (London, 1975), pp. xi-ii.

<sup>85</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.8.1792, p. 1.

<sup>86</sup> J. Barry, ‘Introduction’, in J. Barry and C. Brooks (eds), *The Middling Sort of People, Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), pp. 12-23.

<sup>87</sup> Burton, *Canal Builders*, p. 24: ‘There were those who like the Duke of Bridgewater, who came from the old landed families, and there was a second and larger group, made up of the new class of industrialists and trades’. Regarding the input of nobles see also, G.E. Mingay, *English Landed Society in the Eighteenth Century* (London, 1963), pp. 19-20; F.M.L. Thompson, *English Landed Society in the Nineteenth Century* (London, 1963) pp. 25-44; D. Cannadine, ‘Introduction’, in D. Cannadine (ed.) *Patricians, Power, and Politics in Nineteenth-Century Towns* (Leicester, 1982), pp. 1-13.

<sup>88</sup> Burton, *Canal Builders*, p. 24. See also C. Hadfield, *The Canal Age* (Newton Abbot, 1981), pp. 38-9, where he states that these meetings provided opportunities for landed men to meet manufacturing men for the first time.

promoting the canal.<sup>90</sup> This administrative body had two functions: to elect a select committee and to convene when called upon to discuss and approve action concerning matters of importance.<sup>91</sup> At the following meeting, a select committee of 30 was elected with the powers to conduct the canal’s business, call general meetings when required and appoint personnel on behalf of the company, providing at least seven members were present.<sup>92</sup>

**Table 1: Form and number of meetings held during the canal’s promotion, August 1792 – March 1794.**

<b>Form of meeting</b>	<b>Number of meetings<sup>93</sup></b>
Before the introduction of the sub-committees	5
Select committee	37
General committee	13
<b>Total</b>	<b>55</b>

Analysis of the select committee meetings reveal that on average 17 committee men attended,<sup>94</sup> and the numerous references to people being continually voted on to this sub-committee with no recorded resignations indicates that the initial membership of 30 was not capped.<sup>95</sup> Regarding general committee meetings, the average number present was 48, and figure 17 shows that numbers attending ranged from 23 to 87.<sup>96</sup>

Analysis of both sub-committees between 1792-1804 reveal that the yearly average numbers of meetings for the promotion phase was much higher (37) than the

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<sup>89</sup> *Leicester Journal*, 2.8.1793. The opposition collective formed in August 1793 and advertised itself as ‘Proprietors of the lands on the line of this intended canal of other Land Owners whose property is likely to be affected by it, and of the Proprietors of Mills on the River Anker, Sense, and Mease’.

<sup>90</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 7.9.1792. p. 9.

<sup>91</sup> General committee members were permitted to attend select committee meetings at any time. For example see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.10.1792, p. 17, where 14 attend.

<sup>92</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 22.9.1792, p. 12.

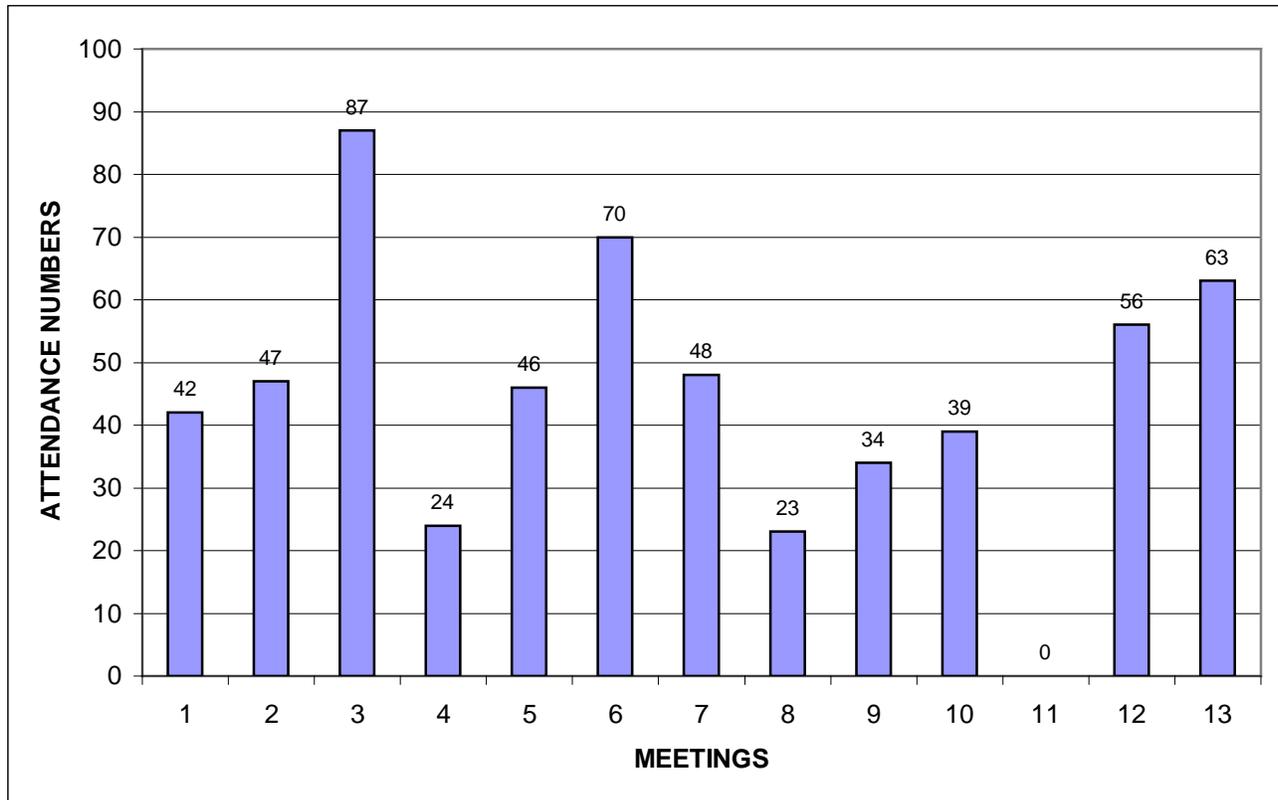
<sup>93</sup> In total 56 meetings were called, however one meeting only had four attend and was therefore deemed inquorate. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 22.9.1792, p. 81. Therefore, this meeting has been excluded from the calculations.

<sup>94</sup> The numbers attending select committees ranged between seven to 32.

<sup>95</sup> See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 28.6.1793, p. 71. At this meeting 32 attendances of select committee members are recorded.

<sup>96</sup> Analysis of attendance numbers to all meetings cannot link attendance numbers to factors such as weather, the participation of peers, specific subject. It can only be concluded that the personal circumstances and interests of those participating largely affected attendance.

construction phase (21). This indicates either that there was more enthusiasm for the project during the canal's conception or that the building of the canal required less managerial involvement.<sup>97</sup>



**Figure 17: Attendance at the general committee of the Ashby Canal August 1792-March 1794.**<sup>98</sup>

Source: T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1).

### **The social and geographical structure of the canals' supporters and detractors**

In his account of the political manoeuvring of the supporters of the Trent and Mersey,<sup>99</sup> A. Burton describes how the project relied upon the patronage of the landed

<sup>97</sup> The promotion of the canal had 37 meetings called in 18 months whereas the construction had 207 quorate meeting held.

<sup>98</sup> Regarding Figure 17, these are the corresponding dates regarding meetings **1-13**: **1**, 8.11.1792; **2**, 20.12.1792; **3**, 17.1.1793; **4**, 28.1.1793; **5**, 4.2.1793; **6**, 18.7.1793; **7**, 9.10.1793; **8**, 5.11.1793; **9**, 17.12.1793; **10**, 9.1.1794, **11**, 31.1.1794, attendance numbers unknown as there were no names provided for this meeting; **12**, 20.2.1794; **13**, 10.3.1794.

<sup>99</sup> See Burton, *Canal Builders*, pp. 26-36 and p. 219, for an account of how the Trent and Mersey was the first canal to be promoted by a collective of industrialists and traders, acquiring its Parliamentary Act in 1766, thus setting a precedent for the rest of the canal network.

aristocracy.<sup>100</sup> The Ashby canal was no different. It was crucial to gain the support of as many high ranking individuals as possible,<sup>101</sup> and this was exemplified by the campaigns of both sides to acquire the support of Moira, who finally joined forces with the promoters of the canal in 1793.<sup>102</sup>

Unfortunately for the canal's detractors they had no nobles who were actively involved with the workings of the movement against the waterway's construction. The likes of Newdigate, Dixie and Curzon (who was Member of Parliament for Leicester), had considerable influence,<sup>103</sup> however it could not match that of the four nobles involved in the workings of the supporters' select committee during the canal's promotion: the Earl of Moira, Earl Ferrers, the Earl of Stamford (Figure 18) and Lord Viscount Wentworth (Figure 19).<sup>104</sup>

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<sup>100</sup> Burton, *Canal Builders*, p. 26, 'No progress was made until Earl Gower became interested'. The subject of aristocratic patronage has been explored by numerous publications, with recent works including F.M.L. Thompson, *Gentrification and the Enterprise Culture: Britain 1780-1980* (Oxford, 2001). See also M. Billinge, 'Hegemony, class and power in late Georgian and early Victorian England: towards a cultural geography', in A.R.H. Baker and D. Gregory (eds) *Exploration in Historical Geography, Interpretative Essays* (Cambridge, 1984), p. 31, for a description of the landed interests' 'negotiations with the acceptable face of commercialism' and how while the aristocracy had lost political ground to the middle class during this period such discourse could 'bolster the class's economic and cultural position and revive a flagging social confidence'.

<sup>101</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 28.8.1793, p. 76. Such was the importance of noble patronage, the canal solicitors always wrote to them directly.

<sup>102</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 25.9.1793, p. 78. At this meeting, Moira was elected to the select committee after finally pledging his support by letter dated 3.5.1793. This explains his lack of attendance regarding committee meetings before 9.10.1793, as highlighted by Table 3.

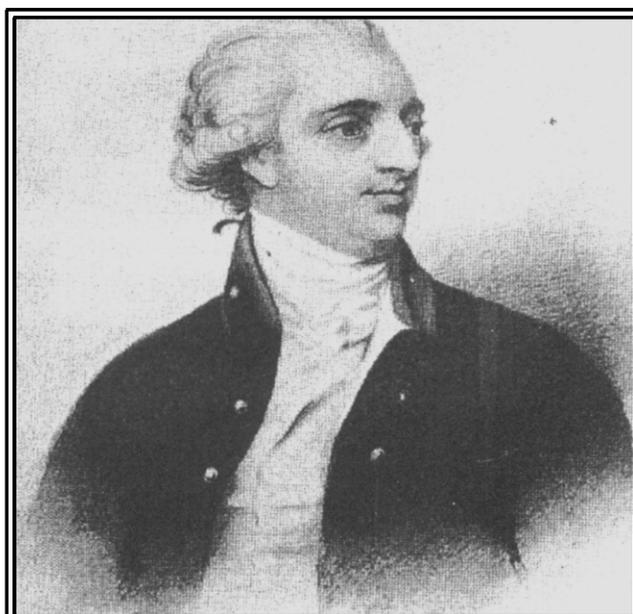
<sup>103</sup> R.G. Thorne, *The History of Parliament: the House of Commons, 1790-1820: III. Members, A-F* (London, 1986). Curzon is referred to as an 'inactive Member in the House and out of it, and referred to by Mary Noel as 'a perfect nuisance', p. 554.

<sup>104</sup> See Stevens, *Leicester Navigations*, pp. 5-17, for an account of the involvement of Moira, Stamford and Ferrers in the debating process regarding the Leicester Navigation.



**Figure 18: The Earl of Stamford (1737-1819).**

Source: J. Nichols, *The History and Antiquities of the County of Leicester, Volume IV Part II, Containing Sparkenhoe Hundred* (1811, Wakefield, 1971). This portrait accompanied the introduction dedication.



**Figure 19: Lord Viscount Wentworth (1745-1815).**

Source: G. Evans, *Mallory Park, Leicestershire: Portrait of Country Estate* (Stowe by Chartley, 2001).

Analysis of their attendances reveals that of the 55 meetings only 14 meetings were attended by one or more of these nobles (Table 2).<sup>105</sup> This supports J. Barry's claim that it was the 'middle rung of the bourgeoisie' who were the 'most active organisers and

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<sup>105</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 30.8.1792 - 10.3.1794, pp. 1-121.

attenders' in relation to association meetings,<sup>106</sup> and further suggests that decisions could be made regarding the running of such a campaign without the attendance of the nobility.<sup>107</sup>

**Table 2: Nobility attendance figures regarding the 55 meetings held by the committee of supporters of the canal between August 1792 to March 1794, taken from the Ashby Canal Minute Book 1.**

Number of Nobles present	Number of Meetings
0	41
1	9
2	5

**Table 3: Attendance record of nobles during meetings held by the supporters of the canal between August 1792 to March 1794, taken from the Ashby Canal Minute Book 1.**

Date	Ferrers	Wentworth	Moira	Stamford
8 November 1792	P			
4 February 1793	P			
19 February 1793		P (Lon.) Ch.		
25 February 1793		P (Lon.)		
8 March 1793		P (Lon.) Ch.		P (Lon.)
15 March 1793		P (Lon.)		P (Lon.)
7 April 1793		P (Lon.)		
1 May 1793	P (Lon.)			P (Lon.)
3 May 1793	P (Lon.)			
28 June 1793	P (Lon.)			
9 October 1793		P Ch.	P Ch.	
5 November 1793		P		
17 December 1793	P Ch.	P		
9 January 1794		P Ch.		
<b>Total meetings attended out of a possible 55</b>	<b>6</b>	<b>9</b>	<b>1</b>	<b>3</b>

P represents present, Lon. represents London meeting, Ch. means chaired the meeting.

<sup>106</sup> J. Barry, 'Bourgeois collectivism? Urban association and the middling sort', in J. Barry and C. Brooks (eds), *The Middling Sort of People, Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), p. 103.

Table 3 provides further information regarding the meetings where the nobles were present. It shows how their attendance did not automatically result in them chairing the meeting, as over 19 attendances the chairmanship was given to a noble only on six occasions. It could be argued that parallels to this practice can be found in foxhunting during this period, as it was often common for members of the gentry to be allowed to lead the hunt despite the presence of nobles.<sup>108</sup>

Over half of the meetings attended by nobles took place at the Globe Tavern in London,<sup>109</sup> where the select committee temporally relocated to maximise its efforts regarding the lobbying of Parliament before the Bill's first reading in May 1793.<sup>110</sup> Their attendance record in London suggests an acceptance within the supporter's camp that the nobility's main role was to obtain the required Act of Parliament.<sup>111</sup> This notion is supported by comparing the nobility's average yearly attendance figures of meetings during the debating process (14 times), with the average attendance figure during the ten-year construction process (only once).<sup>112</sup> Evidently once the Parliamentary Act was granted, the nobility's input at committee level was greatly reduced.

In July of 1793, both collectives involved in the dispute held meetings within a day of each other. The lists of the individuals attending these gathering therefore provide a snapshot of the strength and composition of the two sides at a particular point regarding

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<sup>107</sup> Burton supports this notion in his account of the debating process concerning the Trent and Mersey, where he states how Earl Gower was not involved in the 'day to day business of the canal promotion'. See Burton, *Canal Builders*, p. 26.

<sup>108</sup> Thompson, *English Landed Society in the Nineteenth Century*, p. 95.

<sup>109</sup> This was situated on Craven Street. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 19.2.1793 - 28.6.1793, pp. 48-67.

<sup>110</sup> See Box, 'Construction of the Ashby Canal', p. 6, for a description of how the Bill was lost by the supporters 'for the want of four votes, 67 to 70'.

<sup>111</sup> Burton, *Canal Builders*, pp. 50-60.

<sup>112</sup> The average yearly attendance figure is calculated by dividing the amount of attendance to meetings by nobles by the numbers of months involved in the process, and then multiplying the figure by 12 months. Regarding the debating process this involved 21 attendances divided by 18 months equalling 1.17 which when multiplied by 12 equates to 13.9 rounded of to 14. The sum for the construction process involved  $14 \div 120 \times 12 = 1.4$  rounded of to 1.

the debate.<sup>113</sup> As table 4 shows, the process was dominated by the male ‘middling sort’, yet the presence of two women at the opposition meeting reveals that not all females were excluded from the negotiations.<sup>114</sup>

**Table 4: The comparative gender and status of committee members during July 1793 taken from the Ashby Canal Minute Book 1 and the *Leicester Journal*.**<sup>115</sup>

Social type	Opposition	Supporters
Women	2	0
Nobility	0	0
Knights	2	0
Esquires	9	17
Reverends	8	8
Doctors	0	1
Other individuals referred to as Mr.	39	44
<b>Number present</b>	<b>60</b>	<b>70</b>

Through cross-referencing the names of those present, represented in Table 4, with the Book of Reference which details of the landowners and tenants whose land the intended canal was to cut through,<sup>116</sup> table 5 reveals how, of the two sides, the opposition had a closer relationship with the land the canal intended to cut through, with 26 people listed as owners or renters of land as opposed to four among the supporters. Furthermore, of the 39 individuals referred to as Mr who opposed the canal (Table 4), 32% are listed in the reference book as tenants upon the land to be affected.

<sup>113</sup> See the *Leicester Journal* 2.8.1793, regarding the opposition’s meeting reported as being held on 9.7.1793. Regarding the supporters’ meeting see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.7.1793, p. 72.

<sup>114</sup> The inclusion of women is a welcome surprise, as canal historiography does not refer to women being involved in the process of debating canals.

<sup>115</sup> It is important to note that these figures do not represent all the individuals who supported or were involved in opposition to the canal, only those who were present at the two meetings being analysed.

<sup>116</sup> W.C.R. O., QS111/2/6 (1794 Book of Reference).

**Table 5: Details relating to the individuals listed in Table 4 showing which supporters and opposition owned land (L), held tenancy's (T) or both (L/T), on land the intended canal was to cut through, taken from the *Leicester Journal*, the *Ashby Canal Minute Book 1* and the *Book of Reference*.**

Social type	Opposition			Supporters		
	L	T	L/T	L	T	L/T
Women						
Nobility						
Knights						
Esquires	6			2		
Reverends	1					
Doctors						
Other individuals referred to as Mr.	3	13	3	1		1
Total of L, T, and L/T	10	13	3	3		1
Grand Total of L, T, and L/T	<b>26</b>			<b>4</b>		

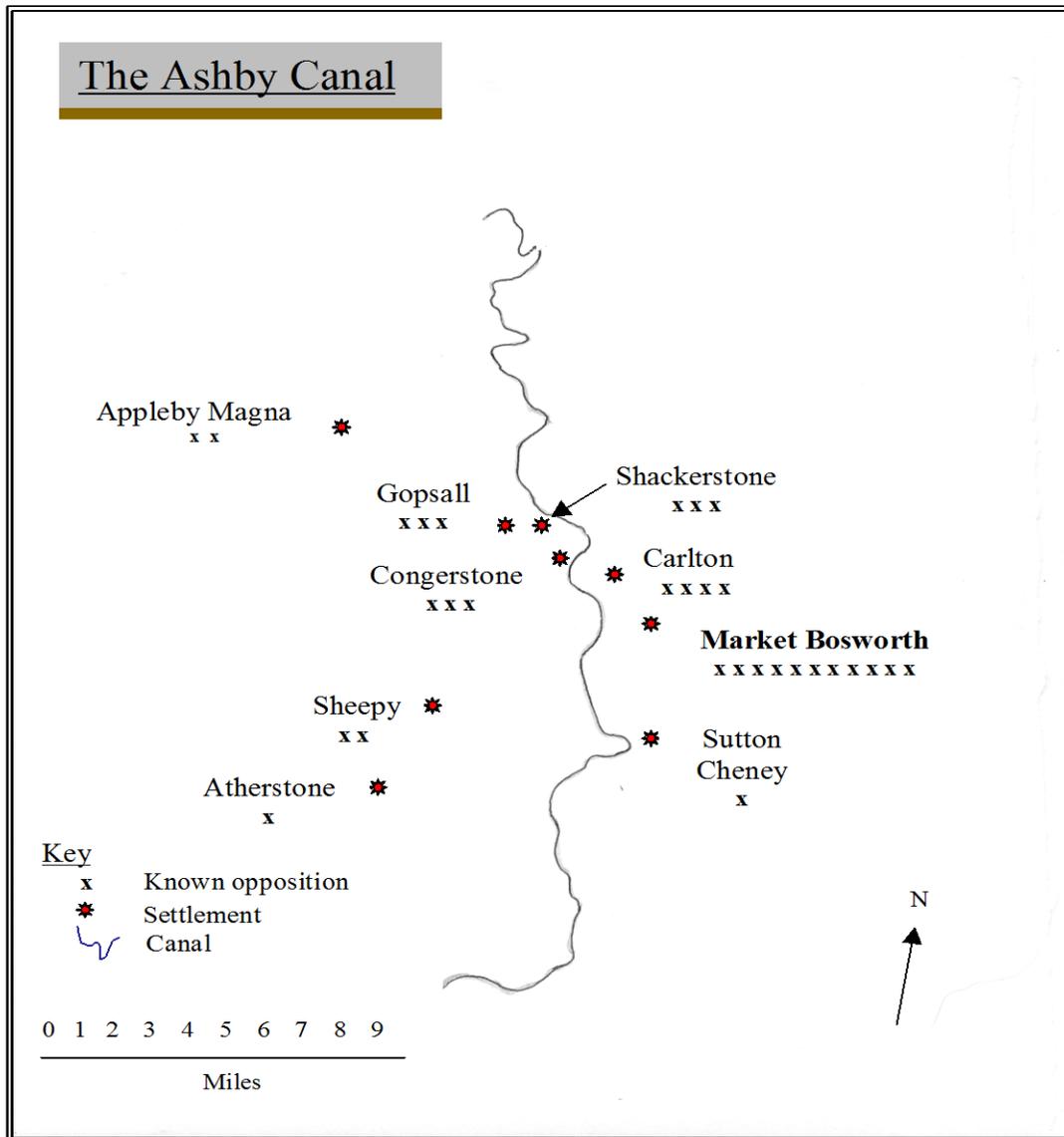
Table 6 shows how the majority of the supporters' meetings were held at the upper end of the intended canal in Ashby, where the committee's regular chairman, Thomas Kirkland ran his practice,<sup>117</sup> and the offices of the committee's solicitor Mr Pestell were located.<sup>118</sup> This indicates that there was greater support for the project at its northern end where much extraction of coal and lime was taking place. If support had been evenly spread along the intended canal, it would have been logical to have the majority of meetings in a central location of the proposed canal (Figure 20). However, the parishes here were strongholds of resistance to the canal due to the opposition of Dixie of Bosworth Hall and Curzon at Gopsall Hall, and figure 20 shows how over 50% of the known residencies of the opposition were located in the central area of the proposed canal close to Market Bosworth and Gopsall.

<sup>117</sup> See W. Scott, *The Story of Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1907), p. 339 and A. Crane, *The Kirkland Papers 1753-1869, the Ferrers Murder and the Lives and Times of a Medical Family in Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1990). The historiography regarding Doctor Kirkland does not refer to his contribution to the construction of the Ashby Canal.

<sup>118</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 43. Pestell is described as 'the honest lawyer'.

**Table 6: The locations of the 55 meetings held by the supporters of the canal taken from the Ashby Canal Minute Book 1.**

Location	Amount
Ashby	37
London	12
Market Bosworth	4
Hinckley	2



**Figure 20: Members of the opposition committee’s place of residency.**

Source: Foss and Parry, *Diary of Joseph Moxon*.<sup>119</sup>

<sup>119</sup> See Table 4.

## Internal operations and debates within the supporters' collective

When analysing the minute books it is difficult to establish just how the committee men conducted themselves at these gatherings.<sup>120</sup> They could have been quiet affairs where participants exercised the manners and self-control normally associated with the notion of gentlemanly conduct,<sup>121</sup> or they may have resembled the drunken riotous behaviour captured in some of Hogarth's and Cruikshank's work (Figure 21).<sup>122</sup> As table 7 indicates, these gathering took place in public houses, which supports the latter description, however, P. Clark explains how these establishments were the usual venues for conducting business during the eighteenth century, and for many associates the inn was simply a place of work (Table 7).<sup>123</sup>

The meetings were normally scheduled between ten in the morning and midday,<sup>124</sup> and before proceedings could begin the issue of who was to be chairman had to be voted on.<sup>125</sup> Those elected were responsible for maintaining order and ensuring that proper procedures were carried out. During the canal's promotion 17 chairmen presided over the 55 meeting, with some sense of continuity provided by 22 meetings chaired by

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<sup>120</sup> As Chapter 3 will show, the meetings concerning the canal's construction were dominated by men, with only two gatherings recording the presence of women. See J. Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (London, 1999), p. 6, concerning the 'homosociality' – the regular association with other men.

<sup>121</sup> The handwriting and the tone of the minutes give this impression, yet this could be a misrepresentation of the true nature of these gatherings. Regarding gentlemanly conduct see P. Mason, *The English Gentlemen* (London, 1982), pp. 64-7. See J. Barry, 'Bourgeois collectivism? Urban association and the middling sort', in J. Barry and C. Brooks (eds), *The Middling Sort: Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), p. 100, regarding the bonds of friendship. See also P. Clark, *British Clubs and Societies, 1580-1800* (Oxford, 2001), p. 177, for a description of the virtues of association provided by Lord Shaftesbury who stated, 'we polish one another and rub off our corners and rough sides in a sort of amiable collision'.

<sup>122</sup> See Burton, *Canal Builders*, pp. 31-2, for an account of the lying and bullying that occurred between the supporters of the Trent and Mersey.

<sup>123</sup> P. Clark, *The English Alehouse: A Social History, 1200-1830* (Harlow, 1983), pp. 9-10.

<sup>124</sup> It is not possible to ascertain their duration with the exception of a meeting held on 1.1.1794 for inspecting the Book of Reference and plans to be submitted to Parliament which appears to have lasted four days. T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1) 1-4.1.1794, p. 103.

<sup>125</sup> The minute book references to 'resolved' and occasionally 'resolved unanimously', indicates that the debating process employed a voting system. For example, see, T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 17.12.1794, pp. 98-102.

the ‘nationally known figure’ of Doctor Thomas Kirkland (Figure 22 and tables 8 and 9).<sup>126</sup>

**Table 7: The premises used for the 55 meetings held by the supporters’ committee between August 1792 and March 1794, taken from the Ashby Canal Minute Book 1.**

Meeting places <sup>127</sup>	Location	Number of meetings
Queens Head	Ashby	24
White Hart	Ashby	5
Globe Tavern	London	12
Bulls Head	Hinckley	2
Committee room <sup>128</sup>	Ashby	8
George Inn <sup>129</sup>	Market Bosworth	3
Bulls Head	Market Bosworth	1



**Figure 21: A meeting of commercial associates depicted by Cruikshank.**

Source: Graham Saville, ‘Cruikshank, Lucky Dogs Sharing a Capital Prize.’  
<http://www.gjsaville-caricatures.co.uk/pages/icruikshank.htm> (1/8/2010).

<sup>126</sup> See A. Crane, *The Kirkland Papers 1753-1869, The Ferrers Murder and the Lives and Times of a Medical Family in Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1990), pp. 6-42 for a detailed account of Kirkland’s actions and evidence given in court, which resulted in the hanging of Laurence Shirley, the 4<sup>th</sup> Earl Ferrers, the last British noble to be executed.

<sup>127</sup> The meeting places are listed in order of when first used. See Scott, *Story of Ashby-de-la-Zouch*), pp. 253-4, for an account of the two Ashby inns.

<sup>128</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 9.11.1794, p. 87. Two rooms owned by Mr Heathers were assessed ‘for the future meetings of this committee and for transacting the General Business of the Canal’.

<sup>129</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 9.1.1794, pp. 105-6, 20.1.1794, pp. 115-7 and 20.2.1794, pp. 112-3. These meetings were held in Market Bosworth, where the dominance of Dixie resulted in strong opposition to the canal. Interestingly the premises chosen were owned by Lord

**Table 8: The chairmanship of the Ashby Canal supporters' committee between August 1792 and March 1794, taken from the Ashby Canal Minute Book 1.**

Name <sup>130</sup>	Number of meetings chaired in Leicestershire <sup>131</sup>	Number of meetings chaired in London
R. Bakewell Esq. <sup>132</sup>	1	
T. Kirkland Snr. M.D.	22	
T. Paget Esq.	3	
J. Foster Esq.	6	
E. Dawson Esq.	1	
W. Dawson Mr.		1
Lord Viscount Wentworth	3	2
J. Rawdon M.P.		5
T. Coke M.P.		1
W.Colham M.P.		1
Earl Ferrers	1	1
G. Edwards M.P.		1
J. Prior Rev. <sup>133</sup>	4	
Earl of Moira	1	
J. Piddocke Rev.	1	
C. Greaves Esq.	1	
T. Fisher Esq.	1	

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Wentworth, the supporters' most active noble committee member. See Foss and Parry, *Diary of Joseph Moxon*, p. 44.

<sup>130</sup> The names of the chairmen are listed in order of appearance in the minute books.

<sup>131</sup> Two meetings had shared chairmanship, see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 17.1.1793, p. 42 and 1-4.1.1794, p. 103.

<sup>132</sup> A. Young, *Tours in England and Wales* (London, 1932) pp. 269-329, provides a detailed account of the thoughts and developments of his 'fellow-traveller', Robert Bakewell, the Leicestershire livestock breeder, (Figure 23) and indicates that there was a strong friendship between Bakewell and Wilkes. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 30.8.1792, pp. 1-2. This first meeting of the promoters was chaired by Bakewell and was the only meeting he attended; however, he was listed as a shareholder, see 34 Geo III c. 93. See also H.C. Pawson, *Robert Bakewell: Pioneer Livestock Breeder* (London, 1957). The historiography regarding Bakewell does not refer to his involvement with the Ashby Canal.

<sup>133</sup> The historiography regarding Prior does not refer to his involvement with the Ashby Canal. See Scott, *Ashby-de-la-Zouch*, pp. 332-5, and J.D. Welding (ed.), *Leicestershire in 1777: an Edition of John Prior's Map of Leicestershire with an Introduction and Commentary by Members of the Leicestershire Industrial History Society* (Leicester, 1984), p. 3 and pp. 51-3, for a list of 264 subscribers to the map, many of whom can be linked to the supporters and opposition associations regarding the Ashby Canal.

**Table 9: Status or profession of individuals who chaired the 55 meetings held by the supporters of the Ashby Canal between August 1792 and March 1794, taken from the Ashby Canal Minute Book 1.**

Status or profession of chairman	Meetings held in Leicestershire <sup>134</sup>	Meetings held in London
Noble	5	3
Doctor	22	
Reverend	5	
Esquire	13	
MP		8
Mr		1



**Figure 22: Doctor Thomas Kirkland (1722-1798).**  
 Source: Crane, *Kirkland Papers*, p. 122.

<sup>134</sup> Two meetings had shared chairmanship.



**Figure 23: Robert Bakewell of Leicestershire (1725-95), the first Ashby Canal Company chairman.**

Source: P. Stanley, *Robert Bakewell and the Longhorn Breed of Cattle* (Ipswich, 1995), p. 1.

Analysis of the subjects debated within the promoters' collective indicates that while some proposals would be agreed upon immediately, others remained a constant source of dispute, as highlighted by the issue of toll rates, where associates struggled, in the words of B.F. Duckham, to 'strike an appropriate balance between reasonable returns on capital and the public good'.<sup>135</sup> Hadfield states that 'The revenue of canal companies arose from tolls charged at the rate of so many pence per ton per mile',<sup>136</sup> adding that once established, canal company's prices 'could not be increased without further Parliamentary authority'.<sup>137</sup> As early as 8 November 1792, the issue of toll rates was debated.<sup>138</sup> However, almost a year later an agreement on the subject could not be made, prompting Pestell to request that Moira intervene, due to the 'difference of opinion that has arisen respecting tonnage'.<sup>139</sup> On the 10 March 1794, the first minute book states:

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<sup>135</sup> Duckham, 'Canals and river navigations', p. 114. See Ward, *Finance of Canal Building* (London, 1974), for the most comprehensive account of financing a canal.

<sup>136</sup> Hadfield, *British Canals*, p. 52.

<sup>137</sup> Hadfield, *British Canals*, p. 53.

<sup>138</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, pp. 26-7.

<sup>139</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 11.2.1794, p. 114. This could have been between the colliery and limeworks owners who would have benefited from low toll rates and those whose only financial interests in the canal were in the returns from their investment in the project, who may have urged that the toll rates were to be set higher. See D. Spring, 'English landowners and nineteenth-century

The committee are strengthened in the propriety of that Opinion by a Letter this day read from Lord Moira expressing his Lordships Approbation of such Rates and his determination of giving them his support

Rates of Tonnage	
Coal Lime and Slate	1¼ d
Lime Stone Bricks	¾
Cotton Wool and Hops	2
Corn, Timber, Bark, Wrought Iron, Cheese and other articles. <sup>140</sup>	2

Another contentious issue appears to have been the committee members' expenses. D.D. Gladwin reveals how these were usually paid by the canal committee, and normally contributed to 4.5% of the cost of the canal.<sup>141</sup> Unfortunately, to date, no itemised accounts of such expenses have been found; however, evidence suggests that some committee members, possibly those who did not travel to the capital, had brought into question the conduct of the select committee during its stay in London,<sup>142</sup> as at the first meeting following their return another committee was set up to 'examine audit and settle the accounts concerning the business of the canal'.<sup>143</sup> This announced at the following meeting, 'That from this and after this day all persons, shall pay their own Expenses at public meetings', adding that, all payment of bills had to be sanctioned by the auditing committee and before any work was carried out on behalf of the committee, a price must be first fixed.<sup>144</sup>

The select committee had relocated to London for the lobbying of M.Ps before the issue of the Ashby Canal was put to the Parliamentary committee, with orders that,

Any Gentleman now upon the Committee that goes to London shall whilst in Town be upon the Committee there – And that the Committee in London shall have power to add such Gentlemen to the Committee as they shall think proper.<sup>145</sup>

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industrialism', in J.T. Ward and R.G. Wilson (eds), *Land and Industry* (Newton Abbot, 1971) for an account of nobility mediating in disputes.

<sup>140</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 10.3.1794, p. 121.

<sup>141</sup> See D.D. Gladwin, *British Waterways* (London, 1977), p. 36, regarding, 'committee's gallivantings'.

<sup>142</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 9.2.1793 – 3.5.1793, pp. 48-68. The relocation of the select committee was for almost three months.

<sup>143</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 10.6.1793, p. 69.

<sup>144</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.7.1793, pp. 72-3.

<sup>145</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 25.2 1793, p. 52.

Burton states, “When it came to the crucial stage of getting the Bill through Parliament, there was no substitute for the ‘warm and effectual’ support of a Right Honourable Member”,<sup>146</sup> which the select committee attempted to gain, as shown by the chairmanship of five London meetings by the M.P and brother of Lord Moira, John Rawdon,<sup>147</sup> and the presence of six M.P.s,<sup>148</sup> at the 12 meetings held in London (Table 8). For the canal to succeed this networking was vital, however the company’s investigations into the conduct of their representatives indicates that there were suspicions that certain supporters were abusing their position within the company.

### **Debate between the canal supporters’ committee and external forces**

Debate and manoeuvring was not just limited to within the supporters’ association. Many of the crucial discussions regarding the project required various forms of interaction between the promoters of the canal and other interested parties, as shown by the consultations that took place concerning the route of the canal.<sup>149</sup> These involved negotiating with town delegates and colliery and quarry owners over their needs for extra canal branches or connecting railways,<sup>150</sup> visiting the owners of large estates to discuss

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<sup>146</sup> Burton, *Canal Builders*, p. 49. See Gladwin, *British Waterways*, p. 23, where he claims that during the Parliamentary process, ‘a few palms were greased’. See also T.L. Albourn, *Conceiving Companies: Joint-Stock Politics in Victorian England* (London, 1998), p. 25, regarding criticisms of how the East India Company directors indulged in an ‘abuse of patronage’.

See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, p. 26, where it resolves that, 150 shares are to be reserved to be ‘disposed of by the Committee as occasion may require during the progress of the Bill in Parliament’. This was increased to 250 on 23.11.1792, p. 30.

<sup>147</sup> R.G. Thorne, *The History of Parliament: The House of Commons, 1790-1820: III. Members: Q-Y* (London, 1986), pp. 10-1, for an account of John Rawdon’s Parliamentary career, where he is referred to by Lord Minto as ‘a strange though dull man with a cork leg’.

<sup>148</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 9.2.1793 – 3.5.1793, pp. 48-68. See R.G. Thorne, *The History of Parliament: The House of Commons, 1790-1820, III. Members: A-F, G-P, and Q-Y* (London, 1986), for a description of the M.P.s John Rawdon, Thomas Boothby Parkyns, Nathaniel Brassey Halked, Edward Coke, Gerard Noel Edwards, and William Coloun.

<sup>149</sup> Hadfield, *Canals of the East Midlands*, p. 148. The intended route of the canal was based upon Whitworth’s revised map of 1781. See D.D. Gladwin, *The Canals of Britain* (London, 1973), p. 14, for a description of the effects of cutting one canal through a four-acre field.

<sup>150</sup> See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 22.9.1792, pp. 12-3, for an example of applications for canal branches made from colliery owners and the town of Hinckley. The costs of these extensions were to be met by those requesting them. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 16.11.1793, p. 90, regarding a quote made by the committee of £8777 for the construction of a branch to

how the canal's course could be altered to meet their needs and what side of the canal the tow path was to be situated,<sup>151</sup> and numerous meetings with the proprietors of the Coventry Canal to ascertain whether they intended to convert their canal from a narrow to a broad gauge, as the promoters of the Ashby were eager to adopt the latter.<sup>152</sup>

While the committee was responsible for the collective policies adopted by the association concerning their dealings with external elements, it must be recognised that no other individual was called upon to negotiate on behalf of the canal more than Joseph Wilkes, the industrialist from Measham. Constant references were made to Wilkes being ordered to represent the canal's committee, especially regarding the various discussions with other canal companies, such as the Coventry, where the debated issues included the situation concerning the two canal widths, the location of where the new canal would join the Coventry Canal, and the amount of compensation tolls the Ashby Canal had to pay for moving goods on and off the Coventry Canal (Figures 24 and 25).<sup>153</sup>

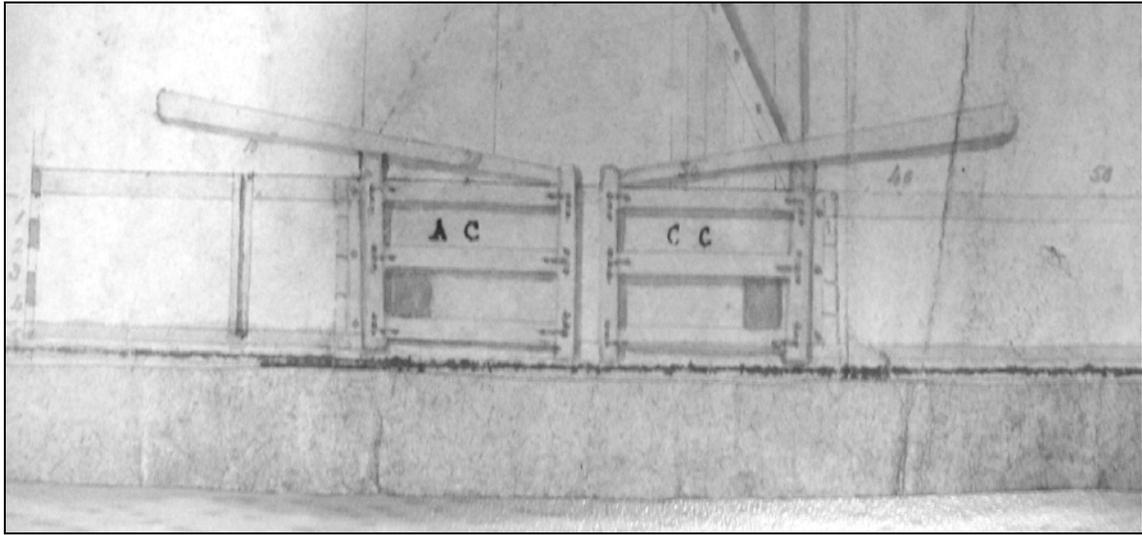
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Swannington. See H.E. Beavin, *The Book of Hinckley* (Oxford, 1983), pp. 42-5, for an account of the importance of the canal to Hinckley.

<sup>151</sup> Owners of large estates were given the opportunity to choose which side of the canal the towpath should be situated, for example see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 14.2.1794, p. 114. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 23.11.1792, p. 32, regarding the route of the canal being changed on behalf of Earl Ferrers, 'to remove the disagreeable circumstances of it being too near to his house'.

<sup>152</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 30.11.1796, p. 141, for an account of the Ashby Canal committee urging the Coventry Canal to consider converting to broad gauge. T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 29.7.1794, p. 2. The decision to construct the Ashby Canal as a broad canal i.e. 36ft. wide, was not made until the construction process had begun. See Hadfield, *British Canals*, p. 41, for an account of how and why most Midland canals were narrow gauge.

<sup>153</sup> For example see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 5.11.1793, p. 85. See Hadfield, *Canals of the East Midlands*, pp. 148-9 for a concise description of the debate between the Ashby and the Coventry Canal.



**Figure 24: Detail taken from the original plans submitted by the Coventry Canal for the lock gates where the Ashby Canal (AC) was to meet the Coventry Canal (CC).**  
Source: W.C.R.O., CR 1590 P505 (Plan and cross-section of 15ft 6inch wide lock with double gates) c. 1800.<sup>154</sup>



**Figure 25: The entrance to the Ashby Canal from the Coventry Canal before the removal of the lock gate.**

Source: The Ashby Canal Association, 'Ashby Canal Association Archive.'  
[http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/01/2010).

In 1792, as the request for canal bills escalated, the government introduced Standing Orders regarding applications,<sup>155</sup> stating that canal proposals had to be first

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<sup>154</sup> Figure 24 depicts the original planed lock. The structure did not alter the height of the waterway; it was simply to act as a barrier between the two canals.

advertised in local papers and the *London Gazette*, and that details of the cost, route and names of landowners for, against or undecided had to be delivered to the House of Lords, the House of Commons and the Justices of the Peace within the counties the canal passed through, as did petitions from the general public concerning the issue.<sup>156</sup> Such demands fuelled the process of claim and counter-claim between the supporters of the canal and those intent on preventing its construction, as both sides manoeuvred themselves in their pursuit of support from the public and politicians.

G. Box's analysis of the promoter's legal bills provides an insight into the 'furious activity as supporters were affirmed, waverers cajoled and the propaganda of opponents refuted', with solicitors forced to work late on Christmas Eve as landowners, M.P.s, Parliament clerks and newspapers all had to be corresponded with.<sup>157</sup> Further analysis of their invoices reveal the vast number of letters written, the numerous journeys to the printers, and regular visits to supporters of the canal and potential converts such as the Earl of Moira (Figure 26) and the Sir George Beaumont.<sup>158</sup>

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<sup>155</sup> H.S. Cobb, 'Parliamentary records relating to internal navigation', *Archive*, 9 (1969/70), pp. 73-9. See S. Lambert, *Bills and Acts: Legislative Procedure in the Eighteenth-Century* (Cambridge, 1971), pp. 150-171, for an account of Parliamentary procedure before the introduction of Standing Orders.

<sup>156</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, p. 35. Copies of the petitions in favour of the Ashby Canal are recorded as being presented to Curzon and Pochin, the two members of Parliament who had already stated their opposition to the canal before its first reading.

<sup>157</sup> Box, 'Construction of the Ashby Canal', pp. 8-10.

<sup>158</sup> During the course of the debate the opposition went to the extreme of descending upon supporters' meetings, as described by a minute book entry in October 1792, where an account is given of proceedings being interrupted by a delegation of gentlemen including Curzon and Dixie, with Curzon declaring that it was his duty to 'fight the Battle of the Gentlemen of the landed interest of the County', and regarding the owners of land the canal was to cut through, 'I find them positively against carrying the cut into execution'. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.10.1792, pp. 18-9. The canal committee's immediate reaction was to advertise in the newspapers a statement 'contradicting the misrepresentations of which Mr Curzon's agents were canvassing'.



**Figure 26: The Earl of Moira (1754-1826).**

Source: Foss and Parry, *Diary of Joseph Moxon*, p. 139.

Nichols states that the Bill was rejected on the 29 April, 1793,<sup>159</sup> and this was publicised by the *Leicester Journal* on the 3 May 1793, where it announced that those against the construction of the canal had won the Parliamentary debate by seven votes.<sup>160</sup> The canal company's failure prompted the Earl Ferrers to write to the Earl of Moira, on behalf of the supporters' committee, urging him to change his original stance of 'remaining perfectly inactive in this matter',<sup>161</sup> to giving the canal his full support.<sup>162</sup> Moira's local and national influence was vital to the success of the promoters' campaign. Yet even though Moira had repeatedly expressed his good wishes to those advocating the canal, he had refrained from giving the project his full support, having previously

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<sup>159</sup> J. Nichols, *The History and Antiquities of the County of Leicester, Volume 1, Part 1* (1795, Wakefield, 1971), p. cixvii.

<sup>160</sup> Temple Patterson, 'Leicestershire canals', p. 95. Curzon influenced Parliament's decision through creating confusion concerning a plot of land the canal intended to cut through, thus rendering the Book of Reference inaccurate. See *Leicester Journal*, 2.8.1793 where the members of the opposition committee resolve to thank Curzon for his 'zeal and Activity in Opposing the Bill in the last Sessions of Parliament'.

<sup>161</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 30.8.1792, p. 2.

<sup>162</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 1.5.1793, pp. 63-4.

pledged to his neighbour, Curzon, not to act on behalf of those advocating the canal while Curzon opposed it.

Moira's reply to Ferrers' letter began by explaining how this commitment to Curzon had been made at a public meeting in Leicester during the debates over the Leicester Navigation, and that it was a matter of honour that had prevented him from changing his stance, despite acknowledging that the canal would be 'beneficial to a great part of the county'.<sup>163</sup> The letter further provides a candid insight as to the extent that Curzon was willing to go in opposing the canal, as Moira describes how, after informing the canal committee that he could not be actively involved in supporting the canal, he was visited at Donington Hall by Curzon, where 'he appeared much dissatisfied that I would not exert myself in Opposition to the matter'.<sup>164</sup> Moira continues, 'From that hour I regretted sincerely the Attention I had paid to Mr Curzon', further recounting how Curzon had approached him in London and insisted that he had to prevent his brother, John Rawdon (Table 8), from participating in the canal committee, as it implied he was representing Moira's wishes. Moira's letter continues to make more incriminating comments regarding Curzon's behaviour, stating that, 'I have been well informed that Mr Curzon has represented the activity of my Brother as being my underhand Exertions', and that several M.P.s had informed him that, 'Mr Curzon is canvassing them asserted I had no Interest in the Canal'.

Moira's public condemnation of Curzon, indicates that the noble was moving closer to using his power and influence in government to ensure the promoters' success at the next scheduled application to Parliament.<sup>165</sup> By 31 May 1793, news of Moira's changing position seems to have filtered through to the opposition, as indicated by a letter

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<sup>163</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1) 3.5.1793, pp. 65-8.

<sup>164</sup> Regarding Moira's family home see A. Squires, *Donington Park and the Hastings Connection* (Leicester, 1997), pp. 36-43.

<sup>165</sup> A. Temple Patterson, *Radical Leicester: a History of Leicester, 1780-1850* (Leicester, 1954), pp. 32-3. Many of the advocates and opposers of the Ashby Canal would have been aware of how Moira transformed

sent to the *Leicester Journal* by A. Freeholder of Hinckley, where the writer appears to be acknowledging that defeat for the opposition was inevitable at the Bill's next reading:

However successful may be your Petitions I would advise that no Demonstration of Joy should be shewn – such as Ringing of Bells, Dancing, giving away Barrels of ale , Roasting sheep whole etc etc.

The wonderfully sarcastic prose written in the guise of a letter of advice on how those advocating the canal should conduct themselves in future campaigns, further indicates what legitimate and illegitimate tactics the supporters had previously engaged in:

Do not chuse of your Committee persons residing in London or elsewhere ...Do not employ persons at an Expense of many pounds to write Print or sing scurrilous Ballads:- do not suffer any such to be produced before your Committee to sing them – or your solicitor to strike his Pen (doubtless never employed in such dirty work before) through Parts of such Performances , and suggest amendments...Let no endeavours be used to get Solicitors, Agents or Witnesses of your Opponents out of the way just at the time when they may be wanted. Do not attempt to destroy secret papers which may be wanted to be produced as evidence. Do not permit your council or any other Person to prompt your witness while under examination.<sup>166</sup>

Available evidence has yet to reveal whether A. Freeholder had grounds for such observations; however, he was right to presuppose that the canal would receive the required Parliamentary assent. In October 1793 Lord Moira's announced his full backing to the project,<sup>167</sup> and on the 26 February 1794 the canal company once again petitioned the House of Commons resulting in the promoters of the canal finally gaining the Parliamentary Act on 9 May 1794 (Table 10 and Figure 27).<sup>168</sup>

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the campaign for the Leicester Navigation between 1788-1789, which resulted in Parliament granting permission for its construction. See also Temple Patterson, 'Leicestershire canals', pp. 77-8.

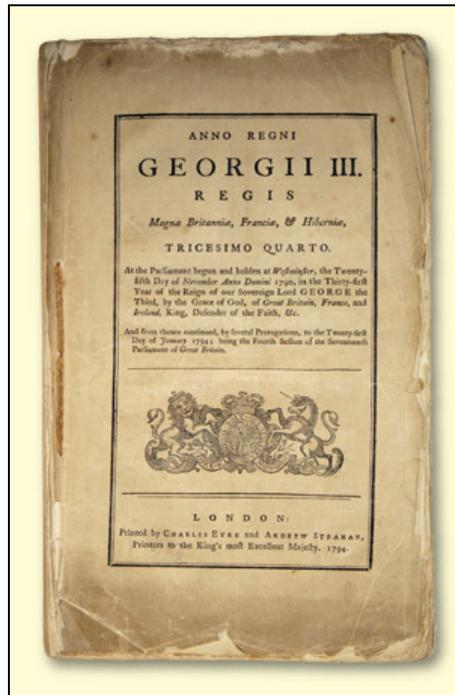
<sup>166</sup> *Leicester Journal*, 31.5.1793.

<sup>167</sup> See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 9.10.1793, p. 79. See also T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 28.6.1792, p. 71, where Moira is given the distinction of being the only individual the committee rescheduled a meeting for.

<sup>168</sup> 34 Geo III c. 93.

**Table 10: A chronology of the Parliamentary process in passing the required legislation to construct the Ashby Canal.**<sup>169</sup>

Date	Developments
18.2.1793	The first application made to Parliament.
29.4.1793	The first application rejected.
21.8.1793	The canal company publicly announce that a second application was to be made.
26.2.1794	A petition was presented to the House of Commons.
4.3.1794	A Bill was ordered to be prepared.
7.3.1794	The Bill was presented.
12.3.1794	The Bill was committed.
18.3.1794	The Bill was reported.
24.3.1794	Curzon presented his opposition.
25.3.1794	Amendments were made concerning land owned by Penn Asherton Curzon, Jasper Leigh Goodwin and Thomas Strong Hall.
4.4.1794	The Bill was again reported.
10.4.1794	The Bill was passed by the House of Commons.
28.4.1794	The Bill was passed by the House of Lords with one amendment, which the House of Commons agreed to on the same day.
9.5.1794	Royal Assent to construct the Ashby Canal was issued.



**Figure 27: The 1794 Ashby Canal Act.**

Source: The Ashby Canal Association, 'Ashby Canal Association Archive.'  
<http://www.ashbycanal.org.uk/index.html> (16/01/2010).

<sup>169</sup> J. Nichols, *The History and Antiquities of the County of Leicester, Volume 1, Part 1* (1795, Wakefield, 1971), p. cixix and p. cixvii.

## Conclusion

Even before the canal's construction had begun, the evidence shows that many lives had been affected by the issue of the proposed waterway. However, analysing what motivated those who campaigned for or against the proposed development is difficult as their intentions were often unclear or shrouded in various kinds of public rhetoric, or coerced by forms of patronage and defiance, and the historical sources rarely allow any deep insight into such matters. Seeming motives can be imputed – but this needs to be carried out in a very precautionary way. Still, analysis of the arguments for and against the canal give us a sense of what contemporaries thought were some of the main issues, contributes to an understanding of the perceived impact of this new form of transport and allows insights into the character and opinions of some of the leading advocates for either side.

As with most debates certain people dominated the procedures: Wilkes, Kirkland, Moira, Wentworth, Dixie and Curzon were the usual voices heard. However the evidence shows that all these individuals were members of collectives formed to oppose and support the canal. Both these associations organised regular gatherings where issues were discussed and resolutions made to further each group's cause. The opposition was evidently stronger between 1781 and 1792, but between 1792-4 support for the project gained such momentum that an Act was finally passed allowing the construction of the waterway to commence.

There is no evidence that these groups of people were connected in other regards politically. They were not united in terms of Whig or Tory allegiances, although efforts were made in the course of this research to ascertain whether their connections extended to such national political configurations. They appear not to have done so in any predictable way, and it would have been tantalising if they had done so. Nor do these groupings seem to map onto other allegiances, whether connections that were associated

with established or Nonconformist religion, enclosure, other 'improvements', rural *versus* urban residences, sources of wealth (whether urban, industrial or agricultural), estate patronage networks, or associations connected with leisure, intermarriage or kin connectivity. There is unfortunately no evidence here that Nonconformists were more disposed to 'improvement' than defenders of the Anglican Church.<sup>170</sup> Instead, they seem to have come together in the way that they did for reasons related directly to the canal proposal, and there seems little in the background information ascertained about these persons that allows us to predict in any useful way why they orientated themselves in the manner that they did with regard to the Ashby Canal. It may be that a more thorough network-type of analysis would show patterns of affiliation and allegiance that are invisible otherwise, but that would involve another thesis, investigating other forms of co-association as well, and at present the evidence is lacking.

Yet despite the often open and public hostility between the canals' promoters and detractors, there is evidence that suggests that the issue did not totally polarise the two opposing factions. This comes in the form of a report of a meeting held to 'support the present constitution against an attempt to subvert or weaken it',<sup>171</sup> where there were listed as committee members a mixture of canal supporters such as Wilkes, Kirkland and Prior, and canal opposition such as George Moore, Reverend John Moore, and Philip Jervis, with the committee's solicitor being one of the canal supporters' solicitors, Leonard Piddocke, and the meeting was chaired by no other than Curzon. On some issues, it would appear that people from these social orders were readily united.

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<sup>170</sup> For many post-Weberian speculations along these lines, see M.W. Flinn, *The Origins of the Industrial Revolution* (1966, London, 1976). This approach was hitherto quite a strong strand in the historiography, but it appears to have receded in recent decades, as little substantive evidence emerged in the most general of terms to support broad religious dispositions with regard to economic growth, however obvious the economic motivations of many individual Quakers and other Nonconformists sometimes were. The Ashby Canal does not appear to have been a case that reinforced these earlier ideas about religious motivations or mindsets affecting economic behaviour.

<sup>171</sup> *Leicester Journal*, 2.8.1793.

## Chapter 3: Company management

Like most post Bridgewater canals, the Ashby Canal Company was managed by a small committee,<sup>1</sup> overseen by a large assembly of investors.<sup>2</sup> In analysing these two governing bodies during the canal's construction, the intention is threefold: first, to establish and understand the regulatory parameters within which the company executive and investors operated. How was the company restructured to manage the canal's construction? What was deemed the ideal size for the new select committee? How did the assembly and select committee operate and under what regulations and how were communications maintained?

I will then investigate the individuals who were elected to the executive and their variable levels of input. Who were they? What was their status and commercial interests? How much did they personally invest in the project? Which parishes were they from? What was their attendance rate and why did changes in personnel take place?

The third aim is to investigate the factors that affected the assemblies and select committee meetings. How often did they congregate and what numbers were involved? Which establishments were used and did meeting in different places affect the attendance numbers? What issues were they concerned with and who were the other agencies that had to be liased with. Who chaired the meetings and is there a relation between their office and attendance rates?

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<sup>1</sup> A. Burton, *The Canal Builders* (1972, Newton Abbot, 1981), pp. 13-23. The Bridgewater Canal was opened in 1761 and financed by the Duke of Bridgewater who encountered 'incalculable expenditure', p. 16. Regarding studies on canals using a select committee assembly, Hadfield's work covers the majority of them. See M. Baldwin, 'Bibliography of Charles Hadfield's work' in M. Baldwin and A. Burton (eds), *Canals: a New Look* (Chichester, 1984), pp. 4-8. See H. Harris, *The Haytor Granite Tramway and Stover Canal: a Guide to Retracing the Route of Dartmoor's Granite from Quarry to Sea* (Newton Abbot, 1994), pp. 10-6, for an example of a post Bridgewater canal funded by just one individual.

This chapter is more concerned with the decision making-process than the actual decisions – they will be considered in the remaining chapters.

### **Managerial structure, voting regulations and company clerks**

During the canal's promotion the select committee of 1792 (with the assistance of the canal company clerks) had to submit to the Government a Parliamentary Bill stipulating how the existing lobbying group proposed to transform itself into a joint-stock company – capable of constructing and operating a commercial canal.<sup>3</sup> Those drafting the bill bore a huge responsibility as not only did this document have to persuade the Houses of Lords and Commons that it warranted their assent, it also made the company's regulations, policies and actions accountable to legal scrutiny.<sup>4</sup> Still, the committee men did not have to look far to observe how other waterways conducted themselves, as throughout the East Midlands the canal network was expanding at a rapid rate.<sup>5</sup>

Analysis of the 1794 Parliamentary Act reveals how the Bill's architects deemed that a smaller administrative executive was required to deal with the

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<sup>2</sup> The process of forming joint-stock companies for improving water transport began before the construction of the Bridgewater Canal. See T.S. Willan, *River Navigation in England, 1600-1750* (1936, London, 1964), pp. 66-7, for an account of the financing of improvements to the River Medway.

<sup>3</sup> 34 Geo III c. 93. Those drawing up the Parliamentary proposal were not introducing a new managerial format, they were simply 'fine tuning' (my italics) a system that was already in operation.

<sup>4</sup> To date it has not been possible to establish exactly which select committee members were prominent in structuring the bill.

<sup>5</sup> Joseph Wilkes and Lord Moira both owned shares in the Leicester Navigation. See C.P. Griffin, 'Transport change and the development of the Leicestershire coalfield in the canal age: a reinterpretation', *Journal of Transport History*, 4 (1978), p. 236. See also C. Hadfield, *The Canals of the East Midlands, Including Parts of London* (1966, Newton Abbot, 1970), pp. 268-77. The following East Midland canals all obtained their Acts of Parliament before the Ashby Canal: the Chesterfield, Coventry, Cromford, Derby, Erewash, Grantham, Leicester, Leicestershire and Northamptonshire Union, Nottingham, Nutbrook, Oakham, Oxford, Stratford-upon-Avon and the Warwick and Birmingham. It can be assumed that those constructing the Ashby Canal Parliamentary Bill would have assessed some of these company's structures through acquiring copies of their published Parliamentary Acts. See Burton, *Canal Builders*, pp. 142-152, for an account of how canal companies structured themselves during the construction process. See also J.S. Phipps, *Leicester in Parliament: a Record of the Use of Private Bill Legislation to Benefit and Improve the City* (Leicester, 1988), p. 9. Phipps

numerous internal and external agencies involved.<sup>6</sup> Therefore, the 1792 select committee was condensed from 30 to 13 persons and the number of members required for a resolution to be carried was cut from seven to five,<sup>7</sup> with the chairman, who had to be re-elected at every meeting, having the ‘carrying Vote’.<sup>8</sup> The general committee was replaced by a general assembly consisting of all the company’s investors who, after electing the select committee, treasurers and clerks, were to convene biannually for the purpose of ratifying previous decisions and monitoring developments, with the power to remove any representatives considered not to be serving the canal’s interests (Figure 28).<sup>9</sup>

Following the Ashby Canal Act receiving Royal Assent on 9 May 1794, the first general assembly was held on 1 July at the Queen’s Head in Ashby,<sup>10</sup> attended by shareholders whose status and profession fit into 15 different professional and social categories, yet dominated by gentlemen (Table 11).<sup>11</sup> The emotions of the day can only be imagined, as the minute book does not refer to any victory declarations or celebrations. It also has to be noted that even though the attendance number of 61 was

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describes how local legislation was implemented to regulate the activities of commercial interests such as canals.

<sup>6</sup> 34 Geo III c. 93.

<sup>7</sup> 34 Geo III c. 93, p. 1638. For an account of other canals managing their construction with a select committee of 13 with five making a *quorum*, see D. Tew, *The Melton to Oakham Canal* (1968, Melton Mowbray, 1984), p. 20, regarding the Oakham Canal, and P.A. Stevens, *The Leicester Line: a History of the Old Union and Grand Union Canals* (Newton Abbot, 1972), p. 26, regarding the Leicestershire and Northamptonshire Canal. Stevens states that not all canal committees in the East Midland conformed to this structure as the Grand Union had 21 members with seven needed to pass resolutions, p. 48.

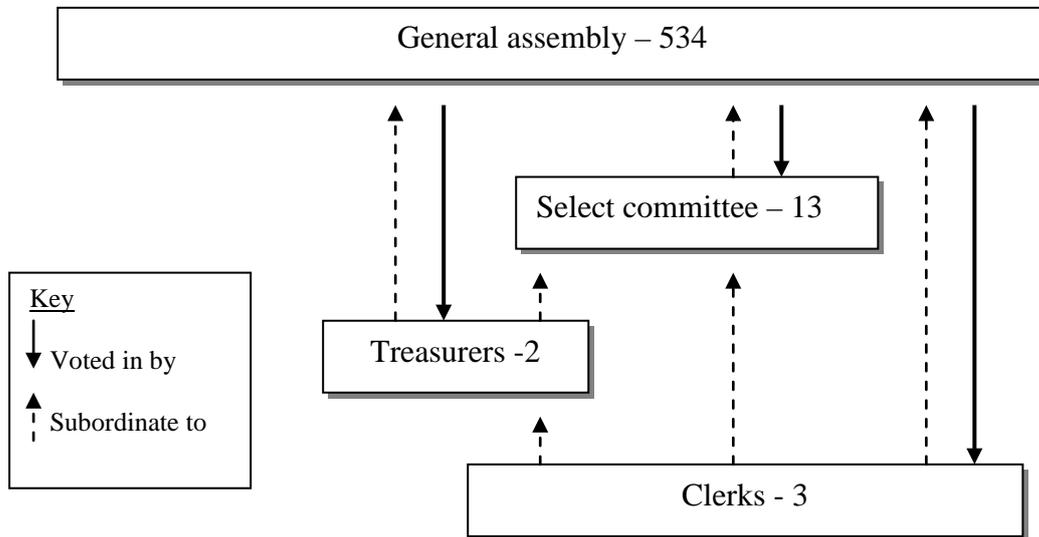
<sup>8</sup> See 34 Geo III c. 93, p. 1641: The Chairman ‘In case of an Equality of Votes upon a Question agitated on the said Committee, shall have the carrying Vote, although he shall have given One Vote before’.

<sup>9</sup> 34 Geo III c. 93, pp. 1638-42.

<sup>10</sup> See C.B. Andrews (ed.), *The Torrington Diaries: Containing the Tours Through England and Wales of the Hon. John Byng, Volume II* (1935, London, 1970), pp. 70-81, for an account of John Byng’s stay at the Queens Head in Ashby during 1789, where he comments ‘What can exceed the dullness of a country town on a Sunday evening, in heavy rain? This made us anxious to call for early supper; and early beds’, p. 72.

<sup>11</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, pp. 1-8. See 34 Geo III c. 93, p. 1638, regarding specific instructions that the meeting should take place on this day.

a slight increase on the average for previous general committee meetings of 53,<sup>12</sup> it is surprising that only 11% of the investors were present considering the importance of the event.



**Figure 28: Model of the structure and numbers involved in managing the construction of the Ashby Canal.**

Nevertheless, non-attendance did not mean non-involvement as the Bill’s authors, possibly aware that voter apathy was common during the construction of canals, inserted a clause sanctioning the continued use of proxies at meetings, providing that the attending investor had written permission from those he represented and their combined shares added to 30 or less.<sup>13</sup> The Act also stated that the combined votes of those present and their proxies had to amount to more than 400 shares (27% of the investors) for any meetings to take place and that if a meeting had to be

<sup>12</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1). During the 13 general committee meetings held throughout the canal’s promotion, numbers present ranged from 23-87.

<sup>13</sup>This was common practice for most canal companies. See Tew, *Melton to Oakham Canal*, p. 20. This canal only issued 590 shares with 50 making a *quorum* – 9%; however, cancelled assemblies due to low attendance also resulted in five-shilling fines.

cancelled as inquorate, shareholders not present or not represented would be fined five shillings per share, to be taken from either interest payments or dividends.<sup>14</sup>

**Table 11: The status/professions of the 61 investors attending the first general assembly on 1 July 1794.**<sup>15</sup>

Status/ Profession	Numbers present
Gentlemen	21
Esquires	13
Clergymen	8
Surgeons	2
Yeomen	2
Farmers	2
Not classified	2
Doctor	1
Gardener	1
Butcher	1
Blacksmith	1
Engineer	1
Sadler	1
Innkeeper	1
Brewer	1
Labourer	1
Not listed as an investor	1
Unreadable	1

Furthermore, this was not a one-vote one-person democracy, as motions were carried by calculating the numbers of shares in favour, not the number of people.<sup>16</sup>

However, an individual's voting power was limited to ten shares,<sup>17</sup> therefore the 16

<sup>14</sup> See 34 Geo III c. 93, pp. 1637-8.

<sup>15</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, pp. 1-8.

<sup>16</sup> C. Richardson, *Minutes of the Chesterfield Canal Company, 1771-80* (Chesterfield, 1996). The Chesterfield Canal minutes listed who each person represented unlike the Ashby minutes, where it simply stated who had attended and whose involvement was by proxy.

<sup>17</sup> See *Leicester Journal* 7.3.1794, regarding a letter written by a shareholder reminding his other investors that 'no person can vote for more than ten shares...nor can any one vote for Proxies to a larger amount than thirty shares'. Voting power was also capped at ten shares with the Oakham Canal and the Leicestershire and Northamptonshire Canal, see Tew, *Melton to Oakham Canal*, p. 20 and Stevens, *Leicester Line*, p. 26. That no person could vote for more than ten shares meant that technically at most an individual could possess only 0.67% of overall power in the voting system, providing that they had purchased at least 10 shares. Considering that the most common number of shares held was one, this resulted in the average shareholder having 0.067% of overall power.

investors who acquired more than this amount, which included the Earl of Moira who purchased 68 shares, did so presumably to increase their potential return.<sup>18</sup>

Analysis of the solicitor's bills from 1790-1803 shows how the company clerks, among their many duties, provided the necessary communications between the individuals and agencies involved in advancing the canal.<sup>19</sup> It was initially proposed that the legal team would be led by the solicitor Ellis Pestell,<sup>20</sup> described by the Rev. W.B. Stevens as 'A strutting little attorney of Ashby',<sup>21</sup> and assisted by Leonard Pidcocke and Henry Smith. However, following 'Great differences of Opinion' over 'what was meant by Assistants', it was after 'Many consultations and proposals' agreed to employ Mr Pestell, Mr Pidcocke and Mr Smith as 'Joint Solicitors',<sup>22</sup> who together legally represented the company until 1803.<sup>23</sup> The structure of the company's

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<sup>18</sup> For details on the 16 investors see T.N.A., RAIL 803/9/1 (1794 Shareholders' List). See T.L. Alborn, *Conceiving Companies: Joint-Stock Politics in Victorian England* (London, 1998), p. 17, regarding how some companies during the nineteenth century adopted a 'structural resemblance to the "subscriber democracy" form of middle-class voluntary associations'. See also B.C. Hunt, *The Development of Joint Stock Companies, 1780-1880* (Cambridge, Mas., 1936).

<sup>19</sup> See T.N.A., RAIL 803/10/2 (Leo Pidcocke's Bill), 28.1.1793, T.N.A., RAIL 803/10/1 (Mr Pestell's Bill), 28.6.1793 and T.N.A., RAIL 803/10/4 (Leo Pidcocke's Bill), 4.4.1803. For one eighteenth-century view of the legal profession see Andrews, *Torrington Diaries*, p. 88, where Torrington claims that the country has almost been abandoned by the nobility and gentry and that it is now 'the inn keepers, the tax gatherers, and the stewards of the great estates who with the lawyers rule the country'. For further descriptions of the unpopularity of solicitors see M. Birks, 'The attorneys' place in Georgian society', in *Gentlemen of the Law* (1960, London, 1961), pp. 181-205.

<sup>20</sup> T.N.A., RAIL 803/10/1 (Mr Pestell's Bill), 28.6.1793. Pestell's bill which itemizes work carried out as early as 1790, reveals how of the three attorneys, he was the first to be involved with the canal.

<sup>21</sup> A. Crane, *The Kirkland Papers, 1753-1869: the Ferrers Murder and the Lives and Times of a Medical Family in Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1990), p. 110. For a more complimentary description see W. Scott, *The Story of Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1907), p. 235, where the author states that Pestell was 'remarkable for the description popularly applied to him of the "honest lawyer"'. See also V. Davis, 'Charnwood Forest: population, land ownership and environmental perception, c. 1775-1914' (unpublished Ph.D. thesis, University of Leicester, 2004), p. 68 on how 'a lawyer such as Pestell stood to make a great deal of money from his involvement in an enclosure'.

<sup>22</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 27.10.1792, p. 23. The solicitor Mr Pares' services were also to be employed on an equal footing with his associates, but it appears that he either declined the offer, or the committee changed their mind, as on the 18.7.1793 the minutes list only Smith, Pestell and Pidcocke as their employed solicitors.

<sup>23</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 17.1.1793, p. 45. The solicitor Edmund Evans was temporary employed to assist the company lawyers in 'obtaining petitions from Derby and the Neighbourhood' and in presenting the Bill to Parliament.

legal representation must have been considered important, as this was one of the few occasions when the minute books refer to an issue causing disagreement.<sup>24</sup>

The fact that no disputes are recorded or complaints raised regarding the solicitors' separate invoices, which itemized the various and often independently performed services, suggests that the adopted system was sufficient to placate all parties concerned. Yet the available sources provide no explanation as to how the three attorneys were allocated or, if it was the case, chose the numerous and varied duties required of their positions.<sup>25</sup> They do however, highlight that Pestell, Pidcocke and Smith were responsible for arranging company meetings as their bills refer to writing to the select committee requiring their attendance and advertising the assemblies in the 'usual papers' such the *Leicester Journal*, normally three weeks in advance as revealed by the following advert published 12 March 1802:

The next General Assembly of Proprietors will be held at the White Hart Inn in Ashby-de-la-Zouch on Monday the Fifth Day of April next, at the Hour of Eleven in the Forenoon, when and where the several Proprietors are required to attend by themselves or Proxies.<sup>26</sup>

At least one clerk was required to attend such meetings and minute the proceedings, to provide any relevant documentation and to receive orders for copies to be made.<sup>27</sup>

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<sup>24</sup> M. Birks, *Gentlemen of the Law* (1960, London, 1961), p. 199. Companies such as those constructing canals 'were a fruitful source of employment because the preparation of private Parliamentary Bills or petitions for Royal Charters involved a great deal of legal work, and the lawyer concerned was often appointed secretary to a new company as an additional reward for this services'.

<sup>25</sup> To date it has not been possible to establish whether instructions were given to the legal department who then chose among themselves which of the various duties to undertake or whether the committee gave specific orders to certain legal representatives. However, comparative analysis of T.N.A., RAIL 803/10/4 (Leo Pidcocke's Bill) 28.1.1793 and T.N.A., RAIL 803/10/1 (Mr Pestell's Bill), 28.6.1793 indicates how two of the attorneys ran their businesses differently, with Pidcocke personally carrying out nearly all the duties and travelling required of his office, whereas Pestell journeyed very little and instead employed clerks for communicating and carrying out the more menial tasks.

<sup>26</sup> *Leicester Journal*, 12.3.1802. See T.N.A., RAIL 803/10/4 (Leo Pidcocke's Bill), 15.9.1802, regarding Leo Pidcocke charging 18s. for writing three adverts to be placed in newspapers in Leicester, Derby and Birmingham. Occasionally investors were written to directly. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 6.2.1794, p. 113, for an example of investors being contacted by post, following poor attendances at previous general meetings.

<sup>27</sup> See 34 Geo III c. 93, p.1640. This was charged at 4d. per 100 words.

However, these were just the official gatherings. The following extracts taken from the solicitors' bills illuminate the behind-the-scenes effort and energy involved in promoting and constructing canals, the numerous unofficial meetings and exchanges of messages, the hardships of travelling and the heavy workload:

For extraordinary trouble and fatigue in travelling from Town...till very late each night...horse hire and expenses...2 Journies in the Night and back with Great Expedition...writing many Letters and attendances on defendant...Travelling Late and Early, 3 Days...Attending this Day and all the Night at the Queens Head...Chaise from Derby to Chesterfield in returning on Account of the Rain.<sup>28</sup>

Evidently the company's legal representatives were involved in all aspects of advancing the waterway and were keen to remind the committee (whose role it was to scrutinize invoices) of their suffering in serving the canals' interest, possibly to improve their chances of payment. But as table 12 reveals, as the canal neared completion these services became less in demand, culminating in the assembly voting in April 1803 to employ only Pidcocke who was paid a retainer of £60 a year.<sup>29</sup>

**Table 12: Summaries made from Leonard Pidcocke's invoices to the canal company.**<sup>30</sup>

Dates	Days worked	Meetings attended	Separate journeys	Letters written	Fee
Nov-Jan 1792-3	59	10	50	3	£73 19s. 10d.
Nov-Jan 1802-3	5	0	3	2	£9 8s.

<sup>28</sup> See T.N.A., RAIL 803/10/2 (Leo Pidcocke's Bill), 28.1.1793, T.N.A., RAIL 803/10/1 (Mr Pestell's Bill), 28.6.1793 and T.N.A., RAIL 803/10/4 (Leo Pidcocke's Bill), 4.4.1803.

<sup>29</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 4.4.1803, p. 173.

## **The individuals involved in the select committee**

At the first meeting of the new assembly, the 13 names of those elected to the new select committee were announced. All had previously served on the 1792 committee of 30, as had one of the three employed clerks: Leonard Pidcocke and the two appointed treasurers: Joseph Pycroft and Thomas Wilkes.<sup>31</sup> As the minute books only recorded the results of the elections and not the proceedings, it is not possible to say whether the successful candidates actively campaigned for their positions or reluctantly accepted them after being lobbied by their own supporters, but through analysing the original committee's attendance record during its last ten meetings prior to the election, it becomes clear that those who did progress to the construction stage were present at more meetings – as their collective attendance rate was 51% as opposed to the unselected members' 9%.<sup>32</sup> This indicates that the new committee was already forming within the workings of the old one and that the previous input of candidates was possibly a factor taken into consideration by the company's electorate.<sup>33</sup> Of course, it is possible that some of those who did not progress were not seeking re-election; however, the fact that 19 persons assembled at the final meeting before the election, when the attendance average of the previous nine meetings was

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<sup>30</sup> T.N.A., RAIL 803/10/2 (Leo Pidcocke's Bill), 28.1.1793 and T.N.A., RAIL 803/10/4 (Leo Pidcocke's Bill), 4.4.1803.

<sup>31</sup> To compare the 1792 and 1794 committees see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 22.9.1792, p. 12 and T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, p. 5.

<sup>32</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 1.1.94 - 10.3.1794, pp. 103-22. Regarding the ten meetings prior to the passing of the Parliamentary Act out of a possible 300 collective attendances only 90 occurred. Candidates who were chosen to progress to the new select committee had a collective attendance of 66 out of a possible 130, whereas those not chosen had 12 attendances out of a possible 140. Three members' figures were not calculated due to being given other managerial positions.

<sup>33</sup> This notion is further supported by analysis of the solicitors' bills prior to the company receiving Parliamentary consent, where those who were elected are regularly referred to as being involved in liaising with the solicitors on various issues. For example see T.N.A., RAIL 803/10/2 (Leo Pidcocke's Bill), 28.1.1793, and T.N.A., RAIL 803/10/1 (Mr Pestell's Bill), 28.6.1793.

eight, suggests that some committee men may have been mounting a last-minute campaign to remain in office.<sup>34</sup>

Table 13 indicates how the management of the canal's development continued to be dominated by local investors whose varied positions in society derived from land, manufacturing, coal production and public service. Other sources of income were vital as select committee service was unpaid. To date the available evidence has revealed that at least 12 of the 13 members lived or had commercial interests in the parishes due to be affected.<sup>35</sup> However, analysis of the landowners listed in the Book of Reference indicates that, with the exception of Joseph Wilkes, none of them actually owned any land due to be built upon – a factor that may have lessened their sympathy regarding the disruption landowners were later to experience.<sup>36</sup>

Six of the committee purchased only three shares of £100 each (Table 13), the minimum number required for office, which suggests an element of caution in their speculating.<sup>37</sup> However, this could have been due to lack of funds or/and the uncertainty regarding the nation's economic situation.<sup>38</sup> It is also interesting to note that three members opted to sell a proportion of their shares during the canal's construction, such as Benjamin Dewes, the grocer and colliery owner,<sup>39</sup> whom Scott lists as a juror in the Ashby Court Leet in 1789, only to be found guilty the following

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<sup>34</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 1.1.94 -10.3.1794, pp. 121-2.

<sup>35</sup> While Boulton, Wilkes and Dawson did not reside in parishes the canal was to cut through they did have commercial interests in affected parishes. For Boulton see C. Owen, *The Leicestershire and South Derbyshire Coalfield, 1200-1900* (Ashbourne, 1984), p. 162, for Wilkes see pp. 164-7 and for Dawson see P. Olsen, *Donington Hall: the History of an Ancient Family Seat* (Cambridge, 1990), pp. 38.

<sup>36</sup> See W.C.R.O., QS111/2/6, regarding the 1794 Book of Reference and W.C.R.O., QS111/2/2 for its accompanying map.

<sup>37</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List). In 1794 the select committee only collectively owned 4.27 % of the company as their total shares added to 64.

<sup>38</sup> See P. Mathias, *The First Industrial Nation: an Economic History of Britain, 1700-1914* (1969, London, 1972), p. 69, on the financial 'panic of 1793' and p. 176, regarding the banking crises of that year.

<sup>39</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, p. 36. Dewes requests that the committee considers an 'Extension to his Colliery at Swadlincote'.

year of having 'Dung and Soil on the Green'.<sup>40</sup> This suggests either a change in his financial circumstances or a loss of faith in the outcome of the project.<sup>41</sup>

Table 13 also reveals an anomaly concerning Joseph Wilkes, the one-time millionaire,<sup>42</sup> who towards the end of his life faced bankruptcy due to the absconding of his banking partners, just as the canal began operating.<sup>43</sup> According to the original 1794 shareholders' list and the company shares ledger, Wilkes did not initially possess the required three shares to serve on the new select committee, despite his election, yet the minutes regularly list him at meetings as owning ten shares.<sup>44</sup> Perhaps Wilkes could not afford the shares at the time and the committee chose to be economical with the truth rather than lose the industrialist's expertise. If Wilkes was having cash flow problems in 1794, his loan to the company six years later of £5000 indicates that by 1801 the industrialist's finances were back in good order.<sup>45</sup>

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<sup>40</sup> See Scott, *Story of Ashby-de-la-Zouch*, pp. 234-6.

<sup>41</sup> T.N.A., RAIL 803/7 (Ledger of Loan Holders): In 1801 eight of the serving committee men collectively raised £6,200 in loans to the company. While all forms of financial input would have been welcomed, the £100 Dewes raised appears insignificant when compared to the £5000 loan made by Joseph Wilkes.

<sup>42</sup> Anon. 'Overseale House.' <http://oversealehouse.co.uk/history.htm> (11/1/2009). Wilkes presence at a theatre was reputed to have been applauded by George III.

<sup>43</sup> This occurred just before he died; see Owen, *Leicestershire and South Derbyshire Coalfield*, p. 167 and G. Box, 'A briefing note concerning the career of Joseph Wilkes, 1733-1805.' <http://www.josephwilkes.org.uk/career.htm> (4/10/2008).

<sup>44</sup> The available sources are confusing, however, they can be summarised as follows: The shareholders' list does not refer to Wilkes owning any shares, yet it accounts for each share issued. The shareholders' ledger, which provides a history of every investor, states that Wilkes, purchased his first share in 1797 followed by 13 in 1803. These two sources are contradicted by the 1800 Shareholders' List which claims that Wilkes owned 13 shares as early as 1800 and by the minute book two which every assembly from 1.10.1794 lists him as owning at least ten shares (any owner who owned more was only listed as owning ten as that was all they could vote for). See T.N.A., RAIL 803/9/1 (1794 Shareholders' List), T.N.A., RAIL 803/6 (Ledger of Shareholders), T.N.A., RAIL 803/9/2 (1800 Shareholders' List) and T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2).

<sup>45</sup> T.N.A., RAIL 803/7 (Ledger of Loan Holders).

**Table 13: Details relating to the 1794 select committee of 13.**<sup>46</sup>

<b>Names of the 1794 committee members</b>	<b>Status</b>	<b>Professions</b>	<b>Location of residence</b>	<b>Shares held in 1794 and (1800)</b>
Joseph Boulton	Esq	Banker and colliery owner	Baxterley (Warks.)	10 (3)
William Brown	Esq	Hosier and woollapler	Hinckley (Leics.)	4 (4)
Edward Dawson	Esq	Moiras steward	Long Whatton (Leics.)	3 (3)
Benjamin Dewes	Mr	Grocer and colliery owner	Ashby (Leics.)	10 (3)
Joseph Farnell	Mr	Grocer	Ashby (Leics.)	8 (8)
John Foster	Esq		Leicester Grange (Warks.)	3 (3)
Robert Greaves	Esq		Ingleby (Derby.)	5 (4)
Thomas Kirkland	MD	Doctor	Ashby (Leics.)	3 (3)
William Mason	Esq		Stewards Hay (Leics.)	3 (3)
James Orme	Esq	Ferrers' steward	Staunton Harold (Leics.)	9 (9)
John Pidcocke	Rev	Clergyman	Ashby (Leics.)	3 (3)
John Prior	Rev	Clergyman	Ashby (Leics.)	3 (3)
Joseph Wilkes	Esq	Industrialist and colliery owner	Overseal (Derby.)	0 (1 or 13) <sup>47</sup>

It is interesting to note that none of the nobility, who had previously been members of the original canal committee, and campaigned so affectively for Parliamentary sanction, were voted on to the new 1794 select committee. It can perhaps then be concluded that they did not seek office.<sup>48</sup> This supports Perkin's observation, concerning the aristocracy's relationship to industrial and commercial

<sup>46</sup> Information relating to Table 3 is derived from the following sources: T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, pp. 7-8; T.N.A., RAIL 803/9/1 (1794 Shareholders' List); T.N.A., RAIL 803/9/2 (1800 Shareholders' List); Owen, *Leicestershire and South Derbyshire Coalfield*, pp. 161-7; Olsen, *Donington Hall*, pp. 38; A. Crane, J. Hillier, D. Jackson, *Napoleonic Prisoners of War in Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1999); Crane, *Kirkland Papers*, p. 111; A. Temple Patterson, 'The making of the Leicestershire canals, 1766-1814', *Transactions of the Leicestershire Archaeological and Historical Society*, 27 (1951), p. 75; *Universal British Directory, Leicestershire and Rutland* (London, 1791), pp. 66-9 and Anon, 'Overseale House.' <http://oversealehouse.co.uk/history.htm> (11/01/2009).

<sup>47</sup> See footnote 44.

<sup>48</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1): These were the Earl Ferrers, the Earl of Moira, the Earl of Stamford and Lord Wentworth. See also Albourn, *Conceiving Companies*, p. 13. Regarding

ventures, that ‘Few of them, of course, had the temperament or incentive for industrial management’.<sup>49</sup> However, analysis of the solicitors’ bills prior to the canal’s construction reveals strong associations between them and certain individuals who progressed to the new committee,<sup>50</sup> two of whom – Dawson and Orme – were employed as stewards.<sup>51</sup>

If the landed magnates believed that such representation would allow them some distance from the project, they were wrong. As owners of land and commercial interests due to be affected by the canal, both the Earl of Stamford and Earl Ferrers were soon drawn into lengthy negotiations with the select committee, which by 1798 had recruited the Earl of Moira (Table 14).<sup>52</sup> Only Lord Wentworth remained completely detached from the company, not even investing in the project, which is difficult to explain considering his earlier efforts to procure Parliamentary Assent.<sup>53</sup>

Establishing what motivated those recruited to govern the company’s development is complex and problematic. These individuals of varied wealth and status, whose places of residence ranged from high street houses in Ashby to huge halls in the country (Figure 29), were evidently what Thomas Hardy later referred to

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governance in industry it is assumed by some historians that ‘the middle class pulled the strings while aristocratic figureheads in Parliament enacted industry-friendly laws’.

<sup>49</sup> H. Perkin, *Origins of Modern English Society, 1780-1880* (1969, London, 1972), p. 74.

<sup>50</sup> For evidence of a close association between Moira and Dawson see T.N.A., RAIL 803/10/1 (Mr Pestell’s Bill), 24.8.1793, regarding Stamford and Mason see T.N.A., RAIL 803/10/1 (Mr Pestell’s Bill), 9.9.1792, 19.11.1792 and 9.12.1792 and concerning Greaves connections with the influential landowners and proprietors of mines and quarries: Burdett and Harpur see T.N.A., RAIL 803/10/1 (Mr Pestell’s Bill), 2.9.1792.

<sup>51</sup> Olsen, *Donington Hall*, p. 38. Edward Dawson was Moira’s steward. T.N.A., RAIL 803/10/1 (Mr Pestell’s Bill), 17.10.1792: Pestell’s invoice confirms that James Orme was Ferrers’ steward.

<sup>52</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 2.4.1798, p. 208.

<sup>53</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1) Wentworth’s attendance to nine meeting out of 55 was more than the three other nobles involved in the canal’s promotion. Neither M. Elwin, *The Noels and the Milbankes: their Letters for Twenty-Five Years, 1767-1792* (London, 1967) or G. Evans, *Mallory Park, Leicestershire: Portrait of Country Estate* (Stowe by Chartley, 2001) refer to any financial problems that could have resulted in Wentworth’s lack of investment in the canal. RAIL 803/10/1 (Mr Pestell’s Bill), 26.12.1792: the solicitor Pestell refers to visiting the noble regarding the matter and records how the noble stated that he had ‘not determined what shares he would take’.

as ‘public men’;<sup>54</sup> confident in their abilities to communicate and instruct; some were involved in numerous and varied investments, with a belief that self-reward and maybe even communal benefit would result from their input.<sup>55</sup> In today’s culture of specialization it is hard to conceive how Joseph Boulton could run a bank and a number of collieries. However, his 84% absentee rate at canal company meetings (Figure 30) indicates that the entrepreneur was not giving sufficient attention to all of his commitments.<sup>56</sup>

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<sup>54</sup> Thomas Hardy, ‘Private man on public men’, featured in I. Rogerson (ed.), *Selected Poems of Thomas Hardy with Engravings by Agnes Miller Parker* (London, 1998), p. 81. I also recollect while labouring on a London construction site, my Irish foreman Martin McCann referring to the company’s board of directors, who were visiting that day, as ‘those who talk for money’. This could also be considered a valid description.

<sup>55</sup> Recent works that address the factors motivating the middling sort during this period include R. Porter, *Enlightenment: Britain and the Creation of the Modern World* (London, 2000), p. 396, where the enlightenment is described as a new ideology, which ‘taught how self-enrichment could be personally enhancing and socially cohesive’; M. Billinge, ‘Hegemony, class and power in late Georgian and early Victorian England: towards a cultural geography’, in A.R.H. Baker and D. Gregory (eds), *Explorations in Historical Geography: Interpretative Essays* (Cambridge, 1984), p. 33, who claims that many individuals were driven and influenced by the emergence of a ‘bourgeois ideology in the nineteenth century’, describing it as ‘an amalgam ... of political radicalism, nonconformism, utilitarianism etc’; P. Langford, *A Polite and Commercial People: England, 1727-1783* (Oxford, 1989), p. 411 and J. Barry and C. Brooks (eds), *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994).

<sup>56</sup> Owen, *Leicestershire and South Derbyshire Coalfield*, pp. 160-3. Boulton was evicted from his farm by his fellow Ashby Canal shareholder Sir George Beaumont in 1798 following a long dispute, yet died ‘towards the end of 1806...a relatively wealthy man’. See C.P. Griffin, ‘Transport change and the development of the Leicestershire coalfield in the canal age: a reinterpretation’, *Journal of Transport History*, 4 (1978), p. 229, for a description of how Boulton sabotaged the mine he was renting from Beaumont. For an account of eighteenth and nineteenth-century entrepreneurs see P.

Robert Abney: Lindley Hall <sup>57</sup>



Dr. Kirkland: Market St, Ashby <sup>58</sup>



Edward Dawson: Whatton House <sup>59</sup>



**Figure 29: The homes of some members of the select committee members.**

Boulton was not alone; the often-debilitating low attendance at meetings was taken to the extreme by John Foster who only attended one meeting out of a 153 over a six-year period (Figure 30).<sup>60</sup> Evidently some committee men had either miscalculated the demands of the position, lost faith in the project or were needed for

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Mathias, *The First Industrial Nation: an Economic History of Britain, 1700-1914* (1969, London, 1972), pp. 151-65.

<sup>57</sup> J. Brookes, 'Weddington Castle.'

[http://www.webspinners.org.uk/weddingtoncastle2/images/Linley\\_Hall.gif](http://www.webspinners.org.uk/weddingtoncastle2/images/Linley_Hall.gif) (22/11/2009). The hall was demolished in 1925.

<sup>58</sup> Scott, *Ashby-de-la-Zouch*, p. 261.

<sup>59</sup> J. Nichols, *The History and Antiquities of the County of Leicester, Volume III, Part II, Containing Goscote Hundred* (1804, Wakefield, 1971), p. 1104.

greater purposes.<sup>61</sup> The latter could certainly apply to the Earl of Moira (Figure 30), who had numerous political and military commitments during this period and M. Palmer's account of his alleged procrastination regarding the development of the Ashby Woulds,<sup>62</sup> can be also used to explain his low attendance at canal company meetings:

He had been in command of an army at Southampton in the early 1790's and heavily involved in political affairs, particularly in Ireland in the late 1790's. At the time of Wilkes criticism he had just been appointed Commander-in-Chief of the Forces in Scotland, where it was feared a Napoleonic Invasion might take place.<sup>63</sup>

It must be further noted that in the case of Joseph Wilkes his modest attendance rate (Figure 30), would have been much higher, but for the company relying upon him to conduct the necessary negotiations with landowners, engineers, contractors and rival canal companies. Analysis of the solicitors' bills shows how no other select committee member was more involved in such activities than Wilkes.<sup>64</sup>

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<sup>60</sup> See P. Ryder, 'Hinckley Historic Buildings Appraisal.'

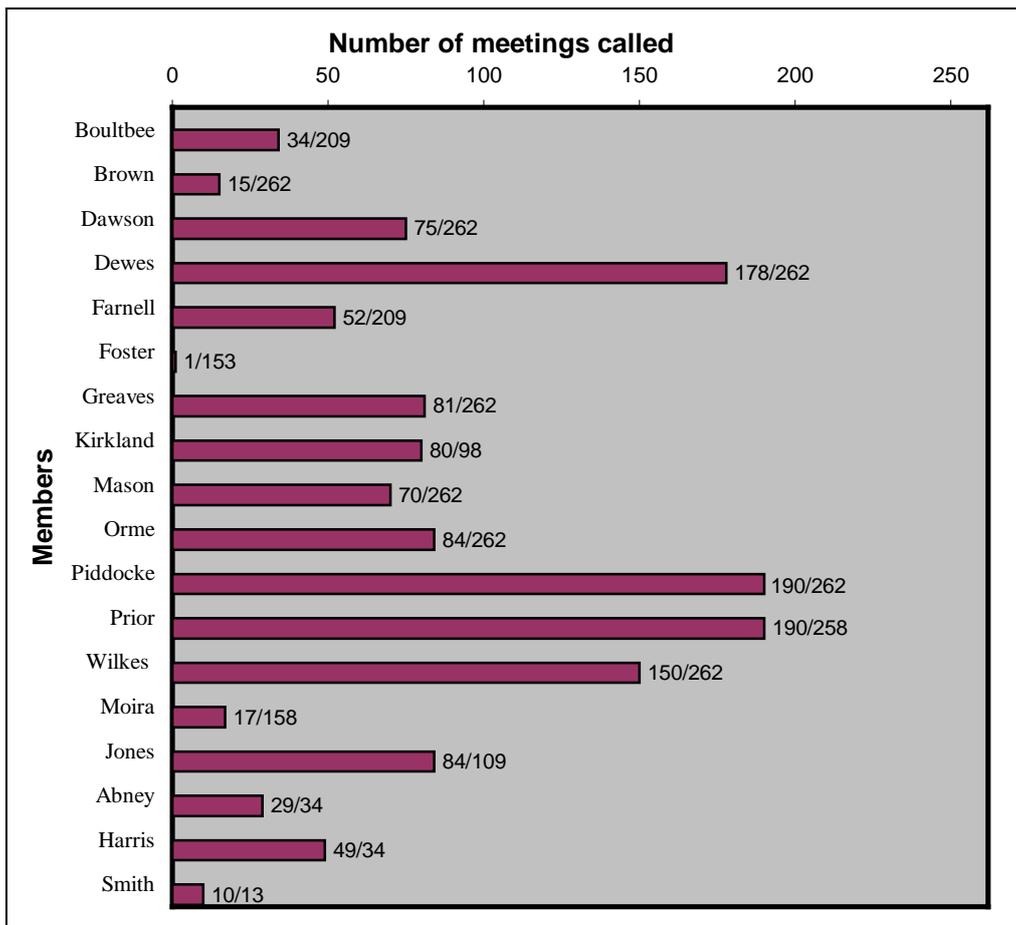
<http://www.hinckley.netfirms.com/Hinckley%20-%20L.htm>(10/03/2009). John Foster was the owner of Leicester Grange, which was destroyed by fire in 1803.

<sup>61</sup> 34 Geo III c. 93, pp. 1641-2. The select committee members and treasurers were only paid expenses. It is now standard practice for companies to pay their directors a combination of salaries, bonuses and pensions. See *The Chelsea Building Society Summary: Financial Report, Year Ended 31 December 2008* (no location given, 2009), pp. 8-12. During 2007 all ten committee members had a 100% attendance rate and received collectively £1,993,083. It could be considered that if the Ashby Canal Company had provided similar rewards, attendance would have been much higher.

<sup>62</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), pp. 199-201.

<sup>63</sup> M. Palmer, 'The Earl of Moira', in D. Cranstone (ed.), *The Moira Furnace: a Napoleonic Blast Furnace in Leicestershire*, (Coalville, 1985), p. 9. For an account of the threat from France and the mobilizing of forces, see L. Colley, *Britons Forging the Nation, 1707-1837* (London, 1992), pp. 280-319. See W. Hague, *William Pitt the Younger* (London, 2004), regarding Moira's political aspirations, which resulted in clashes with Pitt. See also Olsen, *Donington Hall*, pp. 24-6 for an account of Moira's campaigns against the French in 1795 and his long-standing financial problems.

<sup>64</sup> For examples see T.N.A., RAIL 803/10/4 (Leo Piddocke's Bill), 3.11.1802 and 26.11.1802.



**Figure 30: Select committee members' attendance at select committee meetings and general assemblies, 1794-1804.**<sup>65</sup>

Inevitably the general assembly lost patience with Foster and in 1800 replaced him with Joseph Jones (Table 14), who a year earlier had been elected chairman at their April bi-yearly meeting, a role usually given to the select committee chairman.<sup>66</sup> Other personnel changes were to follow over the next five years, with the replacement of five committee men and one treasurer due to death, poor attendance, illness and resignations (Table 14).<sup>67</sup>

<sup>65</sup> The numbers to the left of / depict the amount of meetings attended. The numbers to the right refer to the meetings the committee men could have attended.

<sup>66</sup> Analysis of the assembly meeting suggests that the shareholders used this process to indicate whom they wanted on the select committee once a position arose. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 1.10.1794, p. 24, 1.4.1799, p. 234 and T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.4.1801, p. 53.

<sup>67</sup> See 34 Geo III c. 93, p. 163, regarding the powers of the assembly to change company representatives.

By April 1802 the new members Jones, Foster and Abney had established themselves and because of their regular attendances, all the remaining meetings dealing with the canal’s construction met the numerical requirements to form a *quorum*, whereas prior to this date 27% of the select committee meetings called had less than five attend.<sup>68</sup> How the ‘new blood’ affected the existing politics within the established committee can only be surmised as few internal disputes are recorded.<sup>69</sup>

**Table 14: Details relating to personnel changes within the select committee taken from minute books two and three, and the 1794 and 1800 Shareholders’ List.**

Date	Committee members	Reasons for leaving	Replacements
2.4.1798	Thomas Kirkland	Death	The Earl of Moira
7.4.1800	John Foster	Dismissed	Joseph Jones Esq.
5.4.1802	Joseph Farnell	Ill health	Robert Abney Esq.
5.4.1802	Joseph Boulton	Ill health	Rev Harris
3.10.1803	John Prior	Resigned	Henry Smith

### The general assemblies

During the ten years of constructing the canal, 262 meetings were called,<sup>70</sup> of which 22 general assemblies were held in Ashby.<sup>71</sup> These were hosted at either the Queen’s Head or the White Hart – the latter described by Scott as ‘the most riotous of Ashby inns’ – where the landlord was reputed to control unruly customers with a domesticated bear.<sup>72</sup>

<sup>68</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3). Between July 1794 and March 1802, 55 meetings out of 207 fell short of the requirements to form a *quorum*.

<sup>69</sup> The ones that were minuted will be examined in detail throughout the remainder of this study.

<sup>70</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3).

<sup>71</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 14.3.1796, p. 98. One of these was a ‘Special Assembly’ called in response to proposed developments to the Trent and Mersey, which would have affected the Ashby Canal.

<sup>72</sup> Scott, *Ashby-de-la-Zouch*, p. 149. This was Richard Springthorpe whose wife took over the establishment and is listed as a shareholder. See *Universal British Directory*, p. 67 and T.N.A., RAIL 803/9/1 (1794 Shareholders’ List). Also see Crane, *The Kirkland Papers*, p. 18, for an account of how

As table 15 shows, the majority of attending investors at the first assembly were from affected counties,<sup>73</sup> and the numbers of investors recorded at these meetings held during the construction phase ranged between 32 and 61, with an average attendance rate of only 8% of the 534 shareholders.<sup>74</sup> Their function was to examine the expenditure and conduct of the select committee and to communicate the shareholders' opinions upon further policies and action to be taken (Figure 31).<sup>75</sup>

**Table 15: County representation at the first general assembly.**

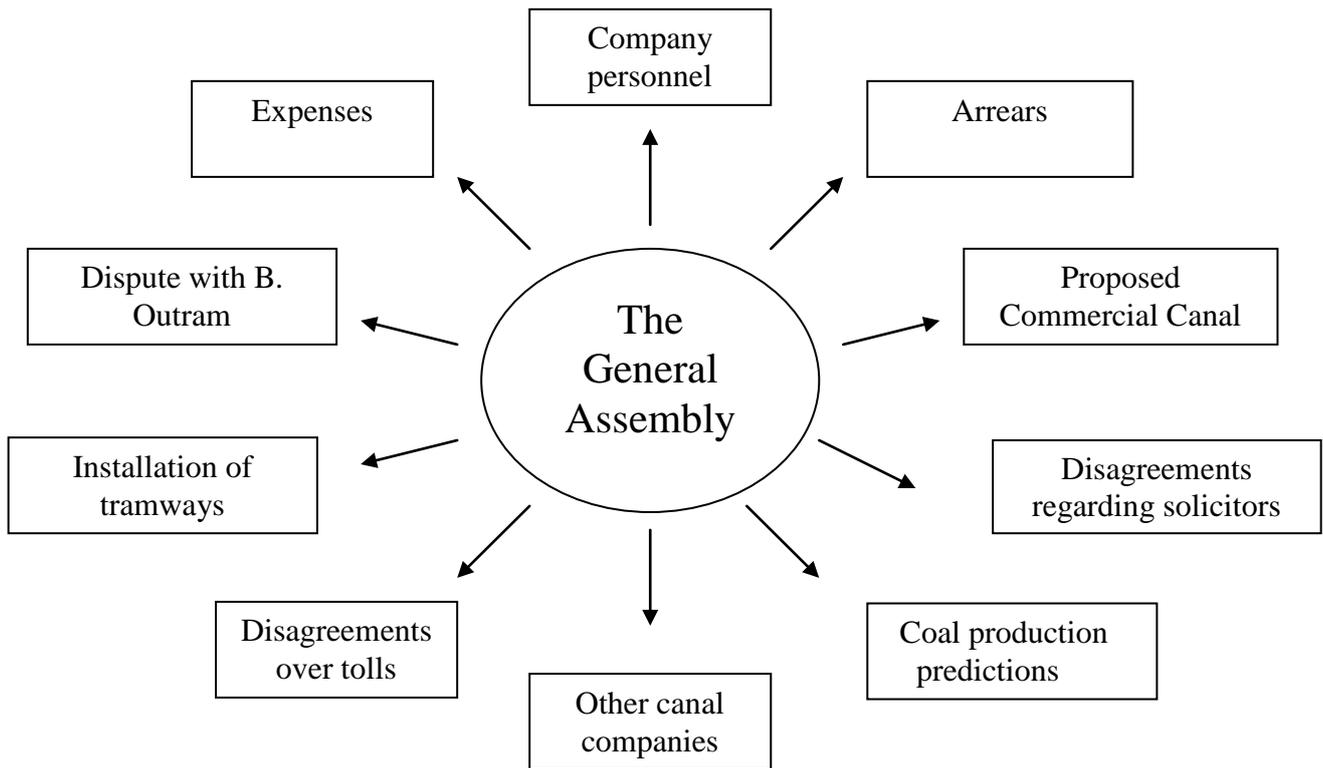
County	Numbers present	Percentage of Investors	
Leicestershire	28	46	Affected counties
Derbyshire	17	28	
Warwickshire	5	8	
Leicestershire and Derbyshire	4	7	
Staffordshire	4	7	Unaffected counties
Unknown	2	3	
Nottinghamshire	1	2	

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Mr Springthorpe helped Kirkland (the canal company chairman) apprehend the fourth Earl Ferrers and kept him detained in his public house until the authorities dealt with the situation. Earl Ferrers was found guilty of murdering his steward in 1760 and was the last noble in this country to be hung, p. 35.

<sup>73</sup> The other meetings had a similar attendance ratio.

<sup>74</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List), T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3). While the numbers of investors fluctuated during the construction period as shares were bought and sold, they remained close to the original figure of 534. Therefore the potential collective attendance figure throughout the 22 meetings was 11748 (534 x 22). In total 1041 attendances are recorded at these meetings – 8%.



**Figure 31: Some of the issues discussed at general assemblies during the canal's construction taken from minute books two and three.<sup>76</sup>**

While the minute books provide invaluable information regarding the company's development and the contributions of certain individuals, it is possible that the polite language and controlled handwriting used in documenting the proceedings – combined with the unemotional accounting of debates – misrepresents how such gatherings were conducted. Considering that on average, 47 men attended these meetings, all of whom had variable amounts of capital and energy invested in the project, it is fair to assume that the numerous issues discussed on these occasions would have been sufficient to enflame old disputes, cement existing allegiances and form new lasting associations. Tempers may have been placated by the company

<sup>75</sup> Each meeting the assembly would 'approve the said Acts and proceedings of the Committee'. For an example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.4.1795, p. 58.

<sup>76</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3).

paying individuals' expenses at assemblies;<sup>77</sup> however, after four years, the dire finances of the company resulted in the shareholders voting in 1798 to 'lessen the Expenses' of its members.<sup>78</sup>

### **The select committee meetings**

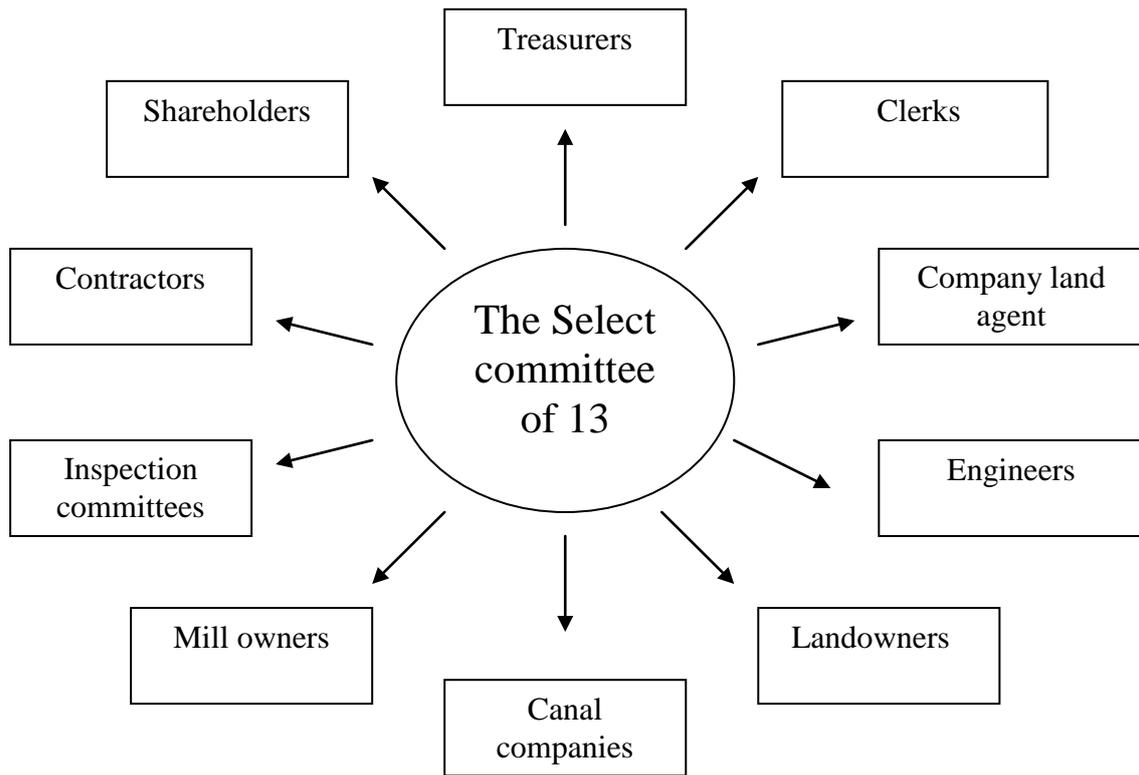
While the assembly had the power to hire and fire the canal's management; the select committee were ultimately responsible for the majority of the decisions made by the company (Figure 32). At their meetings, of which 240 were called during the canal's construction (Table 16), issues relating to the waterway's finances, route, structure, and quality control were deliberated, with orders given usually via the company's clerks, and enforced by the Parliamentary Act. This later stated that the committee was to 'Contract and purchase Lands, Messuages, Tenements, and other Hereditaments and Materials...keep full and true Account of all money distributed... make Agreements and Bargains with the Workmen, Agents, Undertakers and such Persons employed or concerned in making and completing the said Navigation and other works', to make calls on shareholders and employ company staff.<sup>79</sup>

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<sup>77</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, p. 7.

<sup>78</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.10.1798, p. 208. No records of the amount have yet been found.

<sup>79</sup> 34 Geo III c. 93, p. 1642.



**Figure 32: Interests and agents the select committee had to instruct and negotiate with during the canal's construction.**

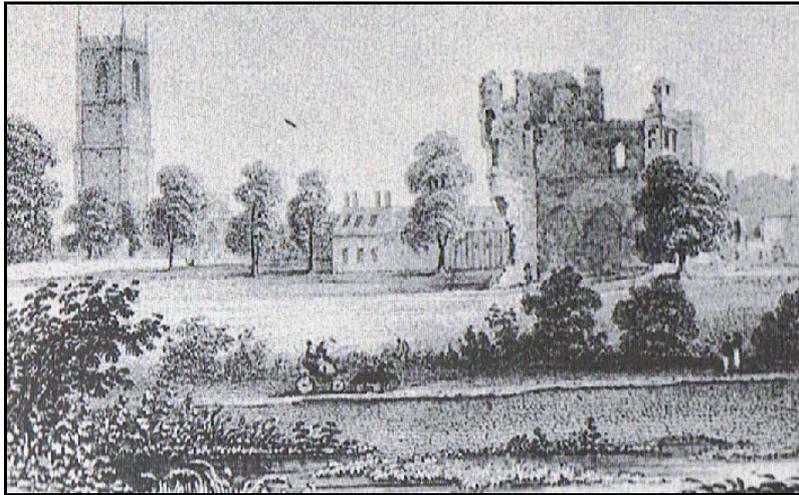
Table 16 shows how the administrative centre for the project remained at Ashby.<sup>80</sup> Initially the select committee continued to meet at the Ashby Place in a large room referred to as the 'Committee Room' (Figure 33 and Table 16).<sup>81</sup> However, following the announcement on the 18 December 1801 that the company house was to be demolished,<sup>82</sup> the landlord of the Queen's Head, Joseph Rice and the landlady of the White Hart, Matilda Springthorpe, who were both shareholders in the waterway, became the usual hosts.<sup>83</sup>

<sup>80</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 16.3.1798, p. 203. Meetings usually began at eleven o'clock, however in March 1798 it was ordered that 'the Committee in future shall meet at ten o'clock in the morning precisely to dispatch the business before dinner'.

<sup>81</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 9.11.1794, p. 87. At this meeting it was agreed to take two rooms owned by Mr Heathers 'for the future meetings of this committee and for transacting the General Business of the Canal'. Regarding the Ashby Canal Company using Ashby Place see Crane, Hillier and Jackson, *Napoleonic Prisoners of War*, p. 13.

<sup>82</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 18.12.1801, p. 98. As figure 33 reveals, it was another 29 years before the building was finally pulled down.

<sup>83</sup> See T.N.A., RAIL 803/9/1 (1794 Shareholders' List) regarding William Rice's purchase of three shares in the company, the same amount as six of the select committee members. See T.N.A., RAIL



**Figure 33: Detail of a print showing Ashby Place where the company’s select committee usually met. The house is situated between St Helens Church on the left and the ruins of Ashby Castle on the right and was demolished in 1830.**

Source: Crane, *The Kirkland Papers*, p. 112.

It cannot be established why select committee meetings were scheduled outside Ashby – it may have been to correspond with canal inspections. It is however, evident that the committee did not travel well as only one of the 15 meetings scheduled outside Ashby was quorate with five or more members attending (Table 16).<sup>84</sup> Despite five of the original 13 select committee members living in Ashby (Table 13), a factor that may have had a bearing on their election,<sup>85</sup> meetings held in their hometown also experienced poor attendances (Table 16). The committee overcame this obstacle by either re-scheduling them, as occurred in 1799 on six

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803/3 (Ashby Canal Minute Book 3), 20.5.1800, p. 20, concerning Matilda Springthorpe’s investment of one share in the company. It is evident that the inns charged the company for use of their premises as Mrs Springthorpe is recorded billing the committee for £27 4s 4d, however, it does not state for what duration of time or for what services. See also *Leicester Journal* 5.11.1802, regarding an article announcing that new tenants were being sort for the White Hart and that the inn had been in the present tenants hands for ‘nearly Forty Years’. Those interested were advised to apply to Mr Farnell, which suggests that the canal committee member was also the owner of the establishment (see table 13).

<sup>84</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 9.5.1796, p. 110. This meeting was held at the Union Inn in Measham (Table 16), which was owned by Joseph Wilkes; see Crane, *The Kirkland Papers*, p. 112.

<sup>85</sup> The convenience of living in Ashby, where most of the administration took place, may have resulted in more Ashby candidates standing for office than investors from other parishes. It could also be considered that the voters of the general assembly could have voted in five Ashby representatives, wrongly assuming that this would ensure the attendance of at least the minimum number of members to form a *quorum* – five.

consecutive occasions,<sup>86</sup> or continuing with the canal’s business regardless of the insufficient numbers present, choosing to ratify any decisions made at the next gathering, where five or more were present.<sup>87</sup>

**Table 16: Details relating to meetings held by the select committee during the construction of the canal taken from minute books two and three.**<sup>88</sup>

Meeting place	Location	Number of Meetings that five or over attended	Number of Meetings that had less than five attend
Committee Room	Ashby	119	39
Queens Head	Ashby	37	2
White Hart	Ashby	28	1
George Inn	Market Bosworth	0	5
Bulls Head	Market Bosworth	0	2
Union Inn	Measham	1	2
Bulls Head	Hinckley	0	1
G. Gadesby’s house		0	1
J. Wright’s house	Ticknall	0	1
Just states Hinckley		0	1
<b>Total</b>		<b>185</b>	<b>55</b>

### The role of company chairman

As the committee moved from promoting the canal to managing its construction, Doctor Thomas Kirkland (1722-98) (Figure 34), continued to dominate the chairmanship of the select committee and assembly (Tables 17 and 18).<sup>89</sup> William Gardiner describes a meeting with him in 1788, referring to Kirkland’s attire as ‘a morning gown and a crimson velvet cap’, adding how ‘In his conversation the Doctor

<sup>86</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 26.4.1799 - 27.5.1799, pp. 242-3.

<sup>87</sup> For example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) 23.5.1796, p. 112.

<sup>88</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3).

<sup>89</sup> P.J. Corfield, *Power and the Professions in Britain, 1700-1850* (1995, London, 2000), pp. 137-73. Corfield states that between 1700 and 1850 the status of doctors rose, adding that ‘the later eighteenth and nineteenth century ‘belonged to the doctor’, p. 137.

was fond of using the vulgar accent of his neighbours, the colliers upon the Coleorton Moor, as his talents and genius gave him the licence to be singular'.<sup>90</sup>



**Figure 34: Thomas Kirkland, who chaired the majority of select committee meetings and general assemblies from 1794-97.**

Source: Scott, *Ashby-de-la-Zouch*, p. 419, sketched by Mrs Bangham.

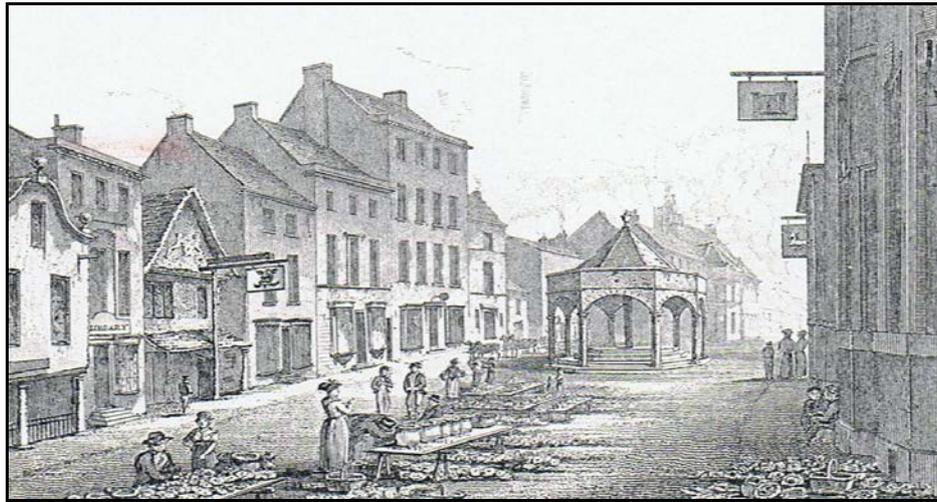
The Parliamentary Act stipulated that prior to each meeting the chairman had to be voted in. Kirkland's dominance of the role indicates that he maintained the support of most of the project's supporters until his death in 1798. However, analysis of the illustration of Ashby found in Scott's *The Story of Ashby-de-la-Zouch*,<sup>91</sup> suggest that Kirkland's continued governance may also have been affected by the close proximity of his home to the Queen's Head, where many of the canal's meetings

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<sup>90</sup> W. Gardiner, *Music and Friends; or Pleasant Recollections of a Dilettante, Volume 1* (London, 1828), p. 95. See Andrews, *Torrington Diaries*, p. 72, where he describes Ashby residents' practice of speaking irritatingly slowly, and claims that he often rode off before they finished talking to him because 'life were not long enough to hear them out'.

<sup>91</sup> Scott, *Ashby-de-la-Zouch*. Despite providing detailed accounts of many of Ashby's residents including Kirkland, Prior, Piddocke, Dewes, and Farnell, the author does not refer to their involvement in the canal.

were held, especially during the conception phase (Figure 35).<sup>92</sup> Was Kirkland the best man for the job, or was the position given to him simply because he lived the nearest to the company meeting place? As the chairmanship was dominated by two of Kirkland's neighbours following the doctor's death, this suggests the latter may have at least been a contributing factor.<sup>93</sup>



**Figure 35: Market Street in Ashby.** Kirkland's house is far left of the picture, (see also figure 29) and situated directly opposite to where the Queens Head once stood – far right of the picture.<sup>94</sup>

Source: W. Scott, *The Story of Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1907), p. 261.

Following Kirkland's death the local historian Nichols commented: 'His memory will be for ever held in estimation by a numerous set of relations and friends who can never forget his general hospitality, disinterestedness and benevolence'.<sup>95</sup>

<sup>92</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1). Of the 55 meetings held during the promotion of the canal between 1792-4, 24 were held in the Queens Head.

<sup>93</sup> Scott, *Ashby-de-la-Zouch*, pp. 229-30. One of these chairman was the Rev. Piddocke who resided on the same street as Kirkland at 87 Market St and is described as Scott as a 'mighty hunter' who dealt with the delinquents and fed the poor Sunday lunches (Table 17). Regarding Kirkland's death see Scott, *Ashby-de-la-Zouch*, pp. 338-9. Scott refers to a marble monument to Kirkland in St Helens church where his many qualities are listed included being a 'welcomed associate'. See also Crane, *The Kirkland Papers*, p. 154: The Kirkland family kept a notebook listing deaths and marriages in Ashby from 1788 to 1930. Doctor Kirkland's death is described as 'half past 6 morn'g Wednesday 17 Jany. 1798 Bd 22<sup>nd</sup> Aged 75'.

<sup>94</sup> The details of this picture correspond with the address given by Scott.

<sup>95</sup> Nichols, *History and Antiquities of the County of Leicester*, p. 632.

Such evidence combined with the consistency of his chairmanship indicates that whoever succeeded him in steering the canal's affairs would struggle to match the respect Kirkland was afforded.

The baton was passed to Kirkland's friend the Rev. John Prior (1729-1803), the vicar of St Helens church in Ashby and a respected cartographer,<sup>96</sup> who, as table 17 reveals, surpassed his predecessor regarding the numbers of meetings chaired during the construction of the canal.<sup>97</sup> Yet, while there is no direct evidence of dissatisfaction with his governance, analysis of the assembly chairmanship suggests that Prior did not enjoy the same shareholder support previously given to the doctor, as the minute books show how during Kirkland's lifetime when the general assemblies convened it would usually also elect him as its chairman (Table 18).<sup>98</sup> Yet, when Prior took over the select committee chair following Kirkland's death, the clergyman's attendance at ten general assemblies only resulted in him being awarded the role twice (Table 18). This break in protocol could be construed as a protest vote against Prior. However, the chair did not go to any of the select committee men, which also suggests that the investors were dissatisfied with the company's governing body.

The clergyman's governance was further hindered by the low attendance at select committee meetings led by him, of which 29% did not make the required number to form a *quorum*, as opposed to the 10% failure rate of the Kirkland-led gatherings (Table 17). The year 1799 can be highlighted as a particularly bad year for

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<sup>96</sup> J.D. Welding (ed.), *Leicestershire in 1777: an edition of John Prior's Map of Leicestershire with an Introduction and Commentary by Members of the Leicestershire Industrial History Society* (Leicester, 1984).

<sup>97</sup> Scott, *Ashby-de-la-Zouch*, pp. 334-5. See also E.A. Mammatt, *The History and Description of Ashby-de-la-Zouch; with Excursions in the Neighbourhood* (London, 1852), pp. 82-3. Prior, after being made vicar at St Helens church in 1783, rebuilt the vicarage.

<sup>98</sup> Only once did this not occur during the canal's construction, when the assembly chose to vote for the Earl of Moira. This was the second meeting Moira had attended. See T.N.A., RAIL 803/1 (Ashby

Prior's chairmanship, as out of the 21 select committee meetings he took charge of, 13 had less than five people attend.<sup>99</sup> These figures may indicate dissatisfaction with Prior, who was described by the Earl of Huntingdon as a 'poor preacher',<sup>100</sup> even though referred to by Nichols as having 'a mild and amusing temper...of all men, the least obtrusive',<sup>101</sup> or they may highlight the committee's lack of interest in the project,<sup>102</sup> which coincidentally occurred on Prior's watch.<sup>103</sup>

**Table 17: Details relating to the chairmanship of the select committee, 1794-1804.**

Name	Select committee meetings		Number of years a member
	Chaired <sup>104</sup>	Attended	
Prior	94 (27)	190	9.25
Kirkland	70 (7)	71	3.5
Piddocke	15 (3)	170	10
Moira	12	14	6.25
Abney	11	25	2.25
Jones	10 (4)	76	4.25
Wilkes	3 (3)	134	10
Harris	2	45	2.25
Smith	2	9	0.75
Dewes	1	138	10
Dawson	1	49	10

( ) refers to meetings called where less than five attended, therefore not sufficient numbers to form a *quorum*.

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Canal Minute Book 1), 9.10.1793, p. 79, and T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.10.1794, p. 22.

<sup>99</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 15.4.1799 - 27.5.1799, pp. 241-3.

<sup>100</sup> Scott, *Ashby-de-la-Zouch*, pp. 334-5. This was stated to Kirkland who is reputed to have retorted 'But, My Lord, you should hear him fiddle'. See also Mammatt, *History and Description of Ashby-de-la-Zouch*, p. 52: Prior is listed as supporting the Whig candidate for Ashby whereas his fellow committee men Kirkland and Dewes are Tories.

<sup>101</sup> This quote is taken from J.D. Bennett, *Leicestershire Portraits: Forty Biographical Sketches of Leicestershire from Medieval Times to the Twentieth Century* (Leicester, 1988), no page number given.

<sup>102</sup> As the construction of the canal was established by the time Prior took of the company chairmanship it is possible that the remaining issues requiring attention were not considered to be of any real importance, hence low attendance. I am grateful to Charles Wollaston for this and other observations concerning the company management.

<sup>103</sup> Prior's record of being awarded the chairmanship 94 times seems even more remarkable when it is compared to the data concerning the Chesterfield Canal which shows how the average number of meetings chaired by those who gained the office was 3.8 (Table 19).

<sup>104</sup> Some meetings that were inquorate did not name the appointed chairman.

**Table 18: Details relating to the chairmanship of the general assembly, 1794-1804.**

Name	General assembly meetings		Number of years a member
	Chaired	Attended	
Kirkland	8	9	3.5
Moir	4	4 (3)	10
Jones	4	8 (8)	10
Abney	3	4 (4)	10
Prior	2	18 (10)	10
Piddocke	1	20 (12)	10

( ) refers to meetings attended following the death of Doctor Kirkland.

During 1803, attendance figures remained low with the first 17 meetings averaging only five. This was significant as the new committee men Abney, Harris and Jones held a majority, thereby giving them control of the company's business and chair. Despite his presence at these gatherings, Prior, who from c. 1800 suffered from the effects of a stroke,<sup>105</sup> was not once given its governance and at the October assembly of 1803 he announced that he would no longer serve the committee.<sup>106</sup>

His departure was very close to the completion of the canal, and no reason was stated for it, unlike the previous two resignations where illness was given as the cause for Boulton and Farnell's retirement.<sup>107</sup> This implies that Prior's decision was due to his dissatisfaction with developments (possibly those related to the company's new representatives). However, the clergyman did pass away in the same year, which suggests that his failing health could at least have been a contributory factor to his resignation. Scott describes how the Reverend John Prior at the age of 74 was

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<sup>105</sup> See Bennett *Leicestershire Portraits*, no page number given, who claims that Prior's 'last few years were affected by a stroke'. T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3) Analysis of Prior's attendance for the three years before his death seems not to be have affected by his affliction.

<sup>106</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.10.1803, p. 195.

<sup>107</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 5.4.1802, pp. 115-6. See also Crane, *The Kirkland Papers*, p. 111, regarding Farnell's death on 7 December 1802.

teaching eight days before his death, adding how despite his efforts he ‘died a poor man’.<sup>108</sup>

**Table 19: Comparative analysis of factors affecting the management of the construction of the Ashby and Chesterfield Canals.**<sup>109</sup>

<b>Factors relating to the companies’ management</b>	<b>Chesterfield (46 miles in 7 years)</b>	<b>Ashby (30 miles in 10 years)</b>
Average number of select committee meetings held every year	9.4	18.5
Number of select committee members	21	13
Number of meetings cancelled due to low attendance	1	45
Average number of meetings governed by each elected chairmen	3.8	21.8
<b>Numbers of select committee meetings called for each mile of construction</b>	<b>1.4</b>	<b>8.7</b>

Analysis of other select committees reveals some of the differences in how canal companies performed and structured themselves. In contrast to the Chesterfield Canal, the Ashby Canal’s governance was smaller, less democratic, poorly attended and yet convened more (Table 19), and in reading the two companies’ minute books the impression given is that the Chesterfield Canal’s select committee conducted themselves with a much greater sense of urgency and purpose with a larger and more fluid membership and chairmanship, constantly relocating itself to be close to the canal’s construction, as opposed to the Ashby Canal’s management which in comparison appears to have preferred distancing itself from the physicality of the project and operating more like an oligarchy.<sup>110</sup> Evidently, the Chesterfield Canal’s

<sup>108</sup> Scott, *Ashby-de-la-Zouch*, p. 335.

<sup>109</sup> Richardson, *Minutes of the Chesterfield Canal Company*. I have acquired the data relating to the Chesterfield Canal by adopting some of the same methods I have used to study the Ashby Canal’s management. The emergence of similar forms of studies would be welcomed.

<sup>110</sup> This contrast in energy is further suggested by the Ashby minutes often referring to issues being ‘Resolved’, whereas everything dealt with by the Chesterfield was ‘Ordered’.

management was much more successful as they constructed much more canal,<sup>111</sup> for less discussion (Table 19).<sup>112</sup>

## Conclusion

The purpose of this chapter has been to examine how the company's management operated and who was involved, and its findings can be summarized as follows. While the structure of the company conformed to a standard canal managerial blueprint involving a select committee carrying out the policies of a general assembly, supported by a treasury and a legal department, certain aspects of its workings were tailored to meet the assumed requirements of the canal's construction,<sup>113</sup> and the executives involved.<sup>114</sup> The day-to-day business was done by the legal team involved. At the centre of the decision-making process was the select committee: a mixture of industrialists, stewards and public servants, mostly from Ashby or areas nearby. Patronage was clearly an important factor in who served. The members were unpaid for their efforts with some regularly attending meetings, while others were either uninterested or required elsewhere.<sup>115</sup> Such unpaid status was also found among the leadership of other forms of local government, for example in the administration of the poor law, in highway maintenance at parish level or in many forms of charity control. The canal's governing body convened twice a year to meet with the general assemblies to review and plan policies. All meetings were governed

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<sup>111</sup> It worth noting that both canals had additional structures; in particular the Chesterfield had locks while the Ashby had tramways to construct.

<sup>112</sup> Richardson, *Minutes of the Chesterfield Canal Company*, p. vi. Richardson states how 'The Chesterfield Canal enjoyed over half a century of modest prosperity, paying for much of that period dividends of 6-8% on £100 shares that at one period were trading at over £150'.

<sup>113</sup> For example, the decision to cut the size of the select committee once construction began.

<sup>114</sup> For example, the dominance of Ashby residents on the committee.

<sup>115</sup> Richardson, *Minutes of the Chesterfield Canal Company*, p. x. Richards provides the following description of the select committee men who managed the Chesterfield Canal: 'Overall we have a picture of eighteenth-century local self-help at work on a typically *ad hoc* basis, but nonetheless working with the leaders of two distinct districts coming together to identify a problem, seek

by a chairman,<sup>116</sup> a position which may have been used politically by the assembly, while the responsibility for communicating company directives was usually left to the paid company solicitors, whose duties also included maintaining the necessary documentation and ensuring that the company's policies and actions conformed to the self-imposed regulations set out in the 1794 Parliamentary Act.

The construction of the Ashby Canal resulted in the forming of a corporate and working community,<sup>117</sup> comprised of committees, treasurers, solicitors, engineers, surveyors, contractors, carters, labourers, skilled men, carters and shareholders (who will be considered in much more detail in Chapter 4). The combined decisions and actions of these people had a considerable impact on the established communities within the 29 parishes the canal was to cut through – especially the individuals and collectives who owned and rented the land. Therefore, it seems extraordinary, especially when we consider today's managerial, corporate and health and safety organisations, that the governance of the canal was left to a small collection of unpaid amateurs.

It could also be argued that what the canal company's management achieved was remarkable as they presided over the largest construction project the area had ever witnessed and despite numerous challenges, a commercial waterway was built bringing employment, stimulating industry and eventually providing dividend payments to its investors. A combination of financial self-interest and altruism motivated the shareholders, though it is hard to be precise about the individual reasons

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parliamentary authority for its solution, and then put the solution into practice with no further intervention from central or local government'.

<sup>116</sup> This also occurred in bodies like enclosure commissioner meetings.

<sup>117</sup> For a description of the various past, existing and virtual communities see K.D.M Snell, *Parish and Belonging: Community, Identity and Welfare in England and Wales, 1700-1950* (Cambridge, 2006), pp. 10-4. It could be considered that such a canal collective fits his description of 'face to face' interaction, in a 'bounded area in which virtually everyone knew each other'. This was, in effect, a functional and socially valued 'community' within a larger local 'community' loosely bound together by socio-economic and market networks.

for involvement. The evidence of the minute books indicates that as the project progressed, many of those elected to manage the company's affairs seem to have lost interest. Whether this affected the construction process is difficult to establish. Paradoxically such apathy may have been beneficial, as resolving issues is often easier and less time-consuming with a small executive.

## Chapter 4: The shareholders

While a free market economy, ‘fanned by enlightened individuals’, was operating during the eighteenth century;<sup>1</sup> its corporate nature was still developing.<sup>2</sup> However, as more ‘improvements’ requiring the pooling of wealth came into existence such as canals,<sup>3</sup> society took a further step to Weber’s twentieth-century view of capitalism that is familiar to us today:

The capitalist economy of the present day is an immense cosmos into which the individual is born, and which presents itself to him, at least as an individual, as an unalterable order of things in which he must live. It forces the individual, in so far as he is involved in the system of market relationships, to conform to capitalistic rules of action.<sup>4</sup>

With these changes in mind, this chapter aims to provide a micro-study of the incorporation of the Ashby Canal Company by considering the following issues: how did the company obtain the required capital and what regulations governed the process? Who were the company’s treasurers and how did they collect money from the shareholders? How was the collective of investors constructed regarding gender, status, professions, geography and familiarity? What was the extent of the company’s cash flow problem and how were debtors dealt with? What were the forces preventing people from making the

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<sup>1</sup> R. Porter, *Enlightenment: Britain and the Creation of the Modern World* (London, 2000), p. 18.

<sup>2</sup> H. Perkin, *Origins of Modern English Society, 1780-1880* (1969, London, 1972), p. 116: Only 947 joint stock companies were listed in 1844. See T.L. Alborn, *Conceiving Companies: Joint-Stock Politics in Victorian England* (London, 1998) regarding W.D. Rubinstein’s claim that ‘British economic power has always rested in the gentlemanly sectors of financial service and international trade’, further describing these gentlemen as ‘having prospered through by jettisoning their Georgian predecessors’ infamous inefficiencies’, p. 11. In comparing companies with states Alborn claims that public finance is ‘a crucial starting point for any discussion of joint-stock politics, since companies, like states, have always survived by raising and spending money. Also like states, companies “tax” others by charging for goods and services, borrow from third parties, and they rely on contributions from their voting constituents’, p. 16. Other commercial projects that used collective wealth during this period included the East India Company, turnpikes, ports, fen drainage, naval provisions and mining ventures.

<sup>3</sup> Regarding the notion of improvements during the eighteenth and nineteenth century see A. Briggs, *The Age of Improvement, 1783-1867* (London, 1959). See also S. Tarlow, *The Archaeology of Improvement in Britain, 1750-1850* (Cambridge, 2007).

<sup>4</sup> M. Weber, *The Protestant Ethic and the Spirit of Capitalism* (1930, London, 1950), p. 54.

required payments and finally what were the personal consequences of investing in the canal?

### **The mechanisms and regulations concerning the company's finances and the process of paying calls**

On the 27 October 1792 Joseph Wilkes raised the issue of turning the association of Ashby Canal supporters into a joint-stock company,<sup>5</sup> to finance both the waterway's construction and promotion.<sup>6</sup> At the following meeting the committee announced that £150,000 was to be raised by selling 1500 shares at £100 each,<sup>7</sup> of which 500 were to be reserved for owners of land the canal was to directly affect,<sup>8</sup> 150 for turnpike creditors, whose roads were to be disrupted and possibly lose income,<sup>9</sup> 150 for Members of Parliament, who were to have the final say as to whether the project would go ahead and 83 for general committee members. This left 617 shares available for anyone to

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<sup>5</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 27.10.1792, p. 22. The majority of canals were financed in this way. For a detailed account of investment in canals see J.R. Ward, *The Finance of Canal Building in Eighteenth-Century England* (London, 1974), pp. 97-125. See D. Tew, *The Melton to Oakham Canal* (1968, Melton Mowbray, 1984), pp. 19-32 for an excellent account of the raising of capital for one particular waterway. Regarding canals financed by specific industries or the government see A. Burton, *The Canal Builders* (1972, Newton Abbot, 1981), p. 67.

<sup>6</sup> The cost of the canal's promotion was to be covered by the three calls, which added to 8%. These were made before the canal gained Parliamentary sanction. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, p. 37, for a call of £3, and T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 4.3.1793, p. 54, for a further call of £3. For some reason the minute books do not record the call for £2 made in March 1794, however, a reference to it can be found in the *Leicester Journal* 28.3.1794.

<sup>7</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, p. 26. This figure of £150,000 was originally given by Mr Jewsbury, however, the details of this estimate to date cannot be found. We only know of its existence as it is referred to at a meeting where Robert Whitworth's quote was delivered on the 20 December 1792. The minutes state that regarding Whitworth's quote of £145,545 16s 7d, it was '4454 3s 5d less than the former Estimate made by Mr Jewsbury'. See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, p. 34. For details of Whitworth's quote see T.N.A., RAIL/803/12/3 (Mr Whitworth's Estimate), 20.12.1792.

<sup>8</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, 20.11.1792 and 16.1.1793, pp. 26-37. Landowners and turnpike creditors were initially given until the 20 November 1792 to respond. However, on this date the offer was extended until 16 January 1793. At this meeting it was further stated 'That the shares of Landowners who are only Tenants for life that do not consent - shall be offered to the Tenants in remainder immediately expectant on the deaths of the Tenant for Life who are friends to the Undertaking and signify their support', pp. 36-7.

<sup>9</sup> For an account of the development of turnpike roads in Leicestershire see A. Cossons, *The Turnpike Roads of Leicestershire and Rutland* (Leicester, 2003).

purchase.<sup>10</sup> Evidently, share allocations were being used politically to further local and government support for the canal and to win over any potential opposition.

Two weeks later the canal's supporters convened again, and having evaluated the initial response to their allocations, it was resolved that from the available shares a further 100 shares were to be made available to the general committee and that the 400 shares that remained 'unappropriated' would only be issued to individuals who resided within five miles of the intended canal.<sup>11</sup> It was further ordered that petitions to Parliament in support of the canal were to be left at 'the Offices of Mr Pestell, Mr Piddocke, and Mr Smith at Ashby de la zouch...and at Mr Powers at Market Bosworth and Willm Brownes at Hinckley', and that all those who wished to invest in the canal had to sign them.<sup>12</sup>

Analysis of the solicitor's bills reveal the behind-the-scenes activity involved in providing the required administration concerning the allocation of shares. Evidently assessing whom was eligible for reserved shares – and how many – was a time consuming process as Piddocke's bill during 1793 states:

Jan 1,2,3,4, and 5

Attending all these Days in filling up dissecting making Lists of Letters to the Subscribers informing them the Number of Shares they were allowed.<sup>13</sup>

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<sup>10</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, pp. 25-6. Ward, *Finance of Canal Building*, p. 73: 'Between 1755-1815 about 17,000,000 was raised by undertakings for the construction of canals and the improvement of rivers'.

<sup>11</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 23.11.1792, p. 30. See Ward, *Finance of Canal Building*, p. 89: 'Such exclusiveness might be interpreted as an expression of a collective desire to keep a good thing to oneself, as a manifestation of local pride, as a precaution against the concession of economic power to outside interests or as an amalgam of all three considerations. The reader must judge the point for himself'. Another example of about five miles being considered an insider/outsider border can be found in K.D.M. Snell, *Parish and Belonging: Community, Identity and Welfare in England and Wales, 1700-1950* (Cambridge, 2006), p. 43: 'In a village, as Ronald Blythe wrote of East Anglia, a "foreigner" came from five miles down the road – "make no bones about it, six miles from us it is all another country"'.

<sup>12</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 23.11.1792, p. 30. Despite restricting shares to local inhabitants the company still made available petitions for signing in 'Coventry, Birmingham and Oxford', p. 29.

<sup>13</sup> T.N.A., RAIL 803/10/2 (Leo Piddocke's Bill) 28.1.1793. Regarding the reserving of shares for landowners see T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.10.1792, pp. 25-6: 'Every landowner who consents will be entitled to one share of £100 of the Subscription and if the cut over his land exceed one furlong to two shares and so on to an additional share for every furlong'. See also T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 29.11.1792, p. 33. The committee also included 'That the consenting proprietors of Land which is to be used for the Reservoir are to be entitled to one share of £100 for every Acre taken in the Reservoir'.

On the 20 December 1792, the general committee, despite not having allocated all the shares, announced its first call of £3, to be paid by the 17 January 1793 and that the existing supporters of the canal ‘be written to and requested to attend the next General Meeting to subscribe the petition and subscription paper and pay their Deposits’ to the treasurers.<sup>14</sup> One such individual who responded to this request was the 74 year-old Mary Stuart, Countess of Bute (1718-94), the lady of the Manor for Sutton Cheney and widow of the one-time Prime Minister, the Earl of Bute.<sup>15</sup> However, considering her age and status it is probable that a representative of hers would have made the journey to the Queens Head in Ashby to complete the necessary paperwork and make the first payment.<sup>16</sup> As this chapter will further highlight, women and noble investors were in the minority,<sup>17</sup> in fact of the original 534 shareholders the Countess was the only female aristocrat.<sup>18</sup>

Mary Stuart subscribed to three shares, to be paid to the canal company’s treasurers in installments; the dates and amounts being at the discretion of the select committee or assembly (Figure 36).<sup>19</sup> This method of payment was probably adopted by all the investors

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<sup>14</sup> See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, pp. 34-7 and 21.12.1792, p. 38.

<sup>15</sup> Wikipedia. ‘Mary Stuart, Countess of Bute.’

[http://en.wikipedia.org/wiki/Mary\\_Stuart,\\_Countess\\_of\\_Bute](http://en.wikipedia.org/wiki/Mary_Stuart,_Countess_of_Bute) (2/3/2009). Investors would have been aware that canal shares took many years before paying dividends, therefore, considering her age, it can be assumed that Countess was investing so that her family would eventually benefit. See D. Cannadine, *The Decline and Fall of the British Aristocracy* (1990, London, 1992) for an account of planting trees ‘that only their descendants would see in their full splendour’, p. 24.

<sup>16</sup> See T.S. Ashton, *An Eighteenth-Century Industrialist: Peter Stubs of Warrington, 1756-1806* (Manchester, 1939), pp. 99-102, regarding some of the methods of making payments, including using the post office, hiding money in presents and entrusting carriers: ‘On 28 June, 1792, John Brown of the *Nag’s Head*, Manchester, sent 2 guineas by the waggoner, and on the same day James Faulkner, a timber-merchant of the same town, sent 4 guineas by the coachman’, p. 99.

<sup>17</sup> Unfortunately the available canal records do not provide dates of birth, so details regarding investors’ ages have to be acquired from other sources. However, it would be fair to assume that septuagenarian shareholders, who included the Countess, were also a minority group within the company’s initial investors. Regarding female investors see R.J. Morris, ‘Men, women and property: the reform of the Married Women’s Property Act 1870’, in F.M.L. Thompson (ed.) *Landowners, Capitalists and Entrepreneurs* (Oxford, 1994), p. 182.

<sup>18</sup> T.N.A., RAIL 803/6 (Ledger of Shareholders).

<sup>19</sup> P.J. Foss and T. Parry (eds), *A Truly Honest Man: the Diary of Joseph Moxon of Market Bosworth, 1798 and 1799* (Macclesfield, 1998), p. 128. Moxon records 5.12.1799 ‘To Mr Pycroft for brother £15’. He is either paying his brother’s call, or has chosen to invest in his brother’s name, so as to avoid any

in the Ashby Canal,<sup>20</sup> who in return expected to receive ‘the entire and neat Distribution of a proportional Part of the Profits and Advantages that shall and may arise’.<sup>21</sup> Obviously those managing the project’s finances would have preferred the full balance of individuals’ investment prior to commencing construction, but as previous canal companies had already established, there was not the available capital for this to occur, as exemplified by table 20, which shows that for many of those purchasing just one share (at £100) in the Ashby Canal the amount was substantial.

**Table 20: Estimated percentages of shareholders’ incomes invested in the Ashby Canal.**

Status/ profession <sup>22</sup>	The average yearly family income during 1803 <sup>23</sup>	Percentage of yearly income the purchase of one share would have take
Labourers	£31	322%
Innkeepers	£100	100%
Farmers	£120	83%
Clergymen	£310	32%
Surveyors	£200	50%
Gentlemen	£700	14%
Esquires	£1,500	7%
Peers	£8,000	1%

Originally Thomas Wilkes (Figure 37a), Joseph Wilkes (Figure 37b) and Joseph Pycroft were elected as company treasurers during the promotion of the canal.<sup>24</sup> However, once the construction of the canal began, Joseph Wilkes stood down

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complications with his employer Dixie who was opposed to the canal. This entry confirms that it was permissible to have a third party pay on behalf of an investor.

<sup>20</sup> The alternative was to purchase shares in one single payment. However, none of the available sources indicate whether any investors did this.

<sup>21</sup> 34 Geo III c. 93, p. 1633. As with the managing of the company affairs, factors relating to the shareholders were included in the Parliamentary Act, therefore, legalizing the investment structure that was already in operation. See also *Leicester Journal* 19.11.1794: ‘It is requested that all Persons who have purchased shares of any Proprietors, will immediately send an Account of their Purchase on to the Clerks, in Order that the same may be properly entered in the Subscription Book, and Tickets be made out for their Shares, agreeable to the Direction of the Act’.

<sup>22</sup> 55 different categories of status and professions can be accounted for. This table provides details of those that can be cross-referenced with the figures provided by Colquhoun (see note below).

<sup>23</sup> These figures were taken from Colquhoun’s calculations for 1803 – only three years after the final call in 1800 was made on shareholders. See Perkin, *Origins of Modern English Society*, pp. 20-1.

presumably to concentrate on his other duties on behalf of the canal, only to return to the office following Pycroft's resignation in 1799.<sup>25</sup> In addition to holding the company finances and occasionally financing the canal's construction themselves (Table 21),<sup>26</sup> these entrusted individuals had to be available to receive the shareholders' payments at specific locations where investment was concentrated.<sup>27</sup> As regards to where and when the treasurers would be available, this was advertised in local papers; it was therefore vital that shareholders regularly checked them to receive instructions such as those advertised in the *Leicester Journal* in March 1793:<sup>28</sup>

The Committee at the last Meeting (held on Monday last) having directed a further Deposit of TWO PER CENT on each Share to be paid to the Treasurers Messrs Wilkes and Pycroft on or before the 9<sup>th</sup> Day of April next Notice is Hereby Given That for the convenience of the Subscriber the Treasurers will attend for the Purpose of receiving such Deposits at the several Times and Places, hereinafter mentioned, viz

At the Red Lion in Loughbro' on Thursday the Third of April  
 At the Crown in Burton in Derby, on the same day  
 At the Kings Head in Derby on Friday the Fourth of April  
 At the Three Crowns in Leicester, On Saturday Fifth of April  
 At the Queens Head in Ashby the same day  
 At the Bulls Head in Hinckley, on Monday the Seventh of April  
 At the Hen and Chicken in Birmingham, on Thursday the Eighth of April  
 At the Swan in Wolverhampton on Wednesday the Ninth of April

Ellis S Pestell Henry Smith Leo. Piddocke (Solicitors)

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<sup>24</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, p. 35. See Burton, *Canal Builders*, p. 67. Burton describes how a treasurer became 'the Company banker'.

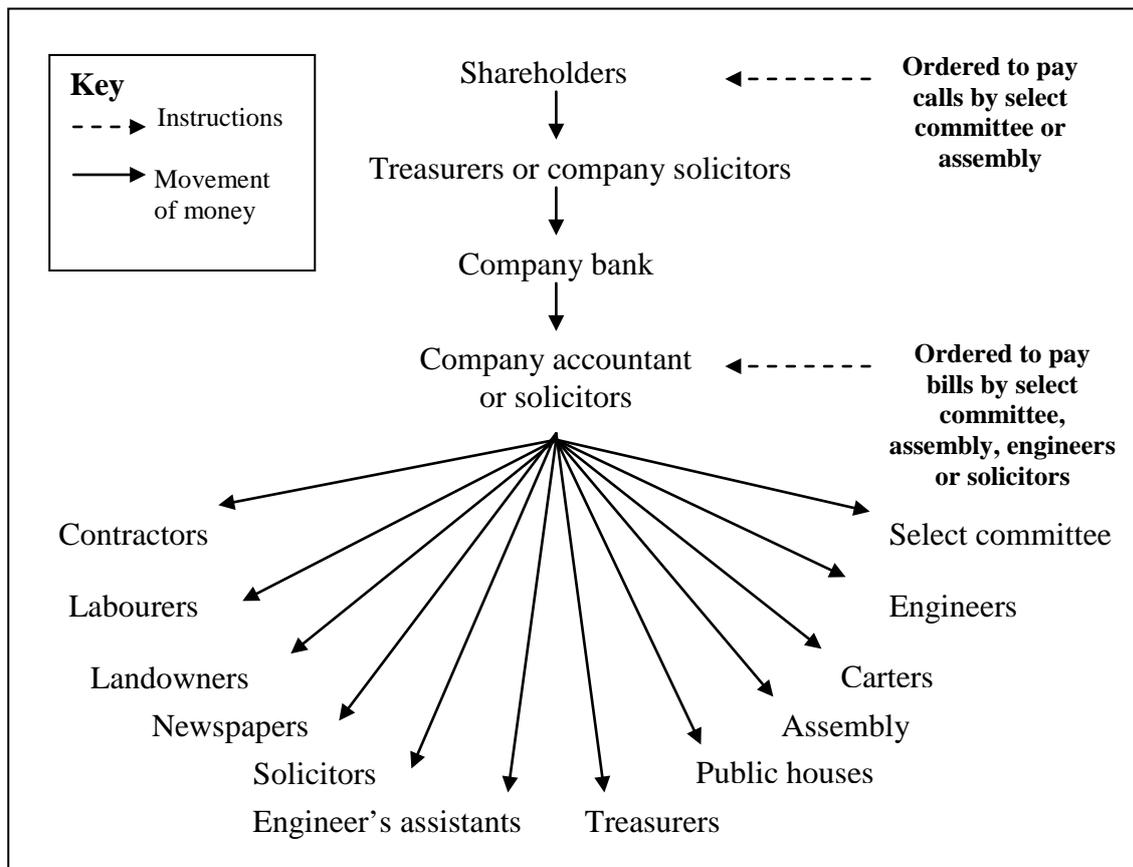
<sup>25</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.10.1800, p. 28. G. Box, 'Joseph Wilkes.' <http://www.josephwilkes.org.uk/chronology.htm> (1.8.2009). As Thomas Wilkes died in 1796, Pycroft appears to have held the treasurers' office on his own for a number of years prior to his resignation.

<sup>26</sup> Even if the company overspent, the treasurers had to honour every payment usually out of their own funds (Table 21 and 22).

<sup>27</sup> *Leicester Journal*, 13.12.1799. T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.1.1802, p. 99. It was also possible to pay the company solicitors calls on shares, presumably at any time.

<sup>28</sup> A. Crane, *The Kirkland Papers, 1753-1869: the Ferrers Murder and the Lives and Times of a Medical Family in Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1990), p. 112. Thomas Kirkland Junior of Ashby records 'Coffee Room opened on Christmas day 1794 and papers received', to which Crane adds: 'newspapers were few and expensive'. See Porter, *Enlightenment*, p. 75: 'The key polarity in Georgian England, it has been suggested, was not that between patrician and plebeian, or rich and poor, but that between those swimming in the metropolitan culture pool created by print and those excluded, those whose culture pool was still essentially oral'. Porter further describes how 'James Lackington in the 1790's commented that 'the poorer sort of farmers, and even the poor country people in general shorten the winter nights by hearing their sons and daughters read tales, romances etc'. He also quotes Samuel Johnson as stating 'General Literature now pervades the nation through all its ranks', p. 75. See also Perkin, *Origins of Modern English Society*, p. 291, regarding how – despite such developments in literature – the government were concerned with the spread of literacy, resulting in them raising newspaper stamp duty 'between 1789-1815 from 1 ½ d to 4 d with the aim of restricting political discussion to the propertied class'.

*NB The Treasurers will Attend precisely at Eleven O'Clock in the Forenoon on each Day.*<sup>29</sup>



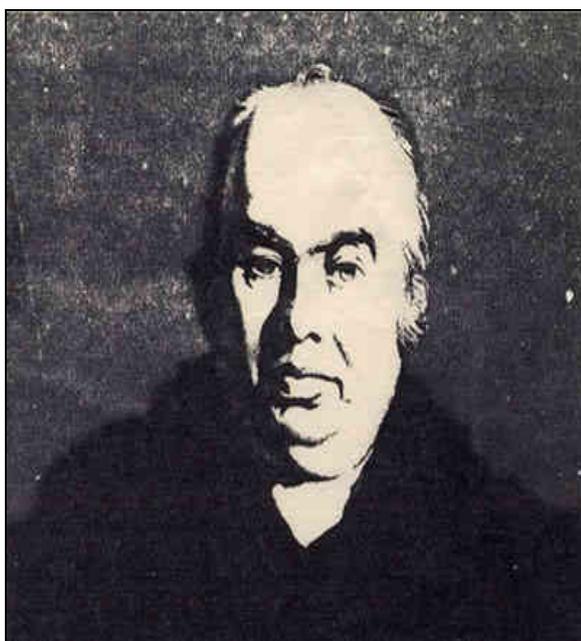
**Figure 36: Movement of money within the Ashby Canal Company taken from the Ashby Canal Minute Books.**

Owen informs us that both Wilkes brothers (Figure 38) were involved in banking, stating how ‘by 1785 they had opened banks at Measham, Ashby and Burton upon Trent and Joseph had become a partner in the notable banking firm of Messrs Peel, Wilkes, Dickinson and Goodall of Tamworth and London’.<sup>30</sup> Therefore it can be supposed that the

<sup>29</sup> *Leicester Journal*, 28.3.1793. That they are listed as being in different locations on the same day – at the same time – indicates that Wilkes and Pycroft at least on some occasions operated independently of each other. See also T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, p. 37 where the minutes state that payments in response to the first call were to be given into ‘the hands of the Treasurers on or before the 17 Day of January next the Queens Head in Ashby’. No evidence has emerged to date as to what security measures they took, however, considering the amounts of money being collected it is probable that the company would have employed some form of protection. See Tew, *Melton to Oakham Canal*, p. 11 for an account of the canal company’s engineer Dunn employing a bodyguard following numerous robberies in the area. See also *Leicester Journal*, 13.12.1799: By December 1799 the Ashby Canal treasurers deemed it not necessary to be available in Birmingham, Wolves or Derby, as presumably shareholders responses to previous calls in these areas were so poor it did not warrant a visit.

<sup>30</sup> C. Owen, *The Leicestershire and South Derbyshire Coalfield, 1200-1900* (Ashbourne, 1984), p. 134.

money collected from shareholders was deposited in at least one of these banks,<sup>31</sup> probably the latter as the minutes for March 1802 refer to the company using its services.<sup>32</sup> This raised capital was finally distributed to the various agencies involved in constructing the canal via Edward Mammatt, who was responsible for keeping the company accounts and paid the company bills upon instructions given to him by the select committee, the assembly, engineers and solicitors (Figure 36).<sup>33</sup>



**Figure 37a and b: Ashby Canal treasurers: Thomas Wilkes (died in 1796) and Joseph Wilkes (1732-1805) of Overseal.**<sup>34</sup>

<sup>31</sup> Tew, *Melton to Oakham Canal*, p. 8. Tew states that during the 1790's money was in short supply and transactions often involved a 'mixture of local banknotes, Bank of England notes and miscellaneous bills of exchange', adding that despite this shortage the Oakham Canal Company did not issue cheques but dealt exclusively in cash'. To date it has not been possible to ascertain what form payments took, either entering the Ashby Canal Company or leaving it. See H.A. Seaby, *Coins of England and the United Kingdom* (1921, London, 2000), on the use of guineas during this period and how 'during the Napoleonic Wars bank notes came into general use when the issue of guineas was stopped between 1797 and 1813', pp. 226-7. See also Ashton, *Eighteenth-Century Industrialist*, p. 102, regarding how 'most of the small payments were made in coin'.

<sup>32</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 20.4.1796, p. 108. By this date Peel had been replaced by Fisher. See G. Box, 'Joseph Wilkes.' <http://www.josephwilkes.org.uk/chronology.htm> (1.8.2009), regarding Wilkes business partnership with Peel, the father of the prime minister. See also T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 10.3.1802, p. 107 for evidence of Fisher being replaced, as the bank is now referred to as Wilkes, Dickinson, Goodall and Dickinson.

<sup>33</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 30.9.1800, p. 24 and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 1.4.1801, p. 50.

<sup>34</sup> For the portrait of Thomas Wilkes by Charles Shireff see: Anon, 'The art fund.'



**Figure 38: A decorative tile discovered in the fireplace of the house built specially for Joseph Wilkes.<sup>35</sup>**

**Table 21: Details from the biannual statements taken from Minute Books 2 and 3 for the period in which all the calls for £150,000 were made.**

Date	Called for	Payments Received	Tolls received <sup>36</sup>	Owed	Spent	Balance
6.4.1795	£45,000	£29,119		£15,880	£28,000	+ £1119
5.10.1795	£60,000	£41,900		£18,019	£40,902	+ £998
4.4.1796	£82,500	£54,529		£27,970	£53,631	+ £79
3.10.1796	£97,500	£64,373		£33,127	£64,464	- £121
3.3.1797	£105,000	£72,453		£32,546	£71,295	+ £1157
16.10.1797	£105,000	£76,793		£28,206	£77,565	- £772
2.4.1798	£112,500	£82,362		£30,137	£83,292	- £929
1.10.1798	£112,500	£89,937	£111	£22,562	£87,816	+2232
1.1.1799	£127,500	£94,308	£131	£33,191	£93,836	+604
21.10.1799	£135,000	£104,020	£155	£30,979	£103,876	+298
7.4.1800	£150,000	£115,849	£608	£34,150	£113,499	+2958

In an attempt to encourage prompt payments, and minimise the number of investors in arrears, those structuring the Act provided a clause giving the assembly the power to pay 5% interest on shareholder's contributions until the canal was officially constructed,

<http://www.artfund.org/artwork/879/enlarged/1/mr-thomas-wilkes-of-overseal-derbyshire> (2/02/2009). For Joseph Wilkes see G. Box, 'Joseph Wilkes.' <http://www.josephwilkes.org.uk/chronology.htm> (1/8/2009).

<sup>35</sup> This tile situated in front of an original fireplace – recently discovered following renovation work – is considered by the present owner of Overseale House to represent the Wilkes brothers and Joseph's wife.

which it instigated on the 1 October 1794.<sup>37</sup> The stick to this carrot came in the form of a 5% fine for those whose payments were late by 30 days or more,<sup>38</sup> and by 1800, 173 investors were subject to such penalties, including the previously referred to Countess, who despite receiving £26 1s 11d in interest, her late payment fine of £4 13s 6d combined with her non-payment of three calls resulted in her owing the company £68 9s 7d.<sup>39</sup>

For those who were struggling making the required payments or had changed their minds regarding the waterway's profitability, the company permitted investors to sell their shares,<sup>40</sup> providing they had already paid 15% of their value: a regulation imposed to 'discourage speculative subscriptions'.<sup>41</sup> John Elton, the yeoman from Oakthorpe was the first to take this option in July 1793, selling nine shares to the Earl of Moira's cousin: Colonel Hastings of Willesley Hall (who already possessed 15 shares), for £63 9s, at a loss of £8 11s.<sup>42</sup> How the transaction was negotiated can only be surmised as the first minute book makes no reference to them being at the same meetings. However, as Willesley is situated close to Oakthorpe it is possible that some form of local or company networking would have allowed the parties to communicate. By 1800, Hastings must have realised the

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<sup>36</sup> By 1797 the canal was semi-operational as it ran between Ashby and Market Bosworth.

<sup>37</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.10.1794, p. 24: 'That it is the opinion of the General Assembly that five pounds per cent should be annually paid as Interest on Subscriptions until the Navigation shall be completed'.

<sup>38</sup> 34 Geo III c. 93, p. 1642.

<sup>39</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List). The 1800 shareholders' list failed to state that the Countess had been dead for six years. Presumably payments were being made without the company being informed of the changes in the Baroness's circumstances.

See Wikipedia. 'Mary Stuart, Countess of Bute.'

[http://en.wikipedia.org/wiki/Mary\\_Stuart,\\_Countess\\_of\\_Bute](http://en.wikipedia.org/wiki/Mary_Stuart,_Countess_of_Bute) (2.3.2009). T.N.A., RAIL 803/6 (Ledger of Shareholders): The shares passed to her son the Archbishop of Armagh. Regarding company procedure regarding death and the passing on of shares see 34 Geo III c. 93, p. 1643. For an example of a will where an Ashby Canal shares is left to family member, see South Derbyshire Wills Collection [http://freepages.genealogy.rootsweb.ancestry.com/~brett/wills/will\\_dstaley1805.htm](http://freepages.genealogy.rootsweb.ancestry.com/~brett/wills/will_dstaley1805.htm) (1/7/2009) where Daniel Staley (c. 1741-1805), a farmer from Newhall states 'I give to my youngest reputed son Richard Moon one share in the Ashby Canal Navigation'.

<sup>40</sup> 34 Geo III c. 93, p. 1633. Shares 'Shall be deemed Personal Estate and shall be transmissible as such'. Ward, *Finance of Canal Building*, p. 184. Ward's research shows how regarding the Ashby Canal between 1793-1805 'the total number of shares transferred was 255'.

<sup>41</sup> Ward, *Finance of Canal Building* p. 19. Ward notes that 'regulations of this kind are not common'.

<sup>42</sup> RAIL/803/8 (Share Transfer Ledger), 15.7.1793, p. 1. By July 1793 three calls totalling 8% had been made. Therefore, Elton must have paid off a further 7% to comply with the company regulations regarding the transferring of shares.

wisdom of Elton's decision and the folly of his own, as the shares list for that year indicates he had sold most of his shares and the five he had remaining, 'His Steward Mr Smith holds them for his use to whom they are transferred'.<sup>43</sup>

Some investors chose to advertise the sale of their shares in the *Leicester Journal* such as the Leicester hairdresser Clay Hextall,<sup>44</sup> who announced in January 1795:

NAVIGATION SHARES TO BE SOLD  
TWO SHARES in the Ashby Canal. The proprietors will sink SIX POUNDS per  
Cent on each Share  
Enquire of Mr Hextall  
Leicester Jan 13<sup>45</sup>

Other options included auctioning them, which Mr Lees of Nuneaton chose to do,<sup>46</sup> or using share-brokers such as Edward Smith of Birmingham whom in 1799 announced 'Wanted, several shares in the LEICESTER and also in the ASHBY CANALS'. No details were given regarding his rates, yet Smith advertised that those customers who were to rely on him 'shall have no reason to repent their Confidence'.<sup>47</sup>

Between 1793-9, 19 calls were made on investors,<sup>48</sup> which should have raised the full £150,000.<sup>49</sup> However, at the April assembly in 1800 it was announced that the actual figure received was only £115, 849 and that there was only £2,958 left in the treasury (Table 21).<sup>50</sup>

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<sup>43</sup> T.N.A., RAIL 803/9/2 (1800 Shareholders' List).

<sup>44</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List).

<sup>45</sup> *Leicester Journal*, 6.1.1795.

<sup>46</sup> *Leicester Journal*, 8.6.1804.

<sup>47</sup> *Leicester Journal*, 11.1.1799. For an account of the emergence of share brokers see Ward, *Finance of Canal*, p. 81. See Tew, *Melton to Oakham Canal*, p. 7, regarding the opening in Leicester of an office to deal in canal shares as early as 1791.

<sup>48</sup> Regarding the last call made see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.12.1799, p. 9. See also Ward, *Finance of Canal Building*, p. 19: The average amount of time canal companies made calls on shareholders was 'about five years'.

<sup>49</sup> The canal was at this time approximately two-thirds finished.

<sup>50</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 4.11.1800, p. 34. By November the treasury announced that they are owed £2000, adding that the figure would increase by the end of the week to £3000, at which point they will 'determine not to advance any further sum'. However at the following assembly it is announced that they were owed £5761. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.4.1801, p. 52.

At the following October assembly, the company's proprietors resolved to apply to its shareholders to borrow £10,000.<sup>51</sup> At the next select committee a letter by the solicitor Pestell to those who may 'have Sums equal to the wants of the company' was minuted, detailing how interest would be 'paid half Yearly...of course at £5 Cent';<sup>52</sup> that the loan would be 'on the security of the Tolls of the Navigation' and that returns were guaranteed as the canal was already partly in operation and generating sufficient funds to cover such payments.<sup>53</sup>

Despite Pestell's reassurance that 'the Security is itself undeniable' and that the 'opportunity may be peculiarly advantageous' the shareholders evidently had little enthusiasm left for the project as by January 1801 only £3,900 had been pledged,<sup>54</sup> prompting the committee to open the offer to potential creditors outside the company.<sup>55</sup> This was sufficient to raise the required amount. However by adopting this policy the payment of dividends were delayed as the Act stated that creditors were to have priority over investors when distributing the profits of the company.<sup>56</sup>

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<sup>51</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.10.1800, p. 28. This figure had previously been submitted by the select committee on 30.5.1800, p. 21.

<sup>52</sup> See 34 Geo III c. 93, pp. 1634-6, regarding the regulations concerning loans made to the company set out in the Canal Act.

<sup>53</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 20.10.1800, pp. 32-3. In 1798, despite the canal being unfinished, it began operating between Ashby and Market Bosworth, generating by October 1800, £1053 in tolls. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.10.1800, p. 25.

<sup>54</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 9.1.1801, p. 42. This would not have been helped by the ongoing debate regarding the terms of the loan. For example see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 4.11.1800, p. 34, T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 19.11.1800, p. 37 and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 31.12.1800, p. 41.

<sup>55</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 9.1.1801, p. 42. See also T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.4.1801, p. 52, regarding how the company had only received £1150 of the pledged £3,900. At this meeting it was also resolved to increase the figure required to £15,000

<sup>56</sup> See 34 Geo III c. 93, p.1636. Many other canal companies had resorted to such measures. See M. Clarke, *The Leeds and Liverpool Canal, A History and Guide* (Preston, 1990), pp. 82-3.

**Table 22: Data relating the Ashby Canal Company’s finances, following its final call made to shareholders in 1800 until the canal’s opening in 1804, taken from Minute Book Three.**

<b>Date</b>	<b>Arrears</b>	<b>Treasurers</b>	<b>Loans</b>
7.4.1800	£34,150	£2,958 +	
6.10.1800	£28,978	£1,212 +	
6.4.1801	£26,196	£5,761 -	£1,150
5.10.1801	£21,394	£749 +	£10,859
5.04.1802	£19,260	£269 -	£14,793
4.10.1802	£16,965	£1,812 -	£15,624
4.04.1803	£15,716	£488 +	£21,538
3.10.1803	£14,389	£1,287 -	£21,538
2.4.1804	£13,659	£966 -	£21,538

The company further miscalculated the rate in which those in arrears would finalise their payments. Progress was being made but not quick enough to keep up with the financial demands of construction resulting in the company increasing its borrowing so that by April 1803 it had secured £21,538 (Table 22), thanks partly to large loans of £5000 from Joseph Wilkes and £5600 from Alexander Burdon.<sup>57</sup> Other notable creditors from within the company included six committee members, two company solicitors, the only investor classed as a labourer and the company accountant. While non-shareholding creditors included Benjamin Outram, the tramway engineer and surprisingly Baroness Howe, the widow of the canal’s nemesis Curzon (Figure 39),<sup>58</sup> who all received 5% guaranteed interest payments every year.<sup>59</sup>

<sup>57</sup>T.N.A., RAIL 803/7 (Ledger of Loan Holders).

<sup>58</sup> Rather than be supplied with a water pipe, Baroness Howe opted for a cash payment, which she then transferred into a loan to the company. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 4.5.1802, p. 125.

<sup>59</sup> T.N.A., RAIL 803/7 (Ledger of Loan Holders).



**Figure 39: Baroness Howe of Langar.**

Source: The Twickenham Museum, 'Baroness Howe of Langar.' <http://www.twickenham-museum.org.uk/detail.asp?ContentID=117> (14/1/2010).

If shareholders believed that they were no longer tied to financing the canal after the company's so called final call on 6 December 1799,<sup>60</sup> they were wrong. By 1803 despite the received loans, the project was still short of capital and the company announced on 3 October a further call of £5,<sup>61</sup> and an additional call of £8 at the following assembly on the 2 April 1804,<sup>62</sup> therefore increasing the financial input of investors by 13%.

### **The dynamics of the collective**

Despite advertising 1500 shares, 1505 shares were in fact issued. These were purchased by 534 investors,<sup>63</sup> of whom two were collectives: 'The Members of the Measham Sick Club'<sup>64</sup> and 'The Trustees of the late Duchess Dowager of Marlborough's Charity at Saint Albans'.<sup>65</sup>

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<sup>60</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 6.12.1799, p. 9.

<sup>61</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.10.1803, p. 195.

<sup>62</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 2.4.1804, p. 217.

<sup>63</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List).

<sup>64</sup> See S. Cordery, *British Friendly Societies, 1750-1914* (Basingstoke, 2003), p. 146, regarding the investment of Friendly Society's funds.

<sup>65</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List). The named trustees were Earl of Jersey, the Earl of Harcourt and Sir Robert Sutton Baronet.

It can be further observed that within the shareholders two differing interest groups operated: those who wished to use the waterway and therefore lobbied for low tolls (Table 23),<sup>66</sup> and those who were in favour of higher tolls as they wanted to maximise their dividends and share price (Figure 44). The advocates of higher tolls may also have included what Temple Patterson referred to as ‘mushroom subscribers’ in his description of Leicester speculators:

In addition to those who genuinely wished to invest their money, others hoped to make their fortunes by quicker and more dubious methods. The excitement and credulity engendered by the Canal Mania gave scope for much sharp practice. This was facilitated by the fact that a subscriber need at first only pay a fraction of the price of shares for which he set down his name, as deposit, the remainder being required by successive “calls” as the undertaking proceeded. A speculator or “mushroom subscriber” starting with a few pounds could therefore make large sums by buying shares, selling them again at a profit, and repeating the process on a progressively greater scale.<sup>67</sup>

Such were the strength of feelings over the issue of the toll rates that it spilled into the public arena, with A. Subscriber writing to the *Leicester Journal* urging that tolls be kept to at least 2d a ton:

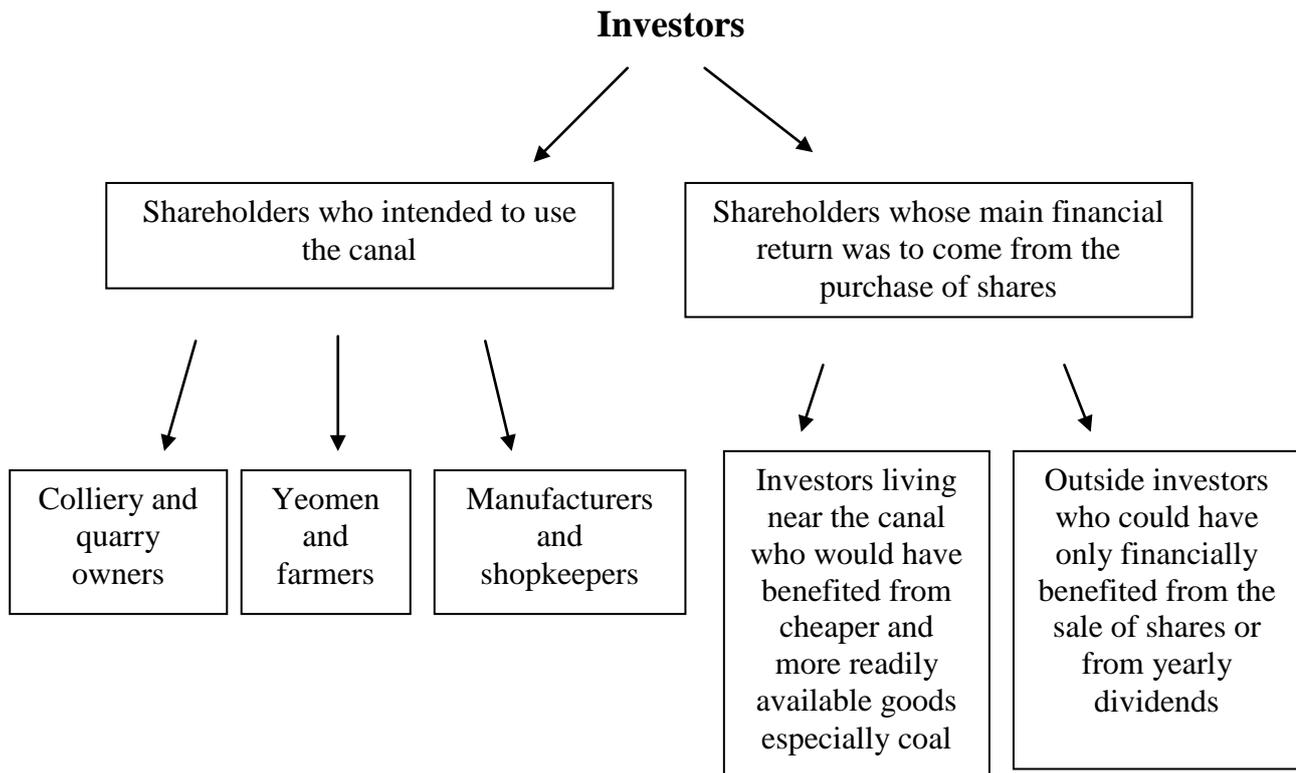
To the subscribers of the Ashby Canal regarding those who propose that tonnage should be at 1d a Ton per mile. It is pretty clear from the Experiments of other Canals (and I as a Subscriber expect no other) that every Subscriber will be called on for £150, £170 or perhaps £200, before the Canal is completed...It will be many Years before we shall receive any Interest for the Money advanced...I hope when the Coal Owners consider their own Interest they will not entirely forget that of the Subscriber...I beg Leave to deliver My Opinion, that not less than 2d per Tone should be insisted upon.<sup>68</sup>

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<sup>66</sup> Owen, *Leicestershire and South Derbyshire Coalfield*, p. 97. Owen provides the following description of colliery owners in the area: ‘They all had an insatiable appetite for work, a deep interest in knowledge of all aspects of the coalmining industry and a ruthless determination to overcome all obstacles placed in their way. They operated individually, in collaboration with one another and in partnership with others in an intricate web of ambitious projects’.

<sup>67</sup> A. Temple Patterson, ‘Canals’ in W.G. Hoskins and R.A. McKinley (eds), *A History of the County of Leicester, Volume III* (London, 1955), p. 99.

<sup>68</sup> *Leicester Journal*, 14.2.1794.



**Figure 40: The sub-divisions of conflicting investors.**

**Table 23: Known shareholders involved in extractive ventures that intended to use the Ashby Canal.<sup>69</sup>**

<b>Name</b>	<b>Number of shares in 1794</b>
Earl of Moira	68
Earl Ferrers	21
Earl of Stamford	10
Sir Nigel Gresley	1
Joseph Wilkes <sup>70</sup>	0
Thomas Wilkes	48
Francis Burdett	12
Henry Harpur	9
Joseph Boulton	10
Godolphin Burslem	3
Thomas Jewsbury	19
Fletcher Bullivant	19
Robert Abney	3

<sup>69</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1). For accounts of these individuals see Owen, *Leicestershire and South Derbyshire Coalfield*. See 34 Geo III c. 93, p. 1598, regarding colliery owners who were successful in obtaining provisions within the Act to have branches or railways to their works, who did not invest in the canal (for example - William Fermor).

<sup>70</sup> See footnote 44 in Chapter 3.

It is interesting to note that 73 of the 532 investors were females, of whom the majority – if not all – were either spinsters or widows (Table 24). In recent years there has been much debate concerning women’s contributions to public life during this period,<sup>71</sup> and these figures along with the fact that 6.5% of the raised capital for canals throughout the nation from 1755 to 1815 (Table 26) was raised by females,<sup>72</sup> initially supports the idea that society was becoming more inclusive regarding women during the second half of the eighteenth century.<sup>73</sup> Yet, the restrictions that affected female involvement in the canal must also be recognised: only widows or spinsters were legally permitted to purchase shares, as upon marriage all women’s capital and property became their husbands.<sup>74</sup> Furthermore, while there was no legislation preventing female attendance at assemblies, evidently the majority chose not to attend, as out of 1041 attendances recorded during the 20 assemblies during the canal’s construction, only three were women.<sup>75</sup> Instead a

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<sup>71</sup> L. Colley, ‘Womanpower’ in *Britons Forging the Nation, 1707-1837* (London, 1992). Colley highlights how some historians believe that ‘this period witnessed an actual contraction in women’s public role in Britain...and an unprecedented confinement of women to the private sphere’, yet the author clearly disputes this notion, p. 250. R.J. Morris, *Men Women and Property in England, 1780-1870: a Social and Economic History of Family Strategies amongst the Leeds Middle Classes* (Cambridge, 2005), p. 26, who states that during the late eighteenth and early nineteenth century ‘Attempts by women to enter the public world of associational culture, political content, petitioning and opinion formation were resisted and contested’, p. 26. R.J. Morris, ‘Men, women and property: the reform of the Married Women’s Act 1870’, in F.M.L. Thompson (ed.), *Landowners, Capitalists and Entrepreneurs* (Oxford, 1994), p. 182: Female capital played an important part in the joint-stock companies which provided gasworks, waterworks, railways and tramways’.

<sup>72</sup> Ward, *Finance of Canal Building*, p. 74. The highest amount recorded by Ward of female investment was 17% in the Thames and Severn Canal, p. 64. Analysis of T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), reveals that no women were present at any of the meetings of the supporters of the canal prior to it receiving Royal Assent. However, reports of the meetings held to oppose the canal found in the *Leicester Journal* record the presence of women. For example see *Leicester Journal*, 2.8.1793 where at a meeting of 60, two were women: Mrs Mary Ottey and Mrs Anne Mellor.

<sup>73</sup> See B. Hill, *Women, Work and Sexual Politics in Eighteenth-century England* (1989, London, 1994). See also A. Owens, “‘Making some provisions for the contingencies to which their sex is particularly liable’: women and investment in early nineteenth-century England”, in R. Beachy, B. Craig and A. Owens (eds), *Women, Business and Finance in Nineteenth-Century Europe: Rethinking Separate Spheres* (Oxford, 2006).

<sup>74</sup> Colley, *Britons Forging the Nation*, p. 238. ‘The author of *Laws Respecting Women* summed up the position conventionally enough in 1777: “By marriage the very being of legal existence of a woman is suspended”. Every wife except a queen regnant was under the legal authority of her husband, and so was her movable property: “She can’t let, set, sell, give away, or alienate any thing without her husband’s consent”’.

<sup>75</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.4.1797, p. 171 and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 5.4.1802, p. 116.

considerable number of female investors opted to be represented by proxy at meetings,<sup>76</sup> and, as table 25 shows, while the decision-making process was dominated by men, within their own ranks women had a higher percentage of voters.

**Table 24: Status of female investors and number of shares purchased, taken from the 1794 Shareholders' List.**<sup>77</sup>

Status	Number of Investors	Number of Shares
Spinsters	46	75
Widows	22	42
Unclassified	4	6
Nobility	1	3
<b>Total</b>	<b>73</b>	<b>126</b>

**Table 25: Details relating to male and female participation in the voting process at canal company assemblies taken from the minute books.**<sup>78</sup>

Date	Males – 459 persons		Females – 73 persons	
	Numbers of male shareholders who voted in person or by proxy	Number of shares owned by participating males	Numbers of female shareholders who voted in person or by proxy	Number of shares owned by participating females
3.10.1796	92 (20%)	458 [91%]	25 (34%)	45 [9%]
3.4.1797	104 (23%)	382 [90%]	22 (30%)	43 [10%]
5.4.1802	120 (26%)	407 [88%]	25 (34%)	59 [12%]

( ) refers to percentage within each gender group

[ ] refers to percentage of voting power at each meeting

Nevertheless, two women did break with convention and attend assemblies: Mrs Cantrell and Matilda Springthorpe, who were both listed at a meeting held on 3 April 1797.<sup>79</sup> The effect of their presence can only be surmised. This was the first time women had officially involved themselves with company negotiations, however analysis of local

<sup>76</sup> For example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.10.1794, p. 22. See *Leicester Journal*, 7.3.1794, regarding a letter written by a shareholder in the Ashby Canal questioning whether the representatives of those voting by proxy can be trusted to honestly vote on their behalf and to avoid misrepresentation the best policy is to attend in person.

<sup>77</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List).

<sup>78</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3).

<sup>79</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.4.1797, p. 17.

newspapers such as the *Leicester Journal* reveals the attendance of women at numerous other gatherings, especially those concerning charitable organizations, which many of the male Ashby Canal shareholders are also listed as attending.<sup>80</sup>

The fact that both women were at the same meeting may suggest that their joint attendance was pre-arranged to give each other support, as was possibly the presence of Mr Cantrell.<sup>81</sup> Furthermore, for Matilda Springthorpe the venue was hardly unfamiliar territory as she was, and had been for over 30 years, the landlady of where the meeting was being held, the White Hart.<sup>82</sup> Yet what motivated these women again has to be left to guesswork. Did Matilda believe that as she part-owned a company that was convening under her roof, there was no reason to exclude herself?<sup>83</sup> Did the women believe that they had a valid contribution to make regarding a particular issue affecting the company at the time? Or were they simply attempting to pave the way for further female participation?

If the latter was a consideration, they obviously failed as despite the attendance of Matilda on 5 April 1802, again at the White Hart,<sup>84</sup> no other women are recorded as attending assemblies.<sup>85</sup> Whether the exclusion of females was self-imposed or promoted by male company representatives cannot be established, yet the attendance of Matilda Springthorpe and Mrs Cantrell indicates that some women were prepared to enter the male dominated commercial associations that existed during this period.

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<sup>80</sup> See *Leicester Journal* 6.2.1795 regarding Mary Alt listed as a subscriber to a charity.

<sup>81</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.4.1797, p. 171. Mr Cantrell is listed as owning two shares and below him Mrs Cantrell is listed as owning one share. For some reason the shares of the Cantrell's are joined by a bracket. There are no other occasions where this occurs. To date the relationship between the two Cantrell's can not be established. See T.N.A., RAIL 803/9/1 (1794 Shareholders' List), where Thomas Cantrell is listed as a surgeon from Ashby in possession of two shares.

<sup>82</sup> *Universal British Directory, Leicestershire and Rutland* (London, 1791), p. 67: 'Springthorpe, Mrs, White Hart Inn'.

<sup>83</sup> T.N.A., RAIL 803/9/2 (1800 Shareholders' List). Matilda had fully paid all her subscriptions and instead 'had a bill ag.st the Company' presumably for use of her establishment.

<sup>84</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 5.4.1802, p. 116.

<sup>85</sup> Perkin, *Origins of Modern English Society*, p. 22. Perkin states that 'Public life on a grand scale was a men-only club (as were almost all clubs themselves). There were no female parliamentarians, explorers, lawyers, magistrates or factory entrepreneurs and almost no women voters'.

The majority of canal company shareholders' lists also record the status/profession of each investor, providing some insight into the sort of people willing to risk pooling their money to advance the construction of the nation's waterways.<sup>86</sup> Table 26 is Ward's summary of the data available regarding the Ashby Canal and other canals constructed between 1755-1815.<sup>87</sup>

**Table 26: Investors in the Ashby Canal.**<sup>88</sup>

Classification of investors	Percentage of shares <sup>89</sup>	The national averages between 1755-1815. <sup>90</sup>
Peers	8	5.4
Landed Gentlemen	26	17.3
Yeoman, graziers, tenant farmers	7	1.6
Capitalist	10	21.4
Manufacturers	5	14.7
Tradesmen	20	17.6
Professional men	10	10
Clergymen	6	5.5
Women	8	6.5

Further analysis of the records of the Ashby Canal Company reveals that the first Shareholders' List refers to 55 different status/profession groups, ranging in social standing from nobles to those considered as the lower orders, such as three serving men and a labourer (Tables 27, 28 and 29).<sup>91</sup> Esquires were the largest group, being 22% of the

<sup>86</sup> Unfortunately, to date it has not been possible to establish what the religious beliefs of the shareholders were. However, see Weber, *Protestant Ethic and the Spirit of Capitalism*, p. 35, regarding Weber's claim that in countries of mixed religion 'personnel of modern enterprises, are overwhelmingly Protestant'. Weber further quotes a recent writer as stating that the "Catholic is quieter having less of the acquisitive impulse; prefers a life of the greatest possible security, even with a smaller income, to a life of risk and excitement, even though it may bring the chance of gaining honour and riches". The proverb says jokingly, "Either eat well or sleep well. In the present case the Protestant prefers to eat well, the Catholic to sleep undisturbed", pp. 40-1.

<sup>87</sup> Ward's research provides an invaluable overview regarding investment in 50 canals. See Ward, *Finance of Canal Building*, pp. 23-5, regarding the problems he encountered and the need for further 'intensive local research'.

<sup>88</sup> For details relating to these classifications see Ward, *Finance of Canal Building*, pp. 18-26.

<sup>89</sup> Ward, *Finance of Canal Building*, p. 42.

<sup>90</sup> Ward, *Finance of Canal Building*, p. 74.

<sup>91</sup> Ward, *Finance of Canal Building*, p. 42. Ward notes how subscribers in the Derby Canal 'included 4 self-styled labourers'.

shareholders and holding 31% of the company's shares. Yet 59% of investors were below non-gentlemen status,<sup>92</sup> although they possessed only 42% of the shares.<sup>93</sup>

While these tables take us a step closer to understanding the social status and occupations of company investors in the Ashby Canal,<sup>94</sup> again we must acknowledge the limitations of such constructs. For example they fail to acknowledge the professions of the widowed and spinster shareholders such as Mary Alt, who is described in the 1791 directory as a milliner who also ran the post office.<sup>95</sup> Furthermore, even when occupations are given, we must consider that many of these individuals were involved in other income-generating pursuits, as highlighted by the diaries of Joseph Moxon of Market Bosworth during 1798 and 1799, where he records his duties as a High Constable, steward, tax collector, cheese maker, farmer, fire insurance collector and the organizer of a book club.<sup>96</sup>

Tables 27-9 further shows the diversity in the numbers of shares purchased, ranging from one to 68. Dividing the amount of shares available by the number of shareholders suggests that an average investor purchased three shares. However, analysis of the shareholders' list indicates that the most common number of shares purchased was one, with 185 company proprietors purchasing this amount.<sup>97</sup>

We can also ascertain details regarding where the investors were originally from as the Shareholders' List records which county most of the investors resided in and when compared to the county population figures for 1801 (Table 30), it can be estimated that 0.08% of the inhabitants of Leicestershire, Warwickshire and Derbyshire – counties which

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<sup>92</sup> P.J. Corfield, 'The rivals: landed and other gentlemen', in W. Harte and R. Quinault (eds.), *Land and Society in Britain, 1700-1914* (Manchester, 1996), pp. 20-1. Despite the differing interpretations of social structure in the nineteenth century, a "gentleman" was the legal designation for a person living off private income without an occupation.

<sup>93</sup> This figure obviously includes women.

<sup>94</sup> See J.M. Ellis, *The Georgian Town, 1680-1840* (Basingstoke, 2001), pp. 53-4, regarding 'Occupational Diversification' in Georgian towns.

<sup>95</sup> *Universal British Directory, Leicestershire and Rutland* (London, 1791), p. 66.

<sup>96</sup> P.J. Foss and T. Parry (eds), *A Truly Honest Man: the Diary of Joseph Moxon* (Macclesfield, 1998).

the canal was to cut through – invested in the canal.<sup>98</sup> Furthermore, the list provides details regarding which cities, towns and villages most of the investors were from. Tables 32 and 33 indicate that the company was moderately successful in attempts to exclude outside speculation, therefore keeping the canal a predominantly local concern.

**Table 27: Details relating to professional or status groups who invested in the canal whose numbers were more than five, taken from the 1794 Shareholders' List.**

Status/ profession	Number of investors	Number of shares	Highest amount invested by one individual	The number of shares most commonly purchased	Average amount of shares owned
Esquires <sup>99</sup>	119	463	48	2	4
Gentlemen	90	251	19	1	3
Male unclassified <sup>100</sup>	51	87	6	1	2
Spinsters	46	75	9	1	2
Farmers	33	52	5	1	2
Clergymen	29	80	13	2	3
Widows	22	42	6	2	2
Hosiers	18	38	7	1	2
Surgeons	13	40	8	3	3
Yeomen	11	39	23	1	4
Innkeepers	7	12	3	1 and 2	2
Bakers	6	6	1	1	1

<sup>97</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders' List).

<sup>98</sup> This was calculated by cross-referencing data from tables 30-1. It can be further calculated that 0.2% of Leicestershire's population invested in the Ashby Canal, with figures for Warwickshire and Derbyshire being 0.03% and 0.05% respectively.

<sup>99</sup> This also includes the Honourable John Rawdon who purchased 3 shares.

<sup>100</sup> No reference to the individual's profession or status is given.

**Table 28: Details relating to certain professional or status groups who invested in the canal whose numbers were between two and five, taken from the shareholders' list.**

Status/ profession	Number of investors	Number of shares	Highest amount invested by one individual	The number of shares most commonly purchased	Average amount of shares owned
Knights	5	45	21	1,2,9,12 and 21	9
Merchants	5	12	3	2	2
Graziers	4	5	2	1	1
M D's	4	11	4	2	3
Female unclassified	4	6	2	1	1
Nobles <sup>101</sup>	4	105	68	68,24,10 and 3	25
Millers	4	6	2	2	1
Drapers	4	7	2	2	2
Mercers	3	6	3	3,2 and 1	2
Servingmen	3	4	2	1	1
Grocers	3	21	10	3,8 and 10	7
Brewers	2	2	1	1	1
Wine Merchants	2	4	3	3 and 1	2
Butchers	2	2	1	1	1
Victuallers	2	2	1	1	1
Ironmonger s	2	6	2	2	3
Potters	2	2	1	1	1
Charities	2	13	12	12 and 1	6
Printers	2	3	2	2 and 1	1
Joiners	2	4	2	2	2
Hairdressers	2	4	2	2	2

<sup>101</sup> The Parliamentary Act refers to six nobles as being shareholders, however, the Earl of Jersey and Harcourt where only joint trustees of the late Duchess Dowager of Marlborough's charity which had purchased 12 shares. Their names were listed presumably to give the proposed Bill more weight on application.

**Table 29: Details relating to certain professional or status groups who invested in the canal whose numbers were only one, taken from the Shareholders' List.**

Status/ profession	Number of shares	Highest amount invested by one individual	The number of shares most commonly purchased	Average amount of shares owned
Skinner	1	1	1	1
Wheelwright	1	1	1	1
School Master	1	1	1	1
Labourer	1	1	1	1
Shopkeeper	1	1	1	1
Surveyor	1	1	1	1
Comber	4	4	4	4
Gardener	1	1	1	1
Tollgate keeper	1	1	1	1
Postillion	1	1	1	1
Lime burner	1	1	1	1
Druggist	4	4	4	4
Bricklayer	1	1	1	1
Blacksmith	4	4	4	4
Weaver	1	1	1	1
Engineer	1	1	1	1
Watchmaker	5	5	5	5
Seedsman	4	4	4	4
Dentist	1	1	1	1
Perukamaker	1	1	1	1
D. D. <sup>102</sup>	2	2	2	2
Cabinet maker	3	3	3	3
Sadler	1	1	1	1
Cordwainer	2	1	1	1

**Table 30: The 1801 population figures for the counties affected by the construction of the canal.**<sup>103</sup>

County	Population
Leicestershire	130,000
Warwickshire	207,000
Derbyshire	162,000
<b>Total</b>	<b>499,000</b>

<sup>102</sup> Doctor of Divinity.

<sup>103</sup> B.R. Mitchell, *Abstract of British Historical Statistics* (London, 1962).

The constant reporting of the debates concerning the proposed waterway during 1791-3 in the Warwickshire, Leicestershire and Derbyshire local press, indicates that for the newspaper-reading members of society within these counties the canal was of considerable interest. As table 31 indicates, the majority of investors were from these counties. However, table 33 shows that even within settlements that were to be directly affected by the canal, only a small percentage of the population invested in the project, with only just over 2% of Ashby's residents being involved.

This was due to a number of reasons. Excluded from the process would have been children, those who could not afford the £100 for one share, and married women. Some individuals may have been opposed to the construction of the waterway and/or believed that it was not worth the risk, especially the more elderly members of society who may have doubted that they would live to enjoy the returns on their investment. A further explanation for non-involvement could be that some people wanted to invest in the canal, yet were beaten in the queue for available shares by the 21.6% of investors who were not from the affected areas in Leicestershire and Derbyshire (Table 32).

Table 33 further shows that a greater number and a higher percentage of Ashby and Measham's population invested in the canal than Hinckley and Market Bosworth residents. Factors affecting these figures may have included the former two settlements' links with extractive industries, Hinckley's town centre being situated over a mile away from the canal,<sup>104</sup> and the previously referred to opposition of Willoughby Dixie, the acting squire for Market Bosworth, who in collaboration with Penn Asherton Curzon of Gopsall dominated the campaigns against the Ashby Canal Company.

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<sup>104</sup>T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 27.10.1794, p. 24. A branch to the town centre had been discussed, however, at this meeting it was recorded that 'Mr Browne signified from the Town of Hinckley that the Inhabitants had abandoned the Idea of Having any Cut or Branch'.

**Table 31: The counties from which the investors were from and the number of investors.**

Leicestershire	258
Warwickshire	67
Derbyshire	78
Staffordshire	44
Middlesex	33
Leicestershire and Derbyshire	12
Nottinghamshire	10
Worcestershire	7
Not stated	7
Salop	4
Buckinghamshire	3
Oxfordshire	2
Cheshire	1
Berkshire	1
Surrey	1
Herefordshire	1
Cambridgeshire	1
Kent	1
London	1
Rutland	1
Somerset	1

**Table 32: The areas from which the canal was financed.**

<b>Geographical location of investors</b>	<b>Percentage of shares</b>
Areas the canal was to affect in Leicestershire and Derbyshire	78.4
Birmingham and Wolverhampton	4.3
Leicester <sup>105</sup>	4.0
Derby	3.3
Coventry	2.3
London	7.8

<sup>105</sup> By conducting the same form of analysis as in Table 33 it can be established that only 0.19% of Leicester's residents invested in the canal, as out of a population of 16,953 only 33 individuals purchased shares in the project. Regarding the population of Leicester, see C.T. Smith, 'Population', in W.G. Hoskins and R.A. McKinley (eds), *A History of the County of Leicester, Volume III* (London, 1955), p. 179. For a contemporary description of Leicester voters see J. Throsby, *The History and Antiquities of the Ancient Town of Leicester* (Leicester, 1791), p. 419: in 'no town of its size... has there been a sum, taken collectively, equal to that subscribed in Leicester to navigation – projects'.

**Table 33: Percentages of shareholders within settlements affected by the canal.**

Settlement	Number of investors	Number of shares	Population of the settlement in 1800 or 1801 <sup>106</sup>	Percentage of the population who owned shares
Ashby	59	157	2674	2.21%
Measham	20	60	1136	1.76%
Hinckley	11	28	5070	0.21%
Market Bosworth	8	13	791	1.01%
Shenton	4	6	177	2.26%

### **Defaulting shareholders and the company's policy regarding debtors**

The construction of the Ashby Canal was dependent upon the collective pooling of the investors' capital. However, after six years of construction, 42% of shareholders were still in arrears.<sup>107</sup> These investors can be divided into three groups: late payers such as Sir George Beaumont (Figure 41), moderate defaulters and constant defaulters (Table 34). The 1800 shareholders' list further provides an insight into some of the personal circumstances of the company's debtors, as scribbled next to some of the names are comments such as 'runaway...insolvent...bankrupt' (Figure 42).<sup>108</sup> Evidently, the fortunes of some of the canal's shareholders had deteriorated since their original pledge to invest in the project.

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<sup>106</sup> Regarding population figures, for Ashby see A. Crane, J. Hillier, D. Jackson, *Napoleonic Prisoners of War in Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1999), p. 10; for Hinckley see J. Nichols, *The History and Antiquities of the County of Leicester, Volume IV, Part II, Containing Sparkenhoe Hundred* (1811, Wakefield, 1971), p. 676; for Market Bosworth see Nichols, *History and Antiquities, Volume IV Part II*, p. 499; for Shenton see J. Nichols, *History and Antiquities Volume IV Part II*, p. 529; for Measham see J. Nichols, *The History and Antiquities of the County of Leicester, Volume III, Part II, Containing Goscote Hundred* (1804, Wakefield, 1971), p. 1032.

<sup>107</sup> T.N.A., RAIL 803/9/2 (1800 Shareholders' List). 15 debtors had paid all their calls, however, they were still in arrears due to being fined for previous late payments.

<sup>108</sup> See H. Thornton's 1793 estimate of the extent of bankruptcies printed in L.S. Pressnell, *Country Banking in the Industrial Revolution* (Oxford, 1959), p. 546.

**Table 34: The different categories of non payers of calls in 1800.**

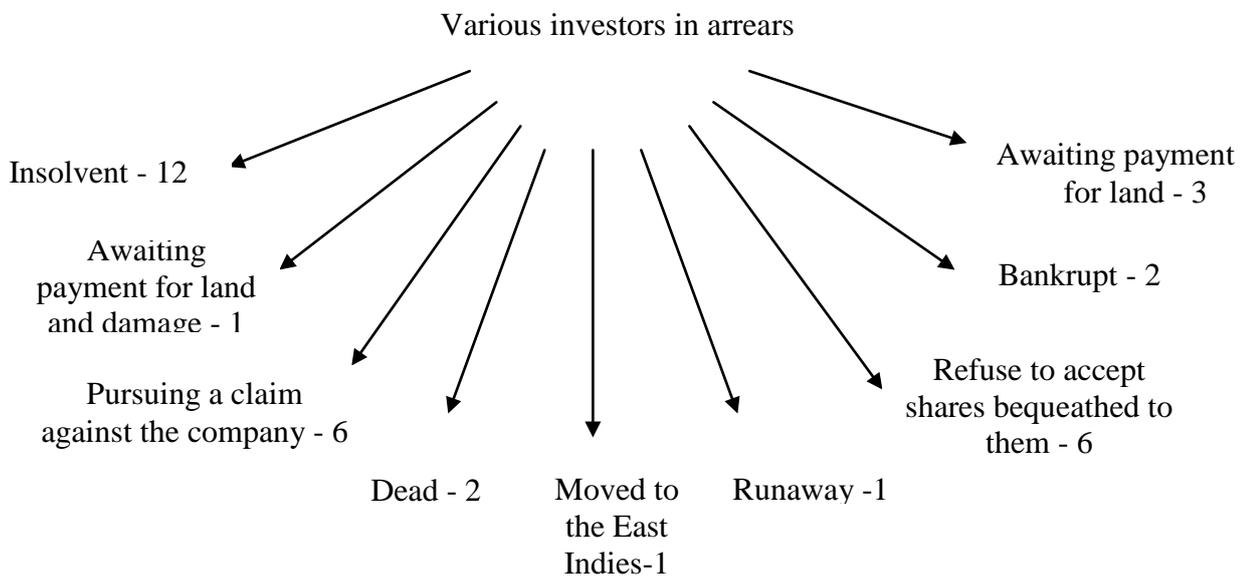
<b>Number of defaulters</b>	<b>Number of owed calls</b>	<b>Type of Defaulters</b>
27	1	Late payers (48 %)
19	2	
20	3	
15	4	
1	5	Moderate Defaulters (27 %)
0	6	
5	7	
3	8	
8	9	
1	10	
8	11	
3	12	
2	13	
1	14	
3	15	
11	16	
35	17	
6	18	
1	19	

<sup>109</sup> These shareholders owed the company for payments called before construction began.



**Figure 41: Sir George Beaumont.**

Source: Detail from a portrait by John Hooper taken from Anon., *A Catalogue of works by George Beaumont at Leicester Museum and Art Gallery, Sir George Beaumont of Coleorton, Leicestershire* (Nottingham, n.d.).



**Figure 42: Known details regarding the investors who owed calls on shares during 1800.<sup>110</sup>**

<sup>110</sup>T.N.A., RAIL 803/9/2 (1800 Shareholders' List). In total 169 (32%) of shareholders were in arrears due to not paying one or more calls.

To retrieve debts, the committee used numerous methods ranging from polite appeals to intimidation.<sup>111</sup> As early as July 1793 it threatened those who had not paid the first and second calls, that their shares would be issued to other individuals who had ‘unsuccessfully applied to be subscribers’.<sup>112</sup> However, as table 35 indicates this resolution was not fully enforced. It then advertised its demands in local papers, which intensified with each publication:

Such subscribers as are in Arrears on the Three Calls already made... are requested to pay their Arrears to the Treasurers Messrs Wilkes and Pyecroft, at Burton-upon-Trent or Messrs Wilkes, Dickinson and Goodall Banks in the Poultry London.<sup>113</sup> The Clerks of the company require the immediate Payment of the Arrears of their Calls already made, amounting in the whole to 8 per cent on each Share, from such of the Subscribers as have neglected to pay.<sup>114</sup>

As a great Number of Men are now employed in the Works it is hoped, such subscribers as are in Arrears will immediately pay their Arrears to the Treasurer.<sup>115</sup>

It appearing to the Committee that there is an inconsiderable Balance in the Hands of the Treasurers and as the Works of the Canal must necessarily be suspended unless a sum of money be immediately raised.<sup>116</sup>

In November 1797 the clerks were ordered to commence legal proceedings against 21 defaulting shareholders, which included one clergyman: the Rev. George Foster from Aylestone, one widow: Sarah Kettleby from Leicester and Joseph Farnell the select committee member.<sup>117</sup> In January of 1798 a further 33 investors were listed to have action

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<sup>111</sup> See Alborn, *Conceiving Companies*, p. 194. During the middle of the eighteenth century, some railway shareholders faced similar problems to the Ashby Canal investors. Alborn highlights how many were pressurised into paying their calls ‘during a time of deep economic depression’ and how an investor reacted by publicly complaining about the ‘remorseless manner in which [directors] have pressed calls upon the half-ruined proprietary’. Regarding creditors methods of debt collections see M.C. Finn, *The Character of Credit: Personal Debt in English Culture, 1740-1914* (Cambridge, 2003), pp. 98-102.

<sup>112</sup> See T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.7.1793, p. 74, and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 22.1.1802, p. 102, regarding the company threatening to withdraw shares. See also the RAIL 803/10/4 (Leo Piddocke’s Bill) for a detailed breakdown of what was required to legally have an individual’s shares forfeited.

<sup>113</sup> *Leicester Journal*, 20.6.1794.

<sup>114</sup> *Leicester Journal*, 25.7.1794.

<sup>115</sup> *Leicester Journal*, 24.10.1794.

<sup>116</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 20.4.1796, p. 108. See Alborn, *Conceiving Companies*, p. 194: Alborn describes how railways during the mid-nineteenth century also had problems with shareholders who had ‘subscribed beyond their means’.

<sup>117</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 14.11.1797, p. 196. For obvious reasons, Joseph Farnell chose not to attend this meeting.

taken against them,<sup>118</sup> and by February 1798 the committee had decided to threaten all those in arrears with prosecution, as the following extract highlights:

That Circular Letters be written to such of the Subscriber against whom Actions have now to be directed to be brought, informing them of the number of Defaulters now pending. And as that they at the same time be requested to pay forthwith their respected Arrears otherwise the same compulsive proceeding must be necessarily had against them.<sup>119</sup>

The committee also compiled a list of late payers and placed it ‘in the most conspicuous place in the Room where every future General Assembly of the Company shall be held for their inspection’,<sup>120</sup> presumably to shame attending defaulters and to galvanise other shareholders into encouraging their fellow subscribers to settle their affairs. Finally, the company resorted to face-to-face intimidation by sending Mr Crossly, the company agent, ‘to call personally upon the several subscribers to demand immediately payment of their respective calls’.<sup>121</sup>

The numerous references to shareholders negotiating deals with the committee suggest that the company’s tactics did have some effect:

John Rawlings having attended this day and engaged to pay his Arrears £67 as a Subscriber as follows – £17 this day to the Treasurer and £10 a month from this day until the whole Arrears be discharged.<sup>122</sup>

This notion is supported by the drop in arrears from 35% in 1795 to 9% in 1804 (Table 35).

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<sup>118</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 12.1.1798, p. 198.

<sup>119</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.2.1798, p. 200.

<sup>120</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 21.10.1799, p. 4.

<sup>121</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.1.1804, p. 210. See also T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 31.5.1796, p. 116. This was not the first time defaulting shareholders had company representatives visit them. As early as May 1796 they were visited by Edward Mammatt and Joseph Whirley, who were instructed to ‘take their reasons for withholding payment’.

<sup>122</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.2.1798, p. 199. John Rawlings was the first shareholder to negotiate a deal with the company concerning payment of arrears. For another example see

**Table 35: Percentage of arrears 1795-1804.**

<b>Date</b>	<b>Percentage of arrears in relation to the amount called for</b>
6.4.1795	35%
5.10.1795	30%
4.4.1796	34%
3.10.1796	34%
3.3.1797	31%
16.10.1797	27%
2.4.1798	27%
1.10.1798	20%
1.1.1799	26%
21.10.1799	23%
7.4.1800	25%
30.9.1800	24%
6.4.1801	17%
5.10.1801	14%
5.4.1802	13%
4.10.1802	11%
4.4.1803	11%
3.10.1803	10%
2.4.1804	9%

The arrears of the shareholders had a major impact on the company's cash flow. Yet there were other factors affecting the company's finances. Robert Whitworth's original quote was too low,<sup>123</sup> and the price of labour and materials had increased during the canal's construction.<sup>124</sup> Even if all investors had paid each call on time, further sums of money would have been required to complete the waterway, as when it was officially commissioned in 1804 its construction costs stood at £166,300 (Table 36).

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T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 23.10.1800, p. 39, regarding the negotiations of James Keightley.

<sup>123</sup> C. Hadfield, *The Canals of the East Midlands, Including Parts of London* (1966, Newton Abbot, 1970), p. 150. Hadfield states how originally Robert Whitworth Snr. estimated that the canal from Ashby Woulds to Marston would cost £27,317, whereas by 1796 it was clear that the figure would be closer to £100,000.

<sup>124</sup> See Tew, *Melton to Oakham Canal*, pp. 8-9. 'The price of commodities rose steadily throughout the period of the French Wars'. See A. Temple Patterson, 'Canals' in W.G. Hoskins and R.A. McKinley (eds), *A History of the County of Leicester, Volume III* (London, 1955), p. 100. 'The shock to commerce and credit consequent upon the outbreak of war with France in 1793 served to curb the wildest extravagances of the Canal Mania'. In referring to the Ashby Canal, Temple Patterson further adds: 'When the Canal Mania began to wane soon after 1794, the company found it increasingly difficult to get shareholders to respond to its successive calls', p. 104.

**Table 36: Data and calculations relating to East Midlands canals that commenced construction during the 1790's and opened before 1810.<sup>125</sup>**

Canal	Length in miles <sup>126</sup>	Locks <sup>127</sup>	Cost	Years taken to construct	Average amount of miles constructed per year	Average cost per mile
Leicester	24.5	11	£80,000	3	8.2	£3265
Grantham	33	18	£118,500	4	8.3	£3591
Oakham	15.25	19	£70,000	10	1.5	£4590
Nutbrook	4.5	13	£22,800	2	2.2	£5067
Derby	18.12	18	£100,000	3	6.0	£5356
Nottingham	14.75	19	£80,000	4	3.7	£5424
<b>Ashby</b>	<b>30</b>	<b>0</b>	<b>£166,300</b> <sup>128</sup>	<b>10</b>	<b>3.0</b>	<b>£5543</b>
Warwick and Napton	15	25	£75,000	6	2.5	£5000
Warwick and Birmingham	22.62	33	£162,000	7	3.2	£7058
Leics. and Northants Union	23.75	25	£205,000	16	1.6	£8632

The company responded to its financial crises during the construction by replacing its proposed northern branches with tramways in 1799, therefore reducing the length of the waterway from 45 to 30 miles; this caused disputes between the select committee and owners of extractive concerns, who were expecting the canal to run straight to their works. They also slowed down operations on the canal so that following 1801 only one contractor, James Patterson, is referred to as being employed. This delayed the opening of the waterway, extended its yearly construction rate to three miles (the average rate for the

<sup>125</sup> Hadfield, *Canals of the East Midlands*. The calculations provided in the three columns to the right of the table were made from data supplied by this publication.

<sup>126</sup> The length includes canal branches.

<sup>127</sup> The number of locks does not include stop locks – of which the Ashby had one – as these were normally structures that allowed boats from one canal to another and involved little extra expense.

<sup>128</sup> C.R. Clinker and C. Hadfield, *The Ashby-de-la-Zouch Canal and its Railways* (Bristol, 1978), p. 10. This was the cost of the canal when opened in 1804. The tramtracks, which replaced the canal branches at the northern end of the canal, were not complete until October 1807, which increased the total construction cost to £184,070.

East Midlands canals was four – see table 36), and increased its average cost per mile to £5543 (this was £190 a year above the average for East Midlands canals).<sup>129</sup>

### **The input of shareholders and the personal consequences of investing in the canal**

There was no published timetable regarding the payment of calls; instead, investors had to await instructions regarding the required amount, when it was to be collected and how to make the payments. Between January 1793 and December 1799, the 19 calls ranged from 2-10%. Therefore, on average every four months shareholders were ordered to pay 5% of the amount they originally subscribed to. It is possible that such demands contributed to some investors becoming insolvent or bankrupt (Figure 42).<sup>130</sup> However, the demands could have been much greater, as the Act empowered the company to make calls of up to 10% every two months, which would have given shareholders only 20 months to complete full payment.<sup>131</sup>

Investors' input was influenced by a number of factors that included their motives, age, interest, geographical location and financial situation (Table 37). Abraham Wallis the labourer from Measham typified the proactive subscriber, attending most assemblies and even loaning the company £100.<sup>132</sup> Inactive investors included Sir George Beaumont, the arts patron from Coleorton (Figure 41)<sup>133</sup> and Sir Henry Harpur, the 'isolated Baron' of

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<sup>129</sup> These figures would have been even worse if the Ashby had required locks.

<sup>130</sup> For definitions of bankruptcy and insolvency during this period see Finn, *The Character of Credit*, pp. 110-1. See also R.J. Morris, 'Men, women and property: the reform of the Married Women's Act 1870', in F.M.L. Thompson (ed.), *Landowners, Capitalists and Entrepreneurs* (Oxford, 1994), pp. 178-9 for the affects of bankruptcy.

<sup>131</sup> 34 Geo III c. 93, p. 1642. See Ward, *The Finance of Canal Building*, p. 19, on how calls on shares 'were made as construction proceeded, the period over which the capital originally authorised was exhausted in this way averaging about five years'. See also Tew, *Melton to Oakham Canal*, p. 11, who states 'during the period of construction of a canal, the accepted procedure was that the money subscribed on each share was called up by the Company as required...this rendered it easier for the shareholders to find the money'.

<sup>132</sup> T.N.A., RAIL 803/6 (Ledger of Shareholders).

<sup>133</sup> For an account of Beaumont's bitter dispute with Joseph Boulton, the select committee member, see Owen, *Leicestershire and South Derbyshire Coalfield*, pp. 161-2.

Calke Abbey (Figure 43),<sup>134</sup> who despite owning neighbouring lime-pits and purchasing £900 worth of shares chose not to attend any assemblies or meetings concerning the canal.<sup>135</sup> And Robert Abney of Lindley Hall provides an excellent example of the reactive shareholder;<sup>136</sup> resigning from the select committee, defaulting on payments and taking legal action against the company,<sup>137</sup> as does Fletcher Bullivant who Owen claims he ‘became increasingly annoyed by the company’s attitude and by 1795 he was failing to respond to calls on his shares’.<sup>138</sup>

**Table 37: The actions of shareholders.**

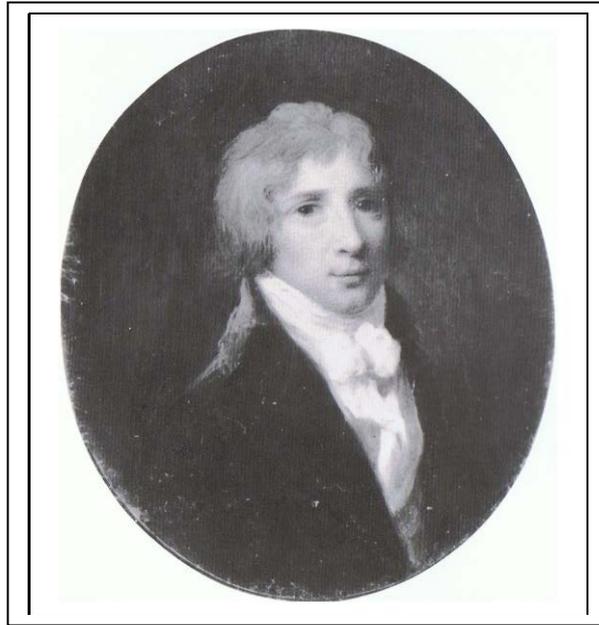
<b>Proactive</b>	<b>Inactive</b>	<b>Reactive</b>
<ul style="list-style-type: none"> <li>• Attending select committee meetings</li> <li>• Serving on other committees</li> <li>• Attending assemblies</li> <li>• Voting by proxy at assemblies</li> <li>• Paying calls on time</li> </ul>	<ul style="list-style-type: none"> <li>• Not attending select committees</li> <li>• Not voting at assemblies</li> <li>• Defaulting on payments</li> </ul>	<ul style="list-style-type: none"> <li>• Resigning from the select committee</li> <li>• Refusing shares having been bequeathed them</li> <li>• Refusing to settle arrears until accounts are settled regarding land or services</li> <li>• Suing the company</li> </ul>

<sup>134</sup> H. Colvin, *Calke Abbey Derbyshire, A Hidden House Revealed* (London, 1985), pp. 48-57.

<sup>135</sup> T.N.A., RAIL 803/9/1 (1794 Shareholders’ List).

<sup>136</sup> See Alborn, *Conceiving Companies*, p. 194. Some investors in railways during troubled times were involved in ‘petitioning their companies to stop construction or at least delay it until the crisis was over’.

<sup>137</sup> For biographical notes on Robert Abney, see Foss and Parry, *Diary of Joseph Moxon*, p. 131. Situated on the grounds of the demolished Lindley Hall are the administration buildings of the DVLA test track. Occasionally one of these rooms is rented to the Ashby Canal Association who are campaigning to re-instate the abandoned eight miles of the canal. It is ironic that an association that has campaigned for so long to promote the canal convenes on land once owned by a shareholder that took legal action against the company. See T.N.A., RAIL 803/23, (Detached document connected to 1800 Shareholders’ List) regarding



**Figure 43: Henry Harpur (died in 1819) of Caulke Abbey.**

Source: H. Colvin, *Calke Abbey Derbyshire: a Hidden House Revealed* (London, 1985), p. 49.

For investors who had the available time and still had faith in the canal's prospects, taking an active role in the managing of the company and regularly attending assemblies provided good opportunities for networking and self-advancement,<sup>139</sup> as new acquaintances could be made and existing bonds strengthened.<sup>140</sup> For example, the canal company's pay clerk Edward Mammatt may have benefited in such a way. Before the canal's construction he was employed by Wilkes, however, he later progressed to become his business partner and married Wilkes' granddaughter.<sup>141</sup> Then finally he became employed as the Earl of

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how Abney in 1800 had only paid two out of 19 calls made. See also Owen, *Leicestershire and South Derbyshire Coalfield*, p. 182, regarding how Abney was declared bankrupt in 1806.

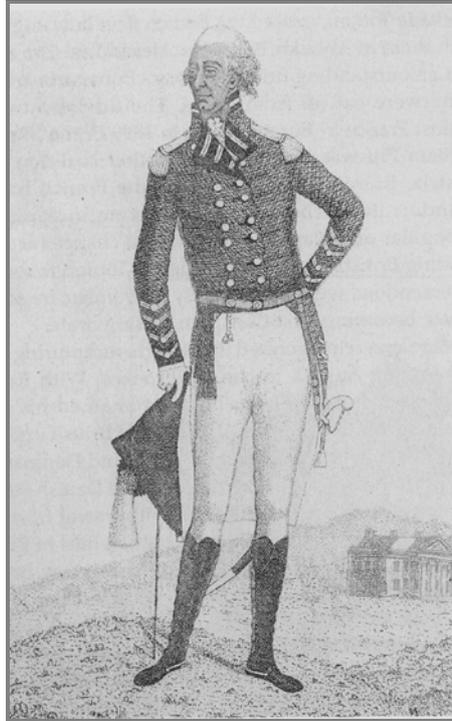
<sup>138</sup> Owen, *Leicestershire and South Derbyshire Coalfield*, p. 174.

<sup>139</sup> N. Lin, *Social Capital: a Theory of Social Structure and Action* (2001, Cambridge, 2002), p. 19. 'The premise behind the notion of social capital is rather simple and straightforward: Investment in social relations with expected returns in the marketplace'.

<sup>140</sup> J. Barry, 'Bourgeois collectivism? Urban association and the middling sort', in J. Barry and C. Brooks (eds), *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994). Regarding patronage Barry states 'the relationships forged were not simple patron-client ones but ties strengthened by a sense of common, essentially voluntary, commitment to a shared cause', p. 101.

<sup>141</sup> Foss and Parry, *A Truly Honest Man*, p. 135. Owen, *Leicestershire and South Derbyshire Coalfield*, p. 168. Wilkes' three daughters married John Simmonds of Blackfordby, the Rev Thomas Fisher of Ildercote, and the Rev John Fisher of Sibson who are all listed as shareholders in the canal. See T.N.A., RAIL 803/9/1 (1794 Shareholders' List).

Moir's steward and agent (Figure 44).<sup>142</sup> Of course, this may have all been achieved without his involvement with the canal; but it seems probable that Mammatt used his position within the company to further his career.



**Figure 44: The Earl of Moira.**

Source: Crane, Hillier and Jackson, *Napoleonic Prisoners of War*, p. 6.

Mammatt can be categorised as a proactive shareholder; he was never late in his payment of calls and he waited eight years before submitting an invoice for his services, which he then transferred into a company loan for £360.<sup>143</sup> However, the company's low attendance figures regarding assemblies and the constant problem of arrears indicates that many of the shareholders did not have his faith, available time or available funds.

This was partly due to the war with France, which brought financial hardship in the form of inflation and new taxes, and it is also probable that many investors were

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<sup>142</sup> Owen, *Leicestershire and South Derbyshire Coalfield*, p. 207.

<sup>143</sup> See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 14.2.1805, p. 247. Regarding his loan for £360 see T.N.A., RAIL 803/7 (Ledger of Loan Holders).

distracted by the on-going conflict.<sup>144</sup> J. Thompson states how in 1794 ‘an expectation of invasion was generally entertained’, and describes how young men were enrolling in public books ‘ready to serve in defence of the country on the landing of the French’, adding how leading figures were engaged in financing and organising local militias.<sup>145</sup>

It was unfortunate that shareholders in the Ashby Canal committed themselves just at the point when the canal mania bubble burst (in the years 1793-4). Throsby, commentating on Leicester canal shareholders during the first half of the 1790’s, stated that

Although many have gained considerably by adventures...we are told that others, holders of shares, are likely to sustain considerable losses, whether from the war or any other cause, I know not. A general opinion prevails, July 1793, that some of the schemes must fail.<sup>146</sup>

Throsby was right to voice such concerns. No return on Ashby shares was issued until 1828 (24 years after the canal’s completion),<sup>147</sup> and during this period the £113 shares dropped to £10,<sup>148</sup> although following the first payment of £2 they rose to £60.<sup>149</sup>

The impact on investors would have been substantial, as exemplified by the canal’s biggest investor the Earl of Moira, who must have had great confidence in the canal as despite his debts,<sup>150</sup> he chose to rebuild Donington Hall (Figure 45) just before

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<sup>144</sup> C. Hadfield, *British Canals: the Inland Waterways of Britain and Ireland* (1950, Stroud, 1994), pp. 96-8. See J. Beresford (ed.) *Woodforde: Passages from the Five Volumes of the Diary of a County Parsons, 1758-1802, The Reverend James Woodforde* (London, 1935), for numerous references to concerns regarding the war with France, for example on 10 September 1796 ‘Serious apprehensions are entertained by many in high rank of the French invading England some time this Autumn’, p. 431.

<sup>145</sup> J. Thompson, *The History of Leicester in the Eighteenth Century* (London, 1871), pp. 209-10.

<sup>146</sup> J. Throsby, *The History and Antiquities of the Ancient Town of Leicester* (Leicester, 1791), p. 419.

Although the publishing date is given as 1791, Throsby was obviously writing in 1793.

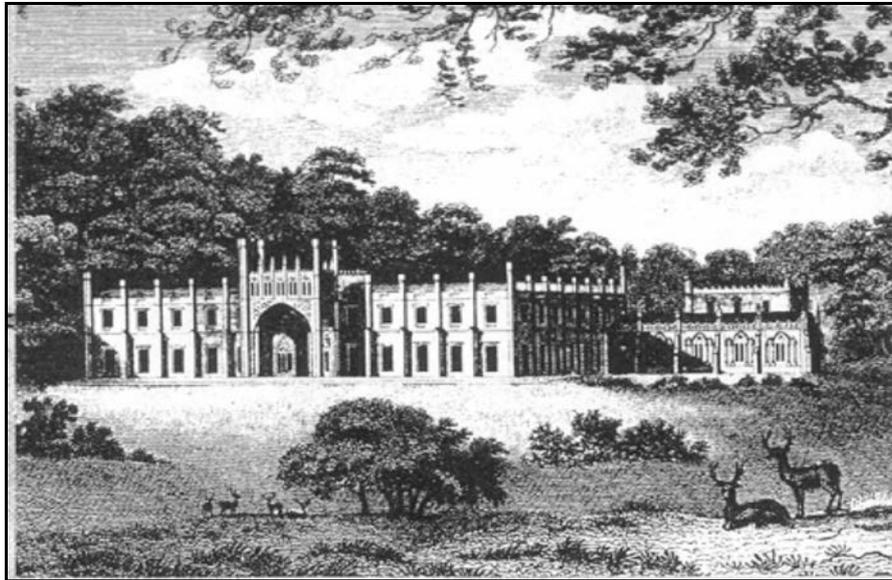
<sup>147</sup> This was for the year 1827. See Clinker and Hadfield, *Ashby-de-la-Zouch Canal and its Railways*, p. 10.

<sup>148</sup> Temple Patterson, *History of the County of Leicester*, p. 104. Temple Patterson quotes Throsby as stating that shares in the Leicestershire and Northamptonshire Union Canal ‘are now transferred for the small consideration of a bottle of wine’, p. 419.

<sup>149</sup> T.N.A., RAIL 803/4 (Ashby Canal Minute Book 4) and, T.N.A., RAIL 803/5 (Ashby Canal Minute Book 5).

<sup>150</sup> M. Palmer, ‘Francis Rawdon-Hastings, First Marquis of Hastings, and the Development of the Leicestershire Estates, 1780-1830’, in M. Palmer (ed.), *The Aristocratic Estate: the Hastings in Leicestershire and South Derbyshire* (Loughborough, 1982), p. 62. These were at one time reputed to be at £300,000.

the waterway's construction commenced.<sup>151</sup> The drop in share price of the canal and poor dividend average of £4 a year must have been a major financial blow to him,<sup>152</sup> and he was also suffering from poor returns on other commercial investments. Pursued by those to whom he owed money, Moira tactfully accepted a posting to India and M. Palmer states how 'although the Indian climate was injurious to his health, he could not afford to return home and so run the gamut of his creditors'.<sup>153</sup> Moira did return in 1823, but his financial affairs were still dire forcing him again to 'hastily' depart, this time never to return.<sup>154</sup>



**Figure 45: Detail of Donington Hall.**<sup>155</sup>

Source: J. Nichols, *The History and Antiquities of the County of Leicester, Volume III, Part II, Containing Goscote Hundred* (1804, Wakefield, 1971), p. 778.

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<sup>151</sup> Regarding the rebuilding of Donington Hall between 1790-3 see M. Palmer, 'The Earl of Moira', in D. Cranstone (ed.), *The Moira Furnace: A Napoleonic Blast Furnace in Leicestershire* (Coalville, 1985), p. 8. It is possible that Moira chose to carry out the work before the construction of the canal took away available labour. However, there is no evidence to substantiate this claim.

<sup>152</sup> T.N.A., RAIL 803/4 (Ashby Canal Minute Book 4) and, T.N.A., RAIL 803/5 (Ashby Canal Minute Book 5). Between 1827-1837 a total of £40 in dividends were paid. There are no further records regarding dividends after 1837.

<sup>153</sup> M. Palmer, *Aristocratic Estate*, p. 64.

<sup>154</sup> M. Palmer, *Aristocratic Estate*, p. 65. Moira died off the coast of Naples in November 1826.

## Conclusion

The construction of the Ashby Canal was the largest cross-parish development to have taken place within the Sparkenhoe Hundred, and equally unprecedented was the number of people it brought together to finance the project. Similar administration structures and forms of raising capital were previously adopted for the construction of turnpikes in the area, but they were on a much smaller scale.<sup>156</sup>

Becoming a shareholder not only provided possible financial remuneration, it also gave individuals an opportunity to influence developments outside their own parish. For the wealthier investors, such as Wilkes and Moira, this was nothing new; their status, commercial concerns and public offices ensured that their scope of influence transcended parish, county and – in the case of Moira – national boundaries. However, for someone like Matilda Springthorpe being able to vote in decisions that impacted upon areas outside Ashby would have been a new experience, as would have been the process of voting.<sup>157</sup>

While the canal's shareholders were mostly from the area the canal was to cut through, only a small percentage of the affected parish's population invested in the canal. Yet, for those who did, their financial outlay provided entry to an organisation that operated on a club-like basis, with many subscribers knowing each other and some being related.<sup>158</sup> Also the majority of investors would have been familiar with the protocol of such gathering through their involvement with vestries, charities, campaign groups and

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<sup>155</sup> See also H. Fryer and A. Squires, 'The Gothic taste: Humphrey Repton and the development of Donington Park', *Transactions of the Leicestershire Archaeological and Historical Society*, 70 (1996).

<sup>156</sup> Cossons, *Turnpike Roads of Leicestershire and Rutland*, pp. 24-5.

<sup>157</sup> A considerable number of voters at canal company assemblies would not have been qualified to vote at national elections, although some of them would have voted at vestry or parish level.

<sup>158</sup> By cross-referencing company records with local secondary sources it is evident that many of the shareholders were either related or friends. For example see Foss and Parry, *Diary of Joseph Moxon*. See also Perkin, *Origins of Modern English Society*, p. 51: "'County society" was a real entity, a comparatively small, face to face group of personal acquaintances'. Perkin further argues that industrialism was born out of a 'wide diffusion of modest wealth' combined with a 'system of kinship and connection which could reinforce the individual's capital from the resources of a wide range of friends and relations', p. 80. See also Alborn, *Conceiving Companies*, p. 10, regarding how nineteenth-century capitalists 'consolidated their power through kinship ties and public-school friendships'.

county courts.<sup>159</sup> Yet none of these organisations matched the membership number of the canal company's shareholders.

What is perhaps most remarkable is the surprisingly 'democratic' type of shareholdings down the social scale that operated in relation to the Ashby Canal, and (while we can only speculate on such issues) this must have had implications for the nature of the 'community' affected and the sense of people's involvement. 'Improvement' in this period, in other words, may well have had wider social involvement than some historians like Asa Briggs have thought, let alone more radical historians for whom virtually all forms of economic improvement were potential or actual infringements upon popular 'rights' and perquisites,<sup>160</sup> and an emphasis only upon 'polite' society and its leaders is not entirely borne out by the evidence of wider shareholding engagement indicated here. The sense of a community which could anticipate quite extensive benefits from such a canal can be found in the historical records, and this raises issues about other forms of improvement – enclosure, poor law buildings, road systems, bridge-building, other forms of water engineering, under-drainage, etc – and the extent to which these were pioneered by the figureheads of local society against localised opposition, or were endeavours that gained what could amount in some cases to quite inclusive acquiescence. There seems to have been active endeavour to gain that wider support. A variety of communities of interest converged in the case of the Ashby Canal, including some fairly poor members of society, and their shared interests must also have enhanced their senses of local belonging and affiliations.

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<sup>159</sup> See G.H. Jennings, *Thomas Turner: the Diary of a Georgian Shopkeeper* (Oxford, 1979), where Turner describes interaction between all levels of society at public assemblies involving 'denominations from duke to a beggar', p. 13, and socialising with the nobility: 'dined with a Duke, two Earls and a Viscount', p. 40. Turner further describes the arguments at vestry meetings where the participants 'served vollies of execrable oaths...from almost all parts of the room. A most shocking thing at public meetings', p. 45.

<sup>160</sup> For example see E.P. Thompson, *Customs in Common* (London, 1991).



**Figure 46: Detail from a print of the home of Colonel Hastings.**

Source: Steve Bartrick, 'Willesley Hall.' [www.antiqprints.com/products.php?cat=107](http://www.antiqprints.com/products.php?cat=107) (1/8/2010).

However, despite all this, the shareholders' meetings (which provided opportunities for networking and personal advancement), were poorly attended and often dominated by the issue of arrears. The gatherings were evidently affected by the post 'canal mania' loss of confidence in the waterways and the distractions of the ongoing war with France.<sup>161</sup> This must have affected the morale of those managing the project. Nevertheless, the company were successful in raising sufficient money to facilitate the canal's construction – albeit a modified version of its original design and at a greater cost – and the canal did become a commercial waterway that lowered the price of coal and stimulated the expansion of extractive concerns in the area.

Yet for the individuals who poured their own resources into the project, few would have reaped any direct financial reward, as returns were a long time coming and remained low – as did the value of their shares. Unanswered questions will remain about sources of finance, the ways in which the money supply operated, and issues to do with the security of investors' cash. Contemporary attitudes to the spreading of risk, for example, are still elusive, intriguing though they are in relation to wider and indeed more modern financial

issues. Nor do we know much about how thinking in these regards compared with other financial investments at that time, affecting other features of the economic sub-structure of the region. It is possible that some would have suffered severe hardship following their involvement with the canal, with many dying before seeing any dividends, such as Moira's cousin, Colonel Hastings of Willesley Hall (Figure 46).<sup>162</sup> The exceptions were the shareholders who either procured employment from the company, which provided a salary, such as the pay clerk Mammatt and the company solicitor Piddocke, or individuals who opted to loan the company money after all the calls had been made.

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<sup>161</sup> Temple Patterson, *History of the County of Leicester*, p. 102. Following the outbreak of war in 1793, many investors in the Leicestershire and Northamptonshire Union urged the company to suspend the construction of the canal.

<sup>162</sup> See Crane, *Kirkland Papers 1753-1869*, pp. 80-3, for an account of Hastings' life, his suicide in 1823 and his unconventional burial which involved inserting acorns into his corpse. In the abandoned Willesley graveyard there is a grave surrounded by railings which has a large oak tree growing from it.

## Chapter 5: Land, water and tramways

The purpose of this chapter is to analyse the relationship between the Ashby Canal Company and the various landed interests that were affected by the waterway (and tramways), while acknowledging that other social groups linked to the land were also affected, despite their exclusion from official consultations.<sup>1</sup> However, I would first like to consider how the landscape appeared to these individuals before the canal added another layer of development, or intersected other ‘improvements’ like enclosure,<sup>2</sup> and acknowledge some of the previous forms of human agency that had shaped people’s surroundings.<sup>3</sup>

It is possible that Hoskins’ description of the Midland landscape in 1949 would have been familiar to those who were affected by the construction of the Ashby Canal:

A green and quiet country...pastures enclosed by hawthorn hedges...regular fields that run down to small streams flowing bank – high, muddy and eddying, in winter, and that rise up the farther slopes to a skyline crowned by a thin spinney or a line of great elms... It is a quiet kind of country under a winter sky, produced almost entirely by the planning of the Stuart and Georgian country houses and their noble parks...and by the parliamentary enclosures of George III’s time, with their regular, ordered planning of field and roads.<sup>4</sup>

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<sup>1</sup> The available sources record mostly the negative aspects of the negotiations: the disputes, the complaints and the threats. It is important to note that the majority of property owners are not referred to in the company minutes, which suggests that most proprietors considered the disruption acceptable when weighed against the potential benefits the canal was to deliver.

<sup>2</sup> Not all those affected by the canal would have considered its development an improvement. See A. Briggs, *The Age of Improvement, 1783-1867* (London, 1959).

<sup>3</sup> M. Palmer, ‘Introduction: Post-Medieval landscapes since Hoskins – theory and practice’, in P.S. Barnwell and M. Palmer (eds), *Landscape History after Hoskins, Post-Medieval Landscapes* (Macclesfield, 2007), p. 3: ‘All studies of past landscapes – and none more so than those of industrial landscapes – involve an appreciation of the interaction between natural features such as geology and topography, and human agency’.

<sup>4</sup> W.G. Hoskins, *Midland England: a Survey of the Country between the Chilterns and the Trent* (London, 1949), pp. 3-4. Regarding Leicestershire see W.G. Hoskins, *Leicestershire: an Illustrative Essay on the History of the Landscape* (London, 1957). See also N. Pye (ed.) *Leicester and its Region* (Leicester, 1972), especially Chapter 1 ‘Geology’ by T.D. Ford, where Ford reveals that the area upon which the canal was constructed is mostly Keuper Marl from the Triassic period, pp. 42-8, and chapter 4 ‘Soils’ by A.J. Thomasson and M.J. Reeve.

This is rolling shire territory and the canal mostly weaves along the bottom of shallow valleys upon the 300 ft contour in, according to John Farey, a ‘serpentine’ manner.<sup>5</sup>



**Figure 47: Fossilized ridge and furrow next to the canal at Shenton.**

Source: R. Burton, ‘Ridge and furrow, Shenton.’

[http://commons.wikimedia.org/wiki/File:Ridge\\_and\\_furrow,\\_Shenton,\\_Leics\\_-\\_geograph.org.uk\\_-\\_84535.jpg](http://commons.wikimedia.org/wiki/File:Ridge_and_furrow,_Shenton,_Leics_-_geograph.org.uk_-_84535.jpg) (16/01/2010).

As I have already established, during the late eighteenth and early nineteenth century, coal mining and lime quarrying was taking place to the north of the proposed canal. However, maps dating from 1777 to the present day show that most of the land the canal eventually cut through was – and still is – agricultural.<sup>6</sup> Pastoral farming has evidently dominated much of the area’s husbandry since enclosure as there are large amounts of fossilised ridge and furrow in the fields by the waterway (Figure 47),<sup>7</sup> and Monk’s Leicestershire report made in 1794 (the year construction of the Ashby Canal

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<sup>5</sup> J. Farey Snr., *General View of the Agriculture of Derbyshire with Observations on the Means of Improvement, Volume III* (London, 1817), p. 297. See A. Burton, ‘Canals in the landscape’, in M. Baldwin and A. Burton (eds), *Canals: a New Look* (Chichester, 1984), on how canals ‘sit’ within the landscape.

<sup>6</sup> For example see J.D. Welding (ed.), *Leicestershire in 1777: an edition of John Prior’s Map of Leicestershire with an Introduction and Commentary by Members of the Leicestershire Industrial History Society* (Leicester, 1984) and J.B. Harley (ed.) *Reprint of the First Edition of the One-Inch Ordnance Survey of England and Wales, Leicester, Sheet 43, 1834* (1970, Newton Abbot, 1980).

began) states ‘About Ashby de la Zouch...three parts in four are in pasture’ and ‘At Hinckley five parts in six are in pasture’.<sup>8</sup> Furthermore, the Book of Reference – a canal company record of details relating to landownership – indicates that enclosures were well established by the time of the waterway’s development, as the majority of the designated plots had undergone such improvements.<sup>9</sup>

This chapter will begin by looking at the negotiations that occurred before the construction process. How did the company know which landowners and tenants supported them? How many landowners and tenants invested in the canal and how did some of the canal supporters manoeuvre themselves at company meetings to serve their own interests?

It will then assess the exchanges that occurred between landed interests and the canal company during the construction. How much land did the company take? Who valued the land and what factors influenced the price? How much did land cost and what were the complaints of the landowners?

Attention will be then turned to water management issues. Where was the water taken from and what measures were taken to ensure that the canal had a sufficient amount? What existing water supplies did the law protect? How did the design of the canal ensure existing watercourses were protected? What complaints arose during the construction and how did the company deal with them?

Finally the issue of replacing the proposed canal branches with tramways will be addressed. Why did this occur? What factors allowed the company to implement such

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<sup>7</sup> R.F. Hartley, *The Medieval Earthworks of South-West Leicestershire: Hinckley and Bosworth* (Leicester, 2008).

<sup>8</sup> W. Marshall, *The Review and Abstract of the County Records to the Board of Agriculture* (1815, Plymouth, 1968), pp. 188-9. In reviewing Pitt’s report Marshall strongly criticises his predecessor, however, he does not correct Pitt’s comments regarding the levels of pastoral farming.

<sup>9</sup> W.C.R.O., QS 111/2/6 (Book of Reference). M. Turner, *English Parliamentary Enclosure* (Chatham, 1980), p. 33. Turner states how ‘Parliamentary enclosure was possibly the largest single aggregate landscape change induced in an equivalent period of time’, and that 78.1% of Leicestershire’s Parliamentary enclosure occurred before 1793, p. 77.

changes? Who was the contract awarded to? Who were the main detractors to the proposed tramways and how were they placated?

### **The land owning support and opposition to the canal before the 1794 Parliamentary Act**

In total the proposed canal and branches were to cut through 565 plots,<sup>10</sup> owned by 157 property owners, of whom 148 were individuals (Table 38) and nine were collectives,<sup>11</sup> and records relating to the company solicitors, Pestell, Piddocke and Smith, reveal the company directly consulted with the majority of these landowners prior to the passing of the 1794 Act. These sources include a small notebook once owned by Mr Pestell, in which details relating to specific landowners were written concerning their names, their tenants, the location and amount of land involved and whether or not the project had their support (Figure 48).<sup>12</sup> There is also a complete list of all affected landowners with incomplete information regarding which of the three solicitors visited them and whether the property owners were consenters (C), dissenters (D) or neuters (Figure 49).<sup>13</sup>

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<sup>10</sup> W.C.R.O., QS 111/2/6 (Book of Reference). These plots were mostly fields; however, they also included roads, lanes and common land.

<sup>11</sup> The nine collectives included trustees for charities and hospitals, the children of a widow, a Cambridge college and the committees for two lunatics.

<sup>12</sup> T.N.A., RAIL 803/30 (Mr Pestell's Notebook). The canal was to affect landowners, tenants and farm labourers. See D. Grigg, *The Agricultural Revolution in South Lincolnshire* (London, 1966), pp. 45-6. Grigg states 'The improvements made to transport by water had a considerable impact on farming' as canals made it easier and cheaper to send produce to an increased number of markets and coal, timber and fertiliser became more accessible and cheaper. See also E.L. Jones, *Agriculture and the Industrial Revolution* (Bristol, 1974), p. 107, regarding how some farmers opposed canals due to concerns that increasing the amount of grain in the market would lower prices. Furthermore, some tenants who had a sideline in carting 'during the slack period' were worried that their secondary source of income would suffer. Yet, Jones concedes that 'such opposition was greatly outweighed by the involvement of the rural community as a whole in promoting better communication'.

<sup>13</sup> T.N.A., RAIL 803/31 (Landowners' List). It is not possible to ascertain whether during these visits the solicitors were instructed to promote the canal or just record the landowners' opinions. However, considering their strong links with the project it is likely they would have attempted at least to influence those yet undecided.

**Table 38: The status of the 148 individual landowners taken from the 1794 Book of Reference.**

	Untitled	Reverends	Esquires	Knights	Nobles	Widows
Male	77	10	37	3	4	
Female	14				1	2
<b>Total</b>	<b>91</b>	<b>10</b>	<b>37</b>	<b>3</b>	<b>5</b>	<b>2</b>

Leo Piddocke’s invoice reveals how, during November and December 1792, gathering this information dominated his duties, as during this period he spent 34 days travelling to landowners for which he charged the company £50 1s 6d.<sup>14</sup> Many of these trips were to local destinations such as the 17 parishes he visited in four days;<sup>15</sup> however, he also listed numerous journeys outside the affected area to locations such as Bath, where he consulted William Wollaston, the Lord of the Manor for Shenton.<sup>16</sup> Not only did the solicitor have to suffer the poor weather and roads,<sup>17</sup> but this could have frustrating outcomes, as one entry records how he travelled for two days to meet with Mr Hartopp in Dalby who refused to commit himself on the issue until he had spoken to an associate.<sup>18</sup>

<sup>14</sup> T.N.A., RAIL 803/10/2 (Leo Piddocke’s Bill). This figure was acquired by adding up the variable costs of each separate visit.

<sup>15</sup> T.N.A., RAIL 803/10/2 (Leo Piddocke’s Bill), 1.12.1792. For this he charged the company £3 12s.

<sup>16</sup> T.N.A., RAIL 803/10/2 (Leo Piddocke’s Bill), 23.12.1792.

<sup>17</sup> Marshall, *Review and Abstract of the County Records*, pp. 188-9. Pitt complains about the roads in Leicestershire and describes how fields were often left ‘cut up and unusable’ due to carters taking fresh paths when confronted by muddy roads’, p. 186.

<sup>18</sup> T.N.A., RAIL 803/10/2 (Leo Piddocke’s Bill), 12.11.1792. The associate was Mr Loudam.

Land Owners	Parishes & Townships	No. in the Plan	Chams	Leases	Remarks &c.
	Wm. Powers	8	4	84	
		9	11	30	
		10	7	00	
Earl Spencer and Others Trustees of the Duke's Dowager of Marlborough's Charity at Marlban	Marston Sabet John Carr	11	5	56	
		12	6	20	
		13	9	64	Consent
		14	13	36	
		15	11	00	
The Lord of Hercourt - Cavendish Sq. The Lord of Jersey - Grosvenor Sq. The Lord of Sutton - Hanover Sq. Trustee - 1794 - 14 Feb: consented to E. P. P.	Joseph Sefton	18	8	07	
		19	22	40	
		20	14	50	
			114	87	

Figure 48: Detail taken from Mr Pestell's notebook.

Source: T.N.A., RAIL 803/30.

Unfortunately the exact number of landowners who were for or against the project cannot be calculated, as the list detailed in figure 49 was never completed. Yet the source does reveal that at least two-thirds of the landowners were consulted, of which 57 supported the canal, 32 opposed it and 13 were neutral. This suggests the majority of landowners were in favour of the project; yet it also demonstrates that, of those polled, 44% were either undecided or against the proposals.

Clarke Mr J.D. Joint owner of with Mr. Ryder Leventry Canal Company	C.	Mr. Pestell
Curzon Penn Ashton Esq	D.	
Catherine Hall Master of Fellows of	Neutral	Mr. Pestell
Cooper Wm	D.	Mr. Pestell
Compton Robt	D.	do
Cooke John Woodhouse Esq and Charles Esq	C.	do
Chapman George	C.	Mr. Pestell
Thos. Dylstone	D.	Mr. Pestell
Am Malabar		
Croshaw Benjamin	C.	Mr. Piddock
Clarke Robert		
Clarke Samuel		
Curzon Ann	<del>D.</del>	
with Lord Scarsdale	D.	Mr. Smith
do Cottage	do	do

**Figure 49: Detail taken from the solicitors' list of landowners.**

Source: T.N.A., RAIL 803/31.

Clearly the canal promoters' campaign had not convinced a significant number of landowners and one of the benefits of this list would have been pinpointing to the select committee which property owners were still open to persuasion. We can only speculate why landowners such as the Masters and Fellows of St Catherine's Hall at Cambridge declared themselves neutral (Figure 49).<sup>19</sup> They may have not have given the issue sufficient thought, they may not wanted to offend either supporting or opposing

<sup>19</sup> W.C.R.O., QS 111/2/6 (Book of Reference). This collective did not own any full plots. Their property consisted of 20 strips spread through four unenclosed fields in the Sutton Cheney area (plots 173-6).

neighbours or associates, or they may have been positioning themselves to negotiate terms with the select committee.<sup>20</sup>

As I have already established, the canal company attempted to gain more supporters by reserving shares in the company, especially for those who owned affected property. However, cross-referencing the Book of Reference with the 1794 Shareholder's List further shows that out of 157 land owning individuals and collectives only 59 became shareholders.<sup>21</sup> This indicates that despite the efforts of the canal promoters, either the majority of property owners could not afford shares or considered them a poor investment.

The projects' supporters also went to great lengths to reassure people on the issue of how much disruption the constructing of the canal would bring. This often involved company representatives making personal visits to landowners, as highlighted by a meeting in December 1792 where Mr Wilkes was ordered to visit Mr Charnell at Snarestone to explain how the tunnel would impact upon the area (Figure 50). Mr Smith (the solicitor) and Mr Whitworth (the engineer) were given instructions to see Mr Simpson to explain the 'Effect the Canal might have on his Estate at Burton Hastings', and Mr Smith was also to satisfy Mr Browne and Mr Gresley that the canal 'can do no prejudice to their Mills or Property'.<sup>22</sup>

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<sup>20</sup> Jones, *Agriculture and the Industrial Revolution*, p. 108. Jones also claims that livestock producers were uninterested in canals as they moved their livestock 'on the hoof'.

<sup>21</sup> W.C.R.O., QS 111/2/6 (Book of Reference) and T.N.A., RAIL 803/9/1 (1794 Shareholders' List). A.H. Faulkner, *The Grand Junction Canal* (Newton Abbot, 1972), p. 19: 'To encourage landowners those whose property would be crossed by the canal to support the scheme they were given the option to subscribe to shares in the proportion of one share for every eighth mile of their land up to a maximum of ten shares'.

<sup>22</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 20.12.1792, p. 35.



**Figure 50: Snarestone Tunnel.**

Source: Wikipedia, 'Ashby Canal Snarestone.' <http://en.wikipedia.org/wiki/File:Ashby-canal-snarestone-tunnel-north-portal.jpg> (12/01/10).

Evidently much of the committee's efforts were focused upon winning 'hearts and minds', yet they also had to engage with pro-canal landowners who were keen to ensure the design of the waterway benefited their commercial interests. These included Robert Abney who persuaded the committee that a 'Cut or Branch shall be permitted to be made into the intended Canal from Heather',<sup>23</sup> the Earl Ferrers who 'communicated via Mr Boulton his wish to have the intended Canal extended from Ticknall Limeworks to the Limeworks at Staunton',<sup>24</sup> and Sir Nigel Bowyer Gresley who requested a clause allowing him to have a branch to his works.<sup>25</sup> Supporting landowners also requested the construction of wharves such as Lord Chesterfield,<sup>26</sup> and some even negotiated deviations to the canal's route such as Captain Hall who asked that the waterway should

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<sup>23</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 22.9.1792, p. 12. This was never constructed.

<sup>24</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 4.9.1792, p. 7. See also T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.10.1792, p. 21, where the committee agree to insert a clause to the Bill highlighting exactly the route to accommodate Ferrers. As this chapter will reveal, despite the nobles' protests, his works were eventually connected to the canal by a tramway. The noble's representative, Boulton, was also heavily involved in extraction. See C. Owen, *The Leicestershire and South Derbyshire Coalfield, 1200-1900* (Ashbourne, 1984), pp. 144-5, for an account of how the Boulton family acquired a 'monopoly of coalmining throughout Newbold, Lount, Staunton and a large part of Coleorton'.

<sup>25</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, p. 28.

cut ‘thro the Town of Shackerstone,’<sup>27</sup> and Mr Henry Joyce who asked for a change of course through Blackfordby.<sup>28</sup>

### **Land prices and negotiations**

If local residents imagined in May 1794 that the awarding of Parliamentary consent to the Ashby Canal promoters would immediately affect their lives,<sup>29</sup> with their communities ‘swamped’ by outsiders, and numerous large payments being made to landowners, they were mistaken. In fact, for some it would be years before the canal company would make its presence directly felt, as the development (and payments for land) were carried out in stages and the construction of tramways (introduced in place of canal branches) continued long after the canal’s opening in 1804. Even people living in areas where the company had planned to begin constructing had to await any real impact, as the company spent the first three months of the project mostly testing, surveying, discussing structural issues and contracting engineers, constructors and other employees.<sup>30</sup>

Before any ‘on site’ work could officially commence, the affected property had to be purchased; therefore it can be concluded that evaluations would have been co-ordinated with the engineer’s programme of works.<sup>31</sup> To ‘value the Land to be taken for the use of the Canal’ the company contracted Samuel Wyatt, a 55 year-old land surveyor

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<sup>26</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 16.1.1793, p. 40.

<sup>27</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, p. 27.

<sup>28</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 8.11.1792, p. 27. See 34 Geo III c. 93, p. 1600. The Act of Parliament allowed for course deviations providing ‘Consent in writing’ was given by those affected.

<sup>29</sup> The Parliamentary Act was passed on the 9.5.1794, see 34 Geo III c. 93.

<sup>30</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794 - 3.9.1794, pp. 9-20. It was almost five months between the passing of the Bill and the signing of the first contract to begin building the waterway.

<sup>31</sup> 34 Geo III c. 93, p. 1603. The Act stated that contracts for purchase had to be first made and then ‘immediately after the Time of executing such Contracts...and Payment of Money in such Cases...the said Company of Proprietors may and shall be at Liberty to enter upon...the said Lands...for the Uses and Maintenance of the said Canal’.<sup>31</sup>

from Burton-on-Trent.<sup>32</sup> He was employed to separately assess the affected plots,<sup>33</sup> taking into account factors such as the amount of land to be taken, its existing use (meadow land was more expensive), whether any part of the divided field was left too small to be of any practical use,<sup>34</sup> the amount of disruption caused to both the landowner and tenant during the construction process and the long-term access issues.

Samuel Wyatt accepted the position in July,<sup>35</sup> yet he was evidently slow in taking up his duties as the minutes record the select committee urging him in September to start as soon as possible,<sup>36</sup> and at the following meeting they resolved to ask him for an update on his progress and to order him to ‘proceed with the Valuations of the Remainder of the Estate with all possible Expedition’.<sup>37</sup> The following extracts reveal the committee’s further frustration with Wyatt’s work rate throughout the first three years of construction:

That Mr Wyatt be written to and requested to value the Land lying on the Line of Canal through Snarestone, Congerstone, Oakthorpe and Donnisthorpe as soon as possible.<sup>38</sup>

That Mr Wyatt be wrote to by one of the Clerks and be requested to take the next earliest time he can to value and fix about the several proposed exchange and the Land of and between Mr Madan and Mr Farnell and others at Snareston and to signify when he can attend to that business to have the same finally settled.<sup>39</sup>

That Mr Wyatt be written to...to request that he will not fail to meet Mr Madan’s agent... in order that the Committee may be enabled to make a final setting with Mr Madan and the other Snareston freeholders.<sup>40</sup>

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<sup>32</sup> See P.J. Foss and T. Parry (eds), *A Truly Honest Man: the Diary of Joseph Moxon of Market Bosworth, 1798 and 1799* (Macclesfield, 1998), p. 85, for details concerning Samuel Wyatt.

<sup>33</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 15.9.1801, p. 76. Seven years after his appointment Wyatt was still in the company’s service, valuing land to be taken during the construction of its tramways.

<sup>34</sup> 34 Geo III c. 93, p. 1602. The Act stated that if a plot of land was left with less than one acre after being divided by the cutting of the canal, then the company had to purchase this land. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 2.10.1802, p. 144, regarding land being purchased in Stoke Golding ‘which has been cut off by the Canal’.

<sup>35</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 29.7.1794, p. 12.

<sup>36</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794, p. 16.

<sup>37</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 7.10.1794, p. 27.

<sup>38</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 30.3.1795, p. 52.

<sup>39</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 31.5.1796, p. 115.

<sup>40</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 25.1.1797, pp. 155-6.

Despite Wyatt's procrastination – which may have at times held up the project – his services were regularly used during the canal's development and the minutes record him negotiating land purchases with landowners such as Mr Wollaston who in December 1795 was to be 'paid for the land purchased off him for the purpose of the Canal according to the valuation thereof made by Mr Wyatt',<sup>41</sup> and valuing the amount of compensation to be paid regarding damage:

That the Claims by Mr Dixies tenants for Damage amounting to £135 11s 2 ½ d and which have been settled by Mr Wyatt at that the Sum here allowed and paid.<sup>42</sup>

Besides Wyatt, other company representatives such as Joseph Wilkes were called upon to negotiate with property owners.<sup>43</sup> Hadfield states that committee members became involved in the process when there was dissatisfaction regarding canal agents' initial award.<sup>44</sup> However, given the evidence of Wyatt's perceived slow work rate, it is possible that the company also engaged other people to speed up the process.

Wyatt was authorised to negotiate directly with landowners or their agents regarding the value of the land and possibly the method of payment.<sup>45</sup> Having been given

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<sup>41</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 8.12.1795, p. 92.

<sup>42</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 27.12.1802, p. 159. This would have been an interesting situation for Wyatt as he was also considered 'Dixie's preferred land surveyor'. See Foss and Parry, *Diary of Joseph Moxon*, p. 128. Whether he was still in his employment in 1802 is not known; however, Moxon makes numerous references to his services during 1798 and 1799.

<sup>43</sup> For example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 31.10.1794, pp. 32-3. It was ordered that 'Mr Wilkes be requested to wait upon Mr Walker at Leicester and to treat him for the purchase of his Land which is intended to be used for the purpose of the Canal'. For an example of Wilkes and Wyatt working together see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 21.6.1796, p. 119, where Wyatt is requested to meet Wilkes at the Union Inn in Measham (owned by Wilkes) where they were to 'settle with Mr Madan, Mr Farnell and Mr Spencer for the price of their Land to be taken for the use of the Canal'. Numerous other company representatives were called upon to broker such deals, for example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.1.1795, p. 46, concerning Leonard Piddocke's participation in the process.

<sup>44</sup> C. Hadfield, *British Canals: the Inland Waterways of Britain and Ireland* (1950, Stroud, 1994), p. 32.

<sup>45</sup> The minutes reveal how property owners' land agents were often involved in the process, negotiating with or on behalf of their employers. See H. Newby, *Country Life: a Social History of Rural England* (London, 1987): 'Although ultimate authority was vested in the landowner typically it was the agent who was delegated to deal with drawing up leases and tenancy agreements, ensuring that they were observed, collecting rents, supervising the home farm, keeping accounts and ensuring the payment of wages, taxes, tithes, rates etc', p. 25. See also R. Porter, *English Society in the Eighteenth Century* (1982, London, 1990), p. 76, for a description of middle-class professions such as land agents where Porter claims that 'their status was low', adding they were 'never incorporated: without academic training, exams and paper qualifications'. Colonel Hastings' agent, Mr Crossley, must have impressed the select committee as he later

Wyatt's evaluation, landowners then had to consider whether the award was acceptable.

Burton quotes Archibald Millar, the engineer on the Lancaster Canal, as stating:

When the Land occupiers or Landowners understand that you must have their land & immediately for to let your Contractors get on, then at that time every one of them will try to impose, and they are certain not to settle but at the most Extravagant Rates.<sup>46</sup>

Evidently the engineer is exaggerating; yet Burton concedes that 'a few landowners did try to take advantage of finding themselves in a seller's market'.<sup>47</sup> This would apply to Mr Farnell, who in addition to requesting a deviation also haggled for what the committee considered a high rate as the minutes record:

That he shall have £100 an Acre for the land to be taken for the line proposed instead of the Parliamentary line...And if he is not satisfied with this offer: - the Works shall proceed on the Parliamentary Line through Mr Farnell's Estate.<sup>48</sup>

Ward's research on land purchase by canal companies reveals that during the 1790's and 1800's Leicestershire landowners received on average £75 an acre.<sup>49</sup>

Unfortunately we cannot calculate the amount concerning the Ashby Canal as none of Wyatt's documents have survived; however, we do have the prices from the select committee's involvement in the evaluations,<sup>50</sup> and table 39 reveals how these ranged from £42 (given to Mrs Grove),<sup>51</sup> to £200 an acre (awarded to Mr Abney).<sup>52</sup> To date the

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gained employment as a canal company agent. For an example of the company negotiating with Crossley while Hastings employed him see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 15.6.1795, p. 64.

<sup>46</sup> A. Burton, *The Canal Builders* (1972, Newton Abbot, 1981), p. 132.

<sup>47</sup> Burton, *Canal Builders*, p. 132.

<sup>48</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 2.5.1797, p. 175. The entry further states they were awarding Farnell £16 an acre more than Mr Wyatt had valued the land. T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 7.6.1797, p. 178. The minutes record that Farnell was in fact to be paid 100 guineas rather than pounds. Evidently Farnell managed to squeeze a little more out of the company despite £100 being their final offer.

<sup>49</sup> J.R. Ward, *The Finance of Canal Building in Eighteenth-Century England* (London, 1974), p. 146.

T.N.A., RAIL 803/12/3 (Robert Whitworth Snr's estimate), 20.12.1792: Whitworth estimated the company would pay £50 an acre for land the canal cut through, £55 an acre for the land affected by the branches and £35 an acre for land taken for the reservoir. He further estimated that the required common land would cost between £10-15 an acre.

<sup>50</sup> The minute books reveal details regarding other land purchases, however, they only state the amount paid and do not record the acre price.

<sup>51</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 2.5.1797, p. 175.

<sup>52</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 27.10.1801, pp. 89-9. This was for land the tramways were to be constructed upon. The entry further states that Mr Abney, who later progressed to the select committee and general assembly chairman, was also to have a wall eight foot high constructed on the

available evidence cannot confirm why there are such differences.<sup>53</sup> However, a possible explanation could be that the exceptionally high prices were the instances where Wyatts' initial offer had been rejected and the landowners had appealed to the select committee who then made increased awards.<sup>54</sup> While the lower prices could be the accepted initial offers made by company representatives who were involved in the process to speed up the required evaluations.

**Table 39: The known amounts paid by the Ashby Canal Company for land.**

<b>Date</b>	<b>Landowner</b>	<b>Price an acre</b>
12.8.1794	Mr Elton	£160
12.11.1794	Mr Spencer	£130
17.11.1795	Mr Hawkins	£150
9.5.1795	Mr Madan	80 Guineas
18.5.1796	Mr Curzon	50 Guineas
7.6.1797	Mr Farnell	100 Guineas
7.6.1797	'Several Proprietors' of Congerstone Field	£52
13.6.1798	Mr Pares	£90
27.10.1801	Mrs Grove	£42
27.10.1801	Mr Abney	£200*
22.1.1802	Messrs Eaglestone, Mallabar and Choyce	£50*
4.5.1802	Mr Jee	£70
15.6.1802	Mr Morris	£45

\* This was for land to be used by the connecting tramways.

If property owners were still dissatisfied with their award following negotiations with the company management, their case could be referred to independent commissioners and if they failed to satisfy both parties it was then transferred to the Quarter Sessions.<sup>55</sup> No negotiations with the Ashby Canal Company regarding land prices required such action, either because the select committee was aware that

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west side of the railway and a quick hedge on the east side. Furthermore, his spring was to be diverted and conducted through his fishponds and extra access gates fitted. This was to be all at the company's expense.

<sup>53</sup> It is unfortunate that we do not have the complete list of land prices, as it would be interesting to analyse whether gender had any affect on the awarded amount. Table 39 suggests that the landowners' sex may have affected the negotiated price as the lowest known amount awarded was to a women, however, this could be just coincidence.

<sup>54</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 2.5.1797, p. 175.

arbitration was costly and time-consuming or because the landowners' demands were reasonable.<sup>56</sup> Mr Wilson almost forced the select committee to take such action as in May 1796 the minutes record:

That it be considered at the next Meeting whether it will be expedient to call out the Commissioners in order to ascertain the value of Mr Wilson Land to be taken for the purpose of the Canal.<sup>57</sup>

However, following this entry no further references to the dispute were made.

Purchasing land evidently involved considerable cost and Gladwin's study of the Somerset Canal reveals that 8% of the waterway's construction cost was for land purchase;<sup>58</sup> while Ward's research on landowners affected by canals during the eighteenth century concludes that the national average was closer to 10%.<sup>59</sup>

Unfortunately there is insufficient evidence to make such calculations regarding the Ashby Canal.<sup>60</sup> Still, using again more of Ward's findings it is possible to establish that Leicestershire canal companies paid an average of £487 for every mile of land purchased.<sup>61</sup> Therefore, if the land expenses of the Ashby Canal Company were typical of Leicester canals it can be estimated that owners of properties affected by the waterway would have received collectively £14,625.<sup>62</sup>

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<sup>55</sup> See 34 Geo III c. 93, p. 1603.

<sup>56</sup> Burton, *Canal Builders*, p. 132. Burton states that it was in the interest of the canal company to agree quickly on a price and avoid involving costly lawyers. See also Ward, *Finance of Canal Building*, p. 50, regarding how 'landowners usually accepted fair prices for their property'.

<sup>57</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 23.5.1796, p. 113.

<sup>58</sup> D.D. Gladwin, *British Waterways* (London, 1977), p. 36.

<sup>59</sup> Ward, *Finance of Canal Building*, p. 144.

<sup>60</sup> T.N.A., RAIL 803/12/3 (Robert Whitworth Snr's estimate), 20.12.1792. Whitworth estimated that the cost of purchasing enclosed and common land for the main line, branches and reservoir would come to £23,050.

<sup>61</sup> Ward, *Finance of Canal Building*, p. 144. Ward states that a canal 'usually required between five and eight acres of land per mile' (6.5 acres). As we have already established he also calculated that each acre in Leicestershire cost on average £75, therefore the average cost per mile was £487.

<sup>62</sup> This calculation does not include the amounts paid to the owners of property that the tramways cut through, as to date no studies have been found concerning how many acres per mile the tramways used.

## Land issues during the construction of the canal

The 1794 Act gave the Ashby Canal Company the powers of compulsory purchase providing they adhered to specific and defined regulations such as clause XXIX:

That the lands or Grounds to be taken or used for such Canal and cuts or Branches respectively, and for the Towing Paths to each and the Ditches, Drains, and Fences, to separate such Towing Paths from the adjoining Lands, shall not exceed Twenty-Four Yards in Breadth.<sup>63</sup>

The Act further stated that allowances had to be made for structures exceeding the 24 yard limit such as turning points, basins, docks, reservoirs, wharf houses, warehouses, cranes and weighing beams.<sup>64</sup> Yet where land needed to be ‘raised higher or cut more than Five Feet’, the 24 yard limit could be exceeded.<sup>65</sup> Like most contour canals there are numerous such constructs along the Ashby Canal and no better example can be found than at Shenton aqueduct, where the embankments have evidently had a major impact on the landscape.<sup>66</sup>

For many of those affected by the waterway’s construction, the process of having the landscape altered by legal processes, often instigated by locals – who then employed outsiders to carry out the work – would have been familiar. As I have established, enclosures were still an on-going process in the area and it is probable that certain fields marked upon the map that accompanied the Book of Reference were constructed during the lifetime of some of those facing the implementation of the new waterway.<sup>67</sup>

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The figure is however, close to Whitworth’s own 1792 estimate of £13,500 for land for the main line of the canal: See T.N.A., RAIL 803/12/3 (Robert Whitworth Snr’s estimate), 20.12.1792.

<sup>63</sup> 34 Geo III c. 93, p. 1600.

<sup>64</sup> 34 Geo III c. 93, p. 1600.

<sup>65</sup> 34 Geo III c. 93, p. 1600.

<sup>66</sup> If the canal company kept to the 24-yard limit, the affected area would be approximately 1.5 square miles (24 yards x 30 miles). If we add the additional land taken for high embankments, reservoirs, wharves etc., then the figure would be closer to two square miles. These calculations do not include the amount taken by the tramways that were constructed in place of the canal branches.

<sup>67</sup> Regarding the enclosure movement in the area see R.C. Allen, *Enclosures and the Yeoman: the Agricultural Development of the South Midlands, 1450-1850* (Oxford, 1992), who states that ‘hedging and ditching were done by gangs of piece workers who shifted from enclosure to enclosure’, adding that ‘much

It must also be recognised that many of the local inhabitants, especially the poor, had little – if any – say in the changes that were occurring, despite having to live with the daily disruption to their villages, towns and place of work.<sup>68</sup> While some literate farm servants and landless labourers may have signed pro- or anti-canal petitions before the passing of the Act, there was no equivalent to the modern day public enquiries that normally precede contemporary large-scale developments. It can further be assumed that approaching company representatives with complaints concerning the building of the canal would have been much harder for those of the lower orders.<sup>69</sup> This may explain the occasional reports of damage to the canal during its construction such as reported in September 1802: ‘Part of the Canal water was on Saturday night last or early Sunday Morning wilfully and maliciously let out in the parish of Coton’.<sup>70</sup>

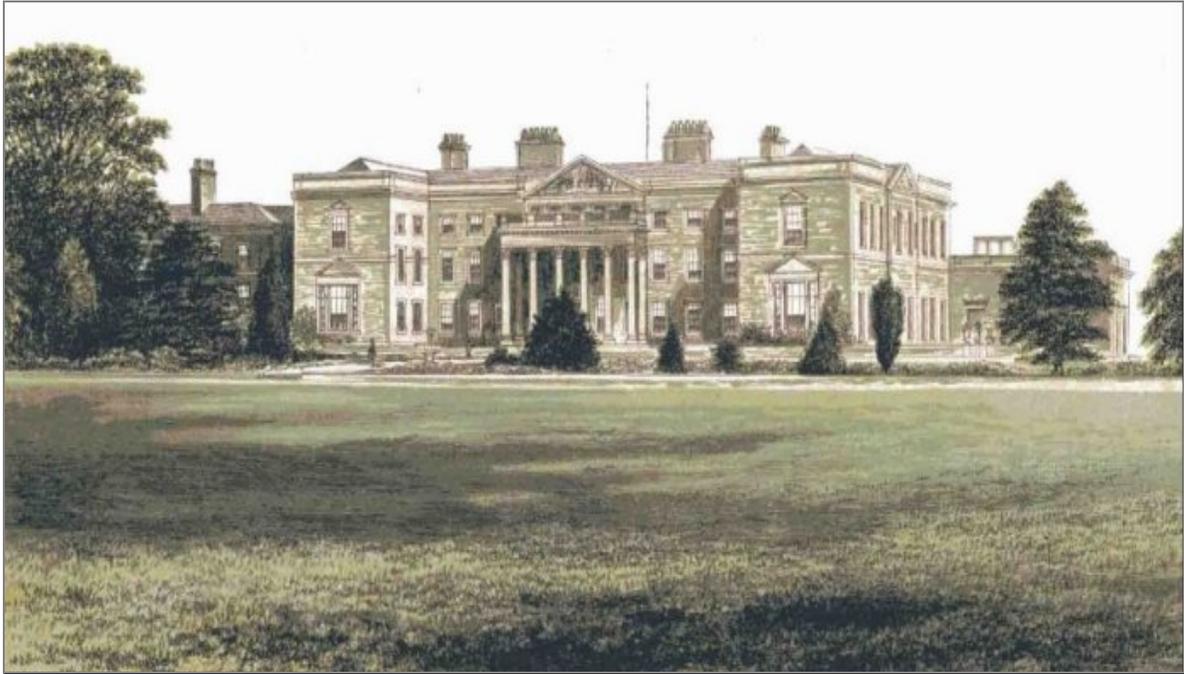
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of the work was done by contractors from other places’, p. 166. Allen also states that nineteenth century rural society was ‘characterised by exceptional inequality’ and that ‘English property ownership was unusually concentrated. Rents had risen, while wages stagnated. By the nineteenth-century the landlord’s mansion was lavish, the farmer’s house was modest, the labourer’s cottage a hovel’.

<sup>68</sup> B. Reay, *Rural England: Labouring Lives in the Nineteenth Century* (Basingstoke, 2004), p. 23. Reay considers that the ‘conventional division of rural society into landlord, tenant farmer and landless labourer no longer adequately describes the nineteenth century situation’ and claims that the rural workforce was much more complex. The case of the investor Abraham Wallis is interesting as despite registering himself as a labourer there is no evidence of him getting into arrears and he regularly attended meetings. For example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.10.1794, p. 22, where Wallis is listed at a general assembly chaired by the Earl of Moira.

<sup>69</sup> Allen, *Enclosures and the Yeoman*, p. 7: Allen claims that labourers’ lives during this period were ‘wretched’. See D. Davies, *The Case of the Labourers in Husbandry, Stated and Considered* (1795, Fairfield, 1977), p. 1. Davies’s contemporary opinion of labourers was that they were invaluable: ‘they are the men, who, being constantly employed in the cultivation of the earth, provide the staff of life for the whole nation’. See also G.M. Trevelyan, *The Life of John Bright* (London, 1913), p. 47. Trevelyan describes the average villager as the ‘landless hireling of the big tenant farmer and the landlord’.

<sup>70</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 7.9.1802, p. 142. The select committee offered a reward of 20 guineas for information regarding the crime. Whether this was premeditated damage carried out by unhappy locals or just vandalism has to date not been established. See 34 Geo III c. 93, p. 1656, regarding the ‘Penalty on Persons wilfully damaging the Canal’. See also Newby, *Country Life*, pp. 38-9, regarding conflict and unrest in rural areas during this period.



**Figure 51: Gopsall Hall (1890).**<sup>71</sup>

Source: Norton Juxta Twycross Village Institute, 'Gopsall Hall Gallery.'  
<http://www.nortonjuxtatwycross.co.uk/images/stories/gopsall-hall/gopsall-print.jpg> (12/1/2010).

Once the canal's construction began, the detractors (many of whom were landowners) lost all strategic cohesion with the disbanding of its association.<sup>72</sup> Yet while the opposition no longer acted as a collective, this did not prevent the two main protagonists, Curzon of Gopsall Hall (Figure 51) and Dixie of Bosworth Hall (Figures 52 and 53), from being disruptive,<sup>73</sup> although the days of Curzon's impromptu interruptions of canal company meetings were now a thing of the past.<sup>74</sup> Instead the M.P. for Leicester communicated his opinions through his steward, Dickinson,<sup>75</sup> who continued to be a thorn in the select committee's side even after his master's death in 1797.<sup>76</sup>

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<sup>71</sup> The hall was demolished in 1951. See G. Oakley, *A History of Gopsall* (Sheepy Magna, 1995) and A. Bamford, G. Oakley, J. Oakley and E. Tomlinson, *From an Open Wooded Hilltop* (Market Bosworth, 2006).

<sup>72</sup> Previous opposition meetings were featured in the local papers, but once the Act was passed no further gatherings were advertised. For an example of a detractors' meeting see *Leicester Journal*, 2.8.1793.

<sup>73</sup> See Burton, *Canal Builders*, p. 132, regarding how some country squires and aristocrats 'could hardly believe that it was possible for their land to be bought without their consent'.

<sup>74</sup> T.N.A., RAIL 803/1 (Ashby Canal Minute Book 1), 18.10.1792, pp. 18-9.

<sup>75</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 7.9.1796, p. 128, regarding objections to substandard work concerning the 'Trunks for conducting the water under the Canal near Gopsall'.

<sup>76</sup> There are numerous entries concerning the objections of Mr Dickinson after Curzon's death. For example see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 19.11.1800, p. 36, where the employee of Gopsall



**Figure 52: Bosworth Hall, the family home of the Dixies.**

Source: P. Mainey, 'Bosworth Hall 1.' <http://www.flickr.com/photos/petemainey/4322599487/> (13/1/2010).



**Figure 53: A detail from a painting of Bosworth Hall and Park, c. 1725.**

Source: Wikipedia 'Bosworth Hall.'  
[http://upload.wikimedia.org/wikipedia/commons/f/f1/Bosworth\\_Hall.jpg](http://upload.wikimedia.org/wikipedia/commons/f/f1/Bosworth_Hall.jpg) (25/1/2010).

Dixie – unlike Curzon – survived the construction of the canal, and the diaries of his steward provide an insight into his master's continued annoyance with canal issues

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Hall was invited to meet with Mr Wilkes, Mr Ingle and Mr Farmer at the Union Inn to 'settle with them respecting the several matters in dispute'.

and personnel, despite being paid £1500 for his property.<sup>77</sup> Moxon records how copies of the Parliamentary Act were accessible to some landowners, as he describes reading one with his master to ascertain whether Dixie could legally prevent a wharf being constructed on his land (Figure 54).<sup>78</sup> The Act stated he could not; however, as Moxon's entries show, this did not stop Dixie from attempting to hinder the process, even when Joseph Wilkes became personally involved:

Mon 26<sup>th</sup> April 1798

Settled with Dixie and he said what did Wilkes want now? I said he best knew, and he said they might land coal in the lane. I told him of their intending to land on Francis Payne's towing path etc. He said the[y] could do no such thing and that I must discharge them from it.<sup>79</sup>

Prior to Wilkes' visit, the select committee had written to Dixie informing him that the canal was now in operation between Ashby and Shenton and offered to construct a wharf on his land at their own expense.<sup>80</sup> However, it was not until December 1798 that Dixie finally accepted the inevitability of having a wharf. Yet he still declined the canal company's offer to construct it and instead gave the work to his tenants, presumably to prevent canal company labourers being on his land again (Figure 54).<sup>81</sup>

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<sup>77</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 27.12.1802, p. 159. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 12.11.1794, pp. 37-8, regarding how Dixie only allowed the canal permission to enter his property on the condition that no quarrying or brick making occurred.

<sup>78</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 61: 'Went to Mr Dixie with Canal Act'. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 15.10.1794, p. 30, regarding how the canal company approached Dixie as early as October 1794.

<sup>79</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 62. The canal company must have considered Wilkes and Dixie to be on good terms as Wilkes was usually called upon to deal with Dixie. Foss and Parry further reveal how during a Chancery case against Dixie, Wilkes was listed as a witness for the defence, p. 18.

<sup>80</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.3.1798, p. 201. This would have pleased the gentlemen from 'the Neighbourhood of Bosworth' who approached the canal company as early as May 1796 signifying their wishes to obtain lime from Ticknall as soon as possible. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 18.5.1796, p. 112. Evidently the canal had some support in Bosworth.

<sup>81</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.3.1798, p. 207, regarding the company's offer to construct a wharf. See Foss and Parry, *Diary of Joseph Moxon*, p. 83, concerning the wharf's construction and Moxon's involvement.



**Figure 54: Bosworth Wharf and Bosworth Wharf Cottage prior to demolition.**

Source: The Ashby Canal Association, 'Ashby Canal Association Archive.'  
[http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/01/2010).

Dixie and Curzon were not the only aggrieved property owners; numerous charges by other landowners were made against the company especially concerning damage to property, notably due to brick making, or the depositing of spoil.<sup>82</sup> The resulting payments of compensation were an accepted expense in building canals and Robert Whitworth's 1792 quote of £63,402 9s 5d for the main line of the canal included £5763 9s 5d for Temporary Damages to Land and Mills, Impediments to works, Engines, Utensils and supervisal'.<sup>83</sup> Just like the valuing process, the assessment of damage and the paying of compensation was usually carried out independently of the select committee – often by Wyatt or company engineers – unless there were disagreements

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<sup>82</sup> For brick making damage see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 30.8.1796, p. 126: 'Mr Farmer and Mr Jewsbury having with the consent of Mr Gadesby estimated the temporary Damages occasioned by brick making upon this Land at Snarestone and the same having been estimated at £40'. Regarding spoil damage see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 27.10.1795, pp. 85-6: 'Mr Madan having acquainted the Committee with the manner in which he was desirous of having the Spoil banks upon his Estate at Snarestone levelled'. What forms of damage most landlords and tenants suffered cannot be ascertained as the reports rarely provide details regarding claims.

<sup>83</sup>T.N.A., RAIL 803/12/3 (Robert Whitworth's 1792 estimate). Whitworth's prediction that 10% of the canal's budget would go on payments for damage appears excessive when compared to the Caledonian Canal whose expenditure accounts record that less than 5% of the total costs were for 'Purchase of land and payments on account of damage'. See D.D. Gladwin, *The Canals of Britain* (London, 1973), p. 35.

concerning the awards.<sup>84</sup> But in September 1801 the company changed its policy on damages (presumably in order to keep a firmer control upon expenditure) and announced:

That no damages supposed to be done in the execution of the Canal be estimated till a particular of such Damages has been laid before the Committee for their Consideration.<sup>85</sup>

The awards recorded in the minute books show how compensation was paid not only to landowners such as Mrs Springthorpe, who was ‘paid £1 10 0 in consideration for the Damages done in the execution of the Railway thro a Close called the Bow Heath in Ashby’,<sup>86</sup> but also to tenants, such as Mr Townsend of Burton Hastings who rented land from Mr Simpson,<sup>87</sup> and the ‘several Occupiers of Land in Congerstone Field’ who were paid for ‘Damage which may have been done to their respective properties by the Execution of the Canal’.<sup>88</sup> To date it has not been possible to ascertain how the company decided whether payments should go to property owners or occupiers. However, it is probable that proprietors claimed for damage to structures such as roads and buildings, whereas tenants were recompensed for damage to their crops.<sup>89</sup>

Other criticisms levied at the canal company were for ‘entering’ property before it had been valued or paid for:

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<sup>84</sup> Occasionally, general inspections were ordered by the company’s management to ascertain the impact the canal was having. See also T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 30.9.1796, p. 128, where Mr Wyatt is ordered to carry out such an assessment.

<sup>85</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 1.9.1801, p. 75.

<sup>86</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 20.5.1802, p. 120. This was the landlady of the White Hart in Ashby, where the committee regularly held its meetings. If landowners who had suffered damage were also shareholders in arrears, the canal company paid them compensation by taking the amount owed for damages off the amount owed for shares. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 16.10.1797, p. 192, regarding the announcement of this policy.

<sup>87</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.8.1797, p. 185. Simpson is not listed as a landowner in the Book of Reference, therefore this must be damage done to property not cut by the canal.

<sup>88</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 18.8.1801, p. 72. See Porter, *English Society in the Eighteenth Century*, p. 69: ‘By 1790 about three quarters of English soil was cultivated by tenants’. See also Reay, *Rural England*, p. 12, who describes farmers as ‘a kind of pseudo-gentry in many nineteenth century parishes...little kings of village life’. See also Newby, *Country Life*, who states that from 1793 onwards it was not a bad time for farmers as they ‘prospered during the wartime economy on the basis of rising grain prices, so an increased gulf opened up in the standard of living of the farmer and his workers’, p. 34. For a literary account of the tenant/landowner relationship see Mrs Poyser’s speech in G. Elliot, *Adam Bede* (1859, Reading, 1980), p. 392.

<sup>89</sup> I am grateful to K.D.M. Snell for this suggestion.

It appearing by Mr Whitworths' information that Mr Hartop Wrigley's Land in Stoke Golding on Dadlington No 102 in the plan has been entered upon for the purposes of the Canal and that Mr Lowdham as Mr Wrigley's Agent has intimated this expectation of receiving satisfaction for the same.<sup>90</sup>

A Letter from Mr Harrison Lord Spencer's Agent addressed to Mr Wilkes having this day produced and read representing the Land taken for the use of the Canal belonging to St Albans Charity and signifying that his Lordship was much dissatisfied that the land was not paid for.<sup>91</sup>

It is not surprising that the land owned by the late Duchess Dowager of Marlborough's Charity at Saint Albans' was entered without payment as by 1799 the company began experiencing cash flow problems. Money could be raised, but this was a slow process and landowners who were owed money were evidently becoming nervous, as exemplified by Mr Madam who was reported confronting the select committee and demanding that his account was settled.<sup>92</sup> The company managed the crisis by continuing to put pressure on shareholders in arrears and by asking landowners to accept interest payments of 5 % of the value of their property with a promise that full payment would be made at a later stage.<sup>93</sup> The success of the latter of the two policies cannot be ascertained; however the minutes record at least two owners of land accepting such conditions including Mr Spencer, who also lived in Snarestone:

That Interest after the rate of £5 per Cent be paid by the Treasurer to Mr Spencer upon the Principal Sum of £165 15 0 the Sum due to him from the Company for Land at Snarestone taken for the Use of the Canal until that Sum be paid to him.<sup>94</sup>

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<sup>90</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 21.6.1796, p. 118.

<sup>91</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 13.9.1799, p. 254. The canal company responded by ordering Wilkes to attend Mr Harrison with a view to 'settle with him'.

<sup>92</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 20.10.1800, p. 34. See Foss and Parry, *Diary of Joseph Moxon*, p. 48, regarding 'Samuel Madan Esq., of Snarestone Lodge'.

<sup>93</sup> The canal company also adopted the policy of settling with property owning shareholders that were in arrears, by taking off the amount awarded for land from the amount owed by the landowners to the company. For example see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 23.12.1800, p. 39, where 11 landowning investors in the canal are treated in this way.

<sup>94</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 20.5.1800, p. 20. The same offer was made to the governors of Ravenstone Hospital; however, they were guaranteed payment in a year's time. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 1.9.1801, p. 74.

The need for bridges also brought the committee and landowners to the negotiating table.<sup>95</sup> Today 26 road bridges cross the canal and the minutes record how occasionally building such constructs impacted upon landowners' property,<sup>96</sup> and none more so than in Measham as to make 'an Easy and Moderate descent' from the bridge, the road had to be raised to a level higher than the chamber floor of seven houses belonging to Mr Wilkes and three owned by Mr Croshaw (Figures 55 and 56).<sup>97</sup> This resulted in the canal company offering to construct a wall to protect the houses 'from any injury and inconvenience by the said Road' (Figure 56), and to remove the 'Doors and Windows in the said Several Houses...to the East side'. Furthermore, two houses were to be demolished for which Wilkes was to be awarded ten pounds 'as a Satisfaction for the Houses to be taken down'.<sup>98</sup>



**Figure 55: Measham High Street Bridge.**

Source: The Ashby Canal Association, 'Ashby Canal Association Archive.'  
[http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/01/2010).

<sup>95</sup> See 34 Geo III c. 93, pp. 1628-31, regarding legislation concerning bridges.

<sup>96</sup> See *Waterways World*, July 2008, pp. 74-6, regarding Stan Heaton's collection of photographs of Ashby Canal's bridges. See also D. Perrot, J. Mosse and J Mosse, *The Ordnance Survey Guide to the Waterways 3: Birmingham and the Heart of England* (London, 1997): Today's bridges are numbered from 1-61, however bridges 7,18,24 and 55 have been removed and two added (17A and 34A). In total this leaves 59.

<sup>97</sup> While the road bridge still exists today as shown by figure 56, this section of the canal depicted in the image no longer exists.

<sup>98</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 12.11.1794, pp. 37-8.



**Figure 56: The southern slope of the canal bridge through Measham.**

Other houses also had to be demolished. In September 1795 the minutes state

That Mr Newbold be appointed ... to make an estimate of the Expenses of taking down and Rebuilding Several Buildings belonging to Mr Maddan situated on the Banks of the Tunnel at Snarestone and when the same has been so estimated the Amount of such Estimate be paid to Mr Maddan, he having expressed a wish to superintend himself the taking down and rebuilding such Buildings.<sup>99</sup>

Unfortunately for the canal company Mr Madan was one of the more troublesome landowners and the above redeveloping appears to have required arbitration as the minutes record in January 1796:

That Mr Madan be paid the Sum of money at which the pulling down and rebuilding of some houses at Snareston has been estimated by two persons, the one nominated by Mr Madan and the other by the Company.<sup>100</sup>

The Book of Reference reveals that the affected land was rented out to 119 tenants and one trust,<sup>101</sup> and many of these farmers needed the company to provide

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<sup>99</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 11.9.1795, pp. 74-5.

<sup>100</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.1.1796, p. 93. See also Foss and Parry, *Diary of Joseph Moxon*, p. 32: Foss and Parry state that Canister Hall 'the old farmhouse of William Godfrey of Coton' had to be taken down as it 'lay on the line of the aqueduct at Shenton' and that Godfrey received £101 10s compensation which he used to build 'Aqueduct Farm for himself just west of the bridge'.

<sup>101</sup> W.C.R.O., QS 111/2/6 (Book of Reference). Unfortunately no documents have been found which list the tenants and property owners affected by the tramways. The Book of Reference lists those whose land was to be cut through by the branches, but the tramways took a different route than the canal appendices.

access to land that was either cut off by the canal or made difficult to get to.<sup>102</sup> The solution was access bridges, of which today 37 have survived (Figure 57).<sup>103</sup> Negotiations regarding what the canal company referred to as ‘occupation bridges’ began before Parliamentary consent had been obtained and continued during the construction process.<sup>104</sup> The issue was so important that special committees were formed to periodically assess awards in specific locations with the first inspection carried out by Mr Wilkes, Mr Crossley, Mr Elton and Mr Hill ‘for fixing upon situations for Occupation Bridges’.<sup>105</sup>



**Figure 57: Bridge 48 known as Dakins’ Bridge.**

Source: M. Fascione, ‘The big sky.’ <http://www.geograph.org.uk/photo/931502> (17/3/2010).

<sup>102</sup> J. Barry, ‘Introduction’, in J. Barry and C. Brooks (eds), *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), p. 13. These were not necessarily landless farmers who were unable to purchase their own land; it is possible that they owned land elsewhere. Barry states, ‘many yeoman combined ownership, freehold and other tenancies and sub tenancies of land in bewildering fashion’. See also T. Williamson, *The Transformation of Rural England: Farming and the Landscape, 1700-1870* (2002, Exeter, 2003): ‘only a minority of farmers were owner-occupiers. Most held tenancies of varying duration’, p. 16.

<sup>103</sup> 25 of these bridge names include people’s surnames. Through cross-referencing these names with the list of tenants found in W.C.R.O., QS 111/2/6 (Book of Reference), the 1794 map that accompanies the Book of Reference, see W.C.R.O., QS 111/2/3, and the names of those taking part in the debate during July 1793, it is possible to establish that Varnham’s Bridge, Hill’s Bridge, Geary’s Bridge and King’s Bridge were all constructed on land rented by individuals of the same name who were also involved in the debate over the proposed canal. This indicates that some access bridges were named after the family working the land, presumably at a later date, hence not all the names providing positive matches. Interestingly a member of the detractors’ committee, William King – who rented land owned by Dixie – has bridge 43 at Market Bosworth named after his family name. See *Leicester Journal*, 2.8.1793 for evidence of King’s involvement in opposing the canal.

<sup>104</sup> 34 Geo III c. 93, pp. 1628-9.

<sup>105</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.1.1795, pp. 46-7. See also T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 1.9.1801, p. 73, regarding inspections carried out in the Stoke Golding and Higham area. Of the original 1795 committee’s personnel, Wilkes was the only member still serving on the occupation bridge committees in 1801.

Once the award had been made, some tenants had the option to rescind on their original request and receive a payment instead. William Vernon took up this option and was paid ‘£47 5 0 instead of a Bridge to which he was entitled under the Act of Parliament’.<sup>106</sup> Representing Curzon’s widow, her steward Mr Dickinson, demanded £70 ‘in lieu of a bridge’, yet there is no evidence of him being awarded one. In response the select committee wrote to Baroness Howe informing her there was no need for a bridge and they had been ‘oppressed’ by the demands of her steward.<sup>107</sup>

There is also evidence of landowners exchanging land with each other in Oakthorpe so that an access bridge would not be required. These were Mr Wilkes, Mr Paddock and Mr Elton who as supporters of the canal were evidently acting in the company’s interest, as no request for payment was made.<sup>108</sup>

Not all neighbouring landowners had such good relations and occasionally the canal company became embroiled in disputes such as between Mr Croshaw and Captain Hall of Shackerstone.<sup>109</sup> In December 1794 Captain Hall agreed to the canal taking a small detour upon his land so that the waterway entered the property of his neighbour Mr Croshaw, who wanted to erect a public wharf.<sup>110</sup> However, by October 1795 relations had evidently soured as the minutes report:

Captain Hall having retracted his consent some time ago given for a deviation of part of the Line of Canal thro his Estate at Shackerstone in Order that the same

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<sup>106</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 11.9.1795, p. 75.

<sup>107</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 4.5.1802, p. 124. The canal company further lists the benefits the waterway will bring and ask her Ladyship to drop her demands until a ‘Family resides in the Mansion’. This suggests that following Curzon’s death in 1797, his family chose to live elsewhere.

<sup>108</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 21.4.1801, pp. 57-8.

<sup>109</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 7.10.1794, p. 25. Captain Hall was the only landowner who the minutes report as not being able to produce his land deeds. This resulted in the canal company refusing to pay him the ‘Six Hundred Guineas for the land Belonging to him at Shackerstone’ until they were produced; however, they did offer to pay him five percent interest on the amount he claimed to be owed until the issue was resolved. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 12.11.1794, pp. 38-9. The company also assisted the Captain by sending a company employee to view copies of his title deeds in London. See Foss and Parry, *The Diary of Joseph Moxon*, p. 135, for a contemporary account of Captain Hall, which describes him as ‘a convivial and earnest magistrate’.

<sup>110</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.12.1794, p. 42.

might touch upon the Land of Mr Croshaw thereby to give him an opportunity of Erecting a Public Wharf.<sup>111</sup>

Captain Hall was an enthusiastic supporter of the canal and one of only two landowners who were contracted to construct the canal upon their land (the other being Joseph Wilkes), yet the select committee appear at least to sympathise with Mr Croshaw's plight as they inform him that they hope the Captain can be 'prevailed upon to consent upon such deviation'.<sup>112</sup>

Other landowners appear to have been more fortunate than Croshaw regarding route changes, such as Mr Spencer who requested a small variation to the line through Snarestone.<sup>113</sup> It was also possible for some property owners to dictate what side the towpath was to be on. Captain Hall negotiated the switch from West to East during the promotion phase (bridge 52), and during the canal's construction the landowner Farnell persuaded the canal company to keep it on this side once it started again at the northern end of the Snarestone tunnel. The towpath was then moved back to the west side at bridge 61 (Turnover Bridge), which again suggests some influence from a property owner on the opposite side of the waterway in the Snarestone area.

### **Water management during the canal's construction**

The Ashby Canal was not just a small contributor to the expanding canal network that was spreading throughout the country, it must be also considered within the context of eighteenth and nineteenth-century 'improvements' that incorporated water management,<sup>114</sup> such as reservoir construction, the laying of water pipes for domestic

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<sup>111</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 27.10.1795, p. 86.

<sup>112</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 27.10.1795, p. 86.

<sup>113</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 23.2.1795, p. 51.

<sup>114</sup> Briggs, *Age of Improvement*, pp. 3-19. Briggs explains how the notion of improvement allowed men to 'dream dreams' and encouraged the mastering of 'natural forces'.

use,<sup>115</sup> river defences,<sup>116</sup> water-powered textile mills,<sup>117</sup> and new forms of field drainage.<sup>118</sup> This aspect of human development was – and still is – crucial to the process of industrialisation and has major implications concerning environmental issues, however its history has been given insufficient attention.<sup>119</sup>



**Figure 58: The remnants of the Ashby Canal feeder reservoir.**

The Ashby Canal Company had two basic water governance challenges. First of all an adequate amount of water was required to keep the waterway functional and secondly existing water supplies protected by legislation were not to be interfered with. A

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<sup>115</sup> J.S. Phipps, *Leicestershire in Parliament: a Record of the Use of the Private Bill Legislation to Benefit and Improve the City* (Leicester, 1988), pp. 115-120. See also Leicester Water Committee, *The Leicester Water Undertaking, 1847-1974* (Leicester, n.d).

<sup>116</sup> Phipps, *Leicestershire in Parliament*, p. 78.

<sup>117</sup> Trinder, *Making of the Industrial Landscape*, pp. 62-6.

<sup>118</sup> A.D.M. Phillips, *The Underdraining of Farmland in England During the Nineteenth Century* (Cambridge, 1989). See also A.D.M. Phillips, 'Arable land drainage in the nineteenth century' in H. Cook and T. Williamson (eds), *Water Management in the English Landscape: Field, Marsh and Meadow* (Edinburgh, 1999).

<sup>119</sup> See Trinder, *Making of the Industrial Landscape*, pp. 49-50, for a description of industry harnessing the power of water. For a global perspective on water issues see G.T. Miller, *Living in the Environment* (Belmont, 1972), pp. 333-56 on how poor water resources affect famine and how water shortages are

solution to the former of the two problems was to construct a reservoir at the northern end of the waterway (Figure 58).

The reservoir was to be built upon property that in 1794 was owned by seven people,<sup>120</sup> however, when the land was bought for £680 12s 6d in 1799 only one person owned this property: the Earl of Moira.<sup>121</sup> Either the noble had purchased all the land prior to 1799 or the designated location of the construct had changed. Whatever the circumstances, the company certainly benefited from having only Moira to deal with as during the excavations a significant amount of ironstone and coal was found, which threatened the project's progress, as legally the removal of landowners' extractive material could take precedence over the construction of the reservoir.

Fortunately for the company Moira agreed that supplying the canal with a sufficient water supply was more important and he agreed to refrain from any extraction from the site, providing the committee agreed to his terms. These were, if his planned mining and quarrying ventures were unsuccessful in the area between the reservoir and canal, that the company had to 'lay the reservoir dry so as to enable him to get the minerals within the Banks, or...make him the Compensation directed by the Act of Parliament'.<sup>122</sup> Finally in January 1801 the company engineer was ordered to fill the newly constructed reservoir.<sup>123</sup>

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leading to conflict between cities and farmers. See also p. 340 for an account of countries clashing over rights to water from rivers such as the Nile, Tigris and Euphrates.

<sup>120</sup> W.C.R.O., QS 111/2/6 (Book of Reference).

<sup>121</sup> T.N.A., RAIL 803/19 (Reservoir from Ashby Wolds).

<sup>122</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.8.1799, pp. 246-7.

<sup>123</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 9.1.1801, p. 43.



**Figure 59: A detail of the map that accompanied the Book of Reference showing the protected spring that supplied Gopsall Hall.**

Source: W.C.R.O., QS 111/2/3.

In addition to the reservoir the canal was to utilise existing supplies, which had been sufficient to allow the canal to partially operate between Ashby and Shenton.<sup>124</sup> The Parliamentary Act stipulated that water could be taken from ‘Springs...Rivers, Brooks, Streams and Watercourses...found within the Distance of Two thousand yards from the canal’, and if such sources were under-performing the company had the legal right to ‘cleanse, scour, or deepen’ them.<sup>125</sup> This however, did not apply to all watercourses. Curzon was to be awarded compensation if his spring was affected (Figure 59), and such

<sup>124</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.3.1798, p. 201. See also T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 21.7.1801, p. 67, regarding how the company also considered using an engine belonging to Wilkes to pump water from Donnisthrope to the canal. This proposal was dropped following a report concluding it would cost £25 a year to operate and that the ‘Reservoir and other devices’ would provide sufficient supplies.

<sup>125</sup> 34 Geo III c. 93, pp.1584-5. T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794, p. 16: One of the first orders given to the engineer Mr Whitworth was to carry out tests on Curzon’s water supply, so as to ‘assure the Committee of the safety of Mr Curzon’s Spring’. See also T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 30.3.1795, p. 53: ‘That Mr Whitworth do apply to Mr Sills of Barlestone and request him to make and lay a lead pipe below the Canal for the purpose of conveying the water under the same from a certain spring in Shackerstone from which Mr Curzon’s family are supplied to Gopsall House’.

was the complexity of the deal that five pages of the Act were dedicated to his demands.<sup>126</sup>

As table 40 indicates other landowners, and residents of towns and villages lobbied the canal company to protect their water sources and the engineers ensured that many of the springs, brooks and streams that lay in the canal's path were channelled under the canal through constructed culverts or the arches of an aqueduct (Figure 60), often consulting the landowners directly during the process as the following extract shows:

That Mr Whitworth attend Captain Hall to view with him the place where a Culvert or Culverts is or are to be made agreeable to the directions of the Clause in the Act respecting Captain Hall's property and accommodation.<sup>127</sup>

**Table 40: Aspects of water management recorded in the Parliamentary Act.**

<b>Name</b>	<b>Area of land</b>	<b>Water supplies affected</b>
Curzon	Gopsall	Spring and stream not to be disturbed. A culvert and wooden pipes to ensure the water reached Gopsall Hall and other areas. Compensation set at £50,000.
Hall	Shackerstone	A stream called the 'Holme' that fed his ponds to be conveyed under the canal. The River Sense to be embanked so that it flowed freely to 'Shackerston Mill'.
Ashby residents	Ashby	The springs 'Holywell' and 'Blackfordby' not to be affected.
Repton residents	Ashby	The springs and brooks which supply the parish not to be affected including the 'Aldercar Spring and Brook and Hanson's Water House Brook'.
Ticknall residents	Ticknall	The springs and brooks which supply the parish not to be affected including 'Hanson's Water House Spring'.
No name given	Burton Hastings	The River Anker not to have its waters taken except in times of flood and to be conveyed under the canal.
Browne	Stretton en le Field	The River Mease and Bramborough Brook not to have its waters taken except in times of flood and to be conveyed under the canal.

<sup>126</sup> 34 Geo III c. 93, pp. 1586-90.

<sup>127</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 21.6.1796, p. 118.



**Figure 60: The arches of the canal's aqueduct at Shackerstone.**

Source: M. Fascione, 'Aqueduct across the River Sence.' <http://www.geograph.org.uk/photo/931464> (12/01/2010).

Despite the implementation of legislation and the constructing of culverts, numerous disputes arose during the construction process concerning water issues. For example in June 1798 Mr Eborall, representing Francis Shelton, claimed the canal had diverted water away from Shelton's mill and demanded that his client was compensated.<sup>128</sup> The select committee refuted the accusations and counter-claimed that 'no damages whatsoever has been sustained by Mr Shelton...on the Contrary the mill in question has received an additional supply of Water by means of the canal'.<sup>129</sup> As no further exchanges are recorded, it can be considered that either the canal company's assessment of the situation was correct or Shelton did not have sufficient resources to take further legal action.

There is also evidence of the canal company complaining that their water supplies were being disrupted. At a meeting in June 1803 the committee instructed one of their

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<sup>128</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 96. Foss and Parry state that William Eborall (1724-1821) was an attorney-at-law from Atherstone and he is described as 'a professional man of considerable social standing and authority'. He was also listed as a landowner in the canal company records, see W.C.R.O., QS 111/2/6 (Book of Reference).

engineers to warn Thomas Towel and William Powdrell that if they obstruct a newly constructed feeder that crossed their land ‘they will be immediately prosecuted’ and further resolved to threaten ‘Gadsby of Carlton’ that if he draws off anymore canal water he will also be prosecuted.<sup>130</sup>

As the above examples demonstrate, water was a valuable commodity that had to be protected. However, not everyone welcomed additional supplies, especially colliery owners such as Moira who through his agent Mr Cox complained to the select committee in May 1804 that the canal was actually leaking and causing considerable disruption to his coal works at Donnisthorpe.<sup>131</sup>

### **The replacing of canal branches with tramways**

Many of the collieries, quarries and limeworks, which hoped to benefit from the Ashby Canal, were situated between three and seven miles to the east of the Ashby Woulds in areas such as Ticknall, Breedon, Cloud Hill and Coloerton. The terrain here has more variations in height than the land designated for the main line of the canal and initially Robert Whitworth Snr proposed to connect these West Leicestershire and South Derbyshire extractive concerns to the waterway with a canal branch that would subdivide into three other extensions.<sup>132</sup> Whitworth’s 1792 estimate concluded that the cost of these 20 miles of appendages would be £82,143 7 2d (£4107 per mile),<sup>133</sup> as opposed to the 30 mile long canal from the Coventry to the Ashby Woulds which he priced at £63,402 9s 5d (£2113 per mile). The waterway’s branches were more expensive per mile because unlike the canal’s main line, they required locks. Peter Neaverson provides the following description of how they were to be positioned within the landscape:

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<sup>129</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 13.6.1798, p. 215.

<sup>130</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 7.6.1803, p. 183.

<sup>131</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 1.5.1804, p. 223.

<sup>132</sup> J. Phillips, *A General History of Inland Navigation, 1805* (1792, Newton Abbot, 1970). This edition provides descriptions of the canal’s branches and locks even though they were never constructed, p. 330.

From the Woulds, there would be a rise of 139 feet by lockage, 5 miles of summit level and then 84 feet of lockage down to level branches to Ticknall on the one side and Cloud Hill via Coleorton collieries on the other, with the Staunton Harold branch to be built if necessary.<sup>134</sup>

Despite being included in the original quote, these waterways were never constructed due to a lack of money. By October 1796 the canal company had spent their complete budget for the main line of canal; yet it was not even half finished. It was now evident to the select committee that they could not afford to construct the canal branches. Politically this was potentially disastrous, as connecting the coal, stone and lime producing areas such as Ticknall, Cloud Hill and Breedon was one of the main arguments for constructing the waterway and powerful supporters of the canal owned many of these extractive concerns.

The solution to the problem (as far as the canal company was concerned) was to replace the branches with tramways.<sup>135</sup> In January 1797 the company considered linking the limeworks in Ticknall to the River Trent with tramways and then extending the northern end of the canal to the river.<sup>136</sup> This would indirectly connect the extractive area to the Ashby Canal and provide the owners of limeworks with additional markets. However, despite negotiations with Lord Uxbridge who owned the land between the Ashby Canal and the River Trent, this proposal was dropped.<sup>137</sup> Yet the company was

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<sup>133</sup> T.N.A., RAIL 803/12/3 (Robert Whitworth's 1792 estimate).

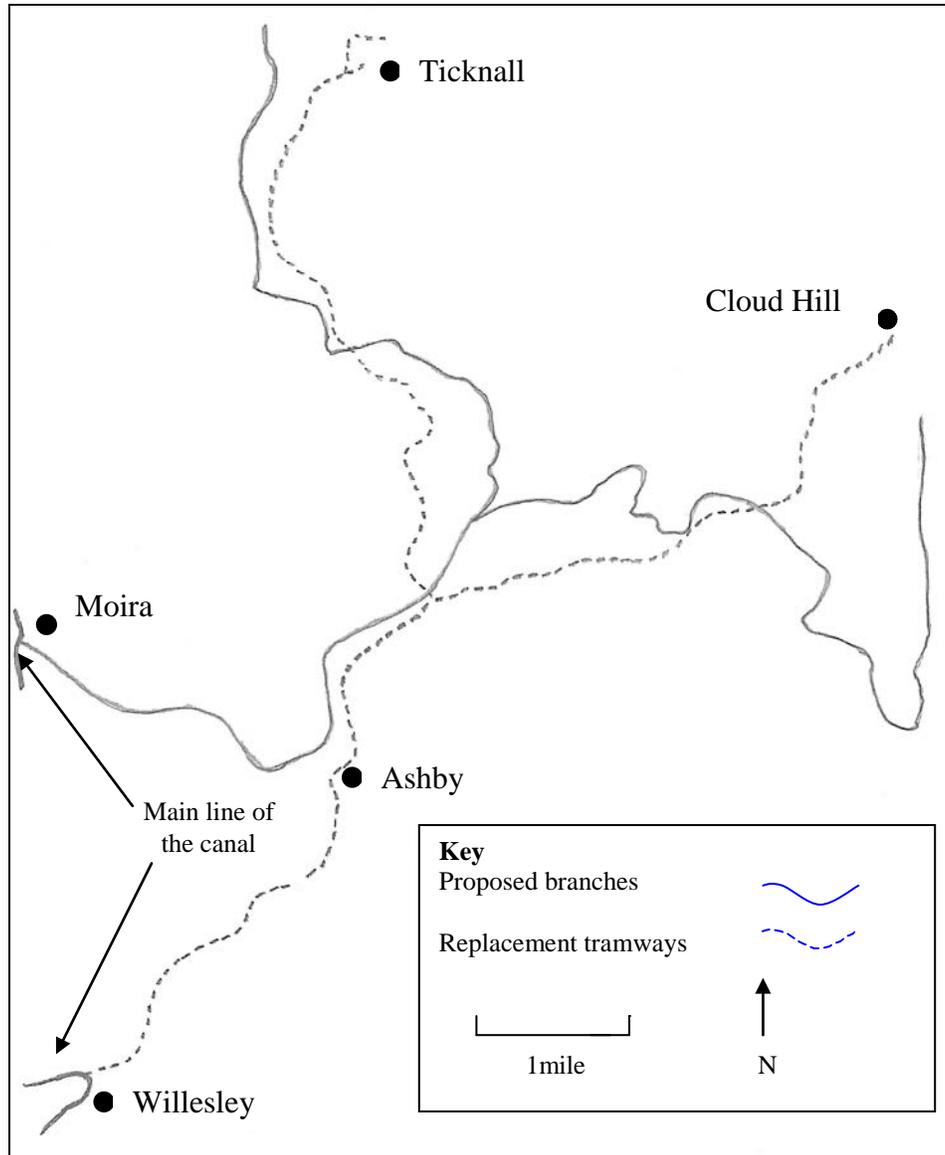
<sup>134</sup> P. Neaverson, 'The Ticknall lime industry and its transport system', *Leicestershire Industrial History Society* 19 (2007), p. 11. Neaverson describes how the tramways to Ticknall were 12 miles, 66 chains and 12 yards long, p. 12.

<sup>135</sup> C.R. Clinker and C. Hadfield, *The Ashby-de-la-Zouch Canal and its Railways* (Bristol, 1978), p. 10. The use of tramways was first discussed in 1793.

<sup>136</sup> Regarding these proposals see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 16.1.1797, pp. 148-9 and 16.3.1797, p. 167. See C. Hadfield, *The Canals of the East Midlands, Including Parts of London* (1966, Newton Abbot, 1970), p. 147. In 1787, five years before the Ashby Canal Company was formed, William Jessop had made a similar proposal to the Earl of Stamford, yet no action was taken. See also R. Stone, *The River Trent* (Chichester, 2005), pp. 35-47, regarding the commercial development of the River Trent during this period.

<sup>137</sup> Hadfield, *Canals of the East Midlands*, p. 117. Many proprietors of the Ashby Canal believed that if the northern end of the canal was extended and connected to the Trent and Mersey Canal, then (providing the Coventry and Oxford canal widened itself) a continuous link between London and Liverpool for wide beam barges could operate (this was why the Ashby Canal was being built as a wide beam). However, the Commercial Canal project, as it was called, was defeated in Parliament in 1797. For an example of the subject still being discussed by the Ashby Canal Company in 1801 see T.N.A., RAIL 803/3 (Ashby Canal

still keen to replace the branches with tramways and by June 1797 they were advocating connecting them directly to the Ashby Canal, along similar routes to what the branches were going to take (Figure 61).<sup>138</sup>



**Figure 61: Map of the tramways compared to the proposed canal branches.**

Source: P. Neaverson, 'The Ticknall lime industry and its transport system', *Leicestershire Industrial History Society* 19 (2007).

Minute Book 3), 9.1.1801, p. 42. For an account of the Commercial Canal see also C.R. Clinker and C. Hadfield, *The Ashby-de-la-Zouch Canal and its Railways* (Bristol, 1978), p. 9.

<sup>138</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.6.1798, p. 213.

The Ashby Canal Company believed the existing legislation allowed them to make such changes; what they now had to do was convince the affected landowners that this was also in their interest. The company were greatly assisted in winning the support of the Earl of Moira who is recorded writing directly to Earl Ferrers, the Earl of Stamford (Figure 62), Lord Wentworth and Sir Harpur Crewe regarding the issue,<sup>139</sup> and despite 57 landowners being affected by the changes,<sup>140</sup> only the Earl of Stamford and Earl Ferrers officially opposed the proposal.<sup>141</sup>



**Figure 62: The Earl of Stamford (on the right).**  
Source D. Lundy, 'George Harry Grey, 5th Earl of Stamford.'  
<http://www.thepeerage.com/p2821.htm#i28201> (1/8/2110).

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<sup>139</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 16.1.1797, p. 148. At this point they were considering the original proposal to link their extractive concerns to the Ashby Canal via the River Trent.

<sup>140</sup> W.C.R.O., QS 111/2/6 (Book of Reference).

<sup>141</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 16.1.1797, p. 148, regarding Ferrers opposition. See also T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 19.4.1799, pp. 240-1: General Hasting did not accept the tramways until April 1799. The minutes record how his terms were that in return for his support and assistance in constructing the tramways, he required the company to re-direct a road from his house which the select committee agreed to, providing he supplied the timber for fencing.

These two nobles had given the proposed project their time and money. They expected the promised improved transport links to provide greater markets for their extractive concerns, and they evidently considered tramways to be a poor substitute. The Earl of Stamford, who owned the limeworks at Cloud Hill and Breedon, communicated to the company in July 1797 (through his steward Mason who himself was a committee member) that if he was not given a branch in the time stipulated in the Act he would take legal action.<sup>142</sup> The company responded by ordering their agent, Wyatt and the solicitor, Pestell to visit Stamford with plans relating to the proposals and the company's accounts to show him how financially desperate the company was.<sup>143</sup>

This evidently had little impact, as the minutes report in June 1799 how the issue of replacing branches with tramways had been submitted to the 'Solicitor General', presumably as a result of Ferrers' and Stamford's opposition, and the company had lost its case.<sup>144</sup> Despite the opposition's victory, two months later Ferrers, who owned limeworks in Staunton Harold, entered into negotiations with the canal company with a view to agreeing to the tramways.<sup>145</sup> Stamford continued his firm stance against the proposal, as shown by his letter to the company reiterating his belief that without obtaining a separate Act of Parliament, the substituting of canal branches with tramways was illegal.<sup>146</sup> The canal company's response was – and always had been – that the Act granted the company powers to move goods by 'Rollers, Inclined Planes or in any other

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<sup>142</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 4.7.1797, p. 183. For details relating to the five-year time limit see 34 Geo III c. 93, p. 1599.

<sup>143</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 14.8.1797, p. 186.

<sup>144</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 11.6. 1799, p. 243.

<sup>145</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.8.1799, pp. 246-7. Ferrers agreed to tramways upon specific terms, yet the full details of these are not recorded. The minutes do however, record the company agreeing to refund Ferrers the original cost of his shares in return for allowing tramways to operate on his land. See Hadfield, *Canals of the East Midlands*, p. 147, regarding Ferrers lime producing concerns.

<sup>146</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 22.8.1799, pp. 248-51.

Manner other than water', therefore it was perfectly legal to introduce replacement tramways.<sup>147</sup>

Undeterred by noble opposition the canal company instantly reapplied to the Solicitor General with further 'Explanations',<sup>148</sup> and ordered its engineers Jewsbury and Newbold in August 1798 to begin surveying for the construction of tramways from the main line of canal to Breedon, Ticknall, Coleorton and Cloud Hill.<sup>149</sup> Although not recorded in the minutes, the company's appeal to the Solicitor General must have been successful as in April 1799 it resolved to approve the project, and awarded the contract to Benjamin Outram's company in October 1799 at a cost of £29,500.<sup>150</sup>

Just as with the canal, the construction of the tramways brought company representatives and landed interests to the negotiating table. Examples included Robert Abney's demand for £200 an acre for his land,<sup>151</sup> Francis Burdett's request for a deviation to his limeworks in Ticknall (Figure 63),<sup>152</sup> consultations with enclosure commissioners regarding the purchase of Worthington Field,<sup>153</sup> requests for access bridges over the tramways by landowners and tenants,<sup>154</sup> an offer from Moira to pay for the tramways upon his land and waiver his land purchase award providing the rails on his property also became his property,<sup>155</sup> and investigations into reports of damage to land.<sup>156</sup>

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<sup>147</sup> 34 Geo III c. 93, p. 8.

<sup>148</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 11.6.1799, p. 243.

<sup>149</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.6.1798, p. 213.

<sup>150</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 7.10.1799, p. 1. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 21.8.1798, p. 219, regarding when Outram was initially approached. For a history of Outram's company see P. Riden, *The Butterley Company, 1790-1830* (1973, Chesterfield, 1990).

<sup>151</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 27.10.180, p. 89. It would be interesting to know whether Messrs Eaglestone, Mallabar and Choyce were aware of the amount awarded to Abney as three months later they were paid only £50 an acre for their land, see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 22.11.1802, p. 104. See Owen, *Leicestershire and South Derbyshire Coalfield*, p. 153, regarding the Abney family's collieries in Measham and Oakthorpe.

<sup>152</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 18.12.1801, p. 96.

<sup>153</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 17.11.1802, p. 156.

<sup>154</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 17.11.1802, p. 156.

<sup>155</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 27.12.1802, p. 159.

<sup>156</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 4.5.1802, p. 125.



**Figure 63: Portrait of Sir Francis Burdett in 1793 by Thomas Lawrence.**

Source: Wikimedia Commons, 'Francis Burdett.'

[http://commons.wikimedia.org/wiki/Category:Francis\\_Burdett](http://commons.wikimedia.org/wiki/Category:Francis_Burdett) (1/8/2010).

The select committee also had to deal with more disruptive action from Ferrers and Stamford, who continued to oppose the tramways, despite arbitration ruling in favour of the canal company.<sup>157</sup> However, despite the continued opposition of the two nobles, the construction of the tramways proceeded, albeit with its own problems, and began operating sometime between July and October 1802,<sup>158</sup> and once the canal became fully functional in 1804 (Figures 64, 65 and 66), further tramways were added linking Swadlincote in 1827 and Staunton Harold in 1830.<sup>159</sup> Evidently the canal company and

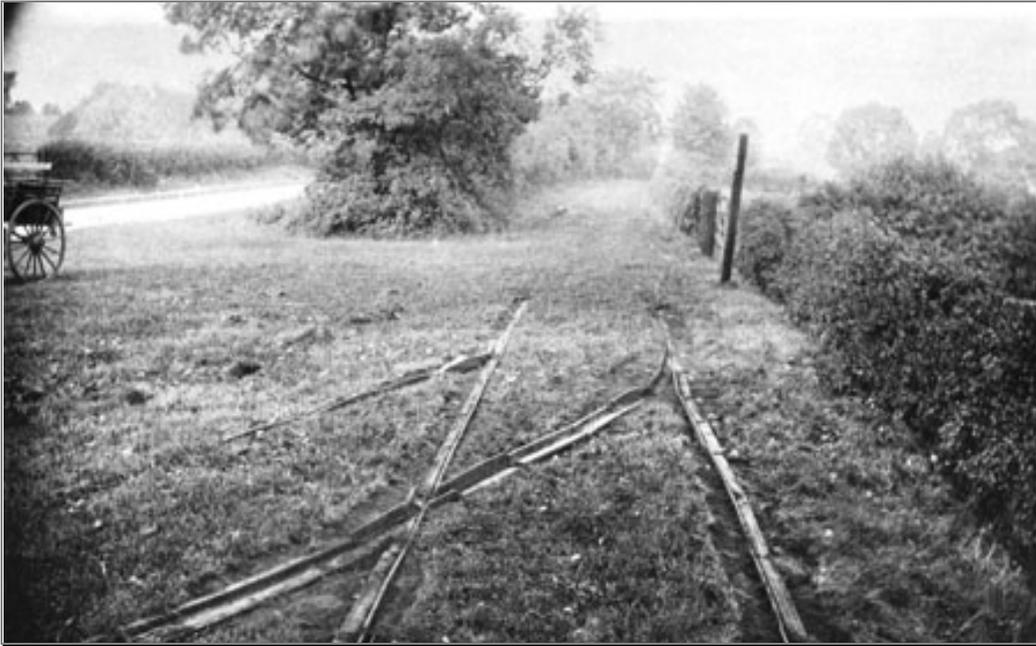
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<sup>157</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 19.11.1800, p. 36. The minutes report how their committee member Joseph Boulton, who owned a colliery in Staunton Harold, was being prevented from having a tramway connected to his works because the Earl Ferrers refused to allow the company permission to enter his land that was also on the route. Prior to Ferrers taking this stance the canal company informed him they had taken stone from his property at Lount Wood for the construction of the tramways and stated that they had 'not exceeded the power given to them by the Act of Parliament for getting Stone and other Material for their Works' and they hoped that Lord Ferrers will be satisfied with the compensation that they will award him. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 17.7.1800, p. 11.

<sup>158</sup> Hadfield, *Canals of the East Midlands*, p. 152.

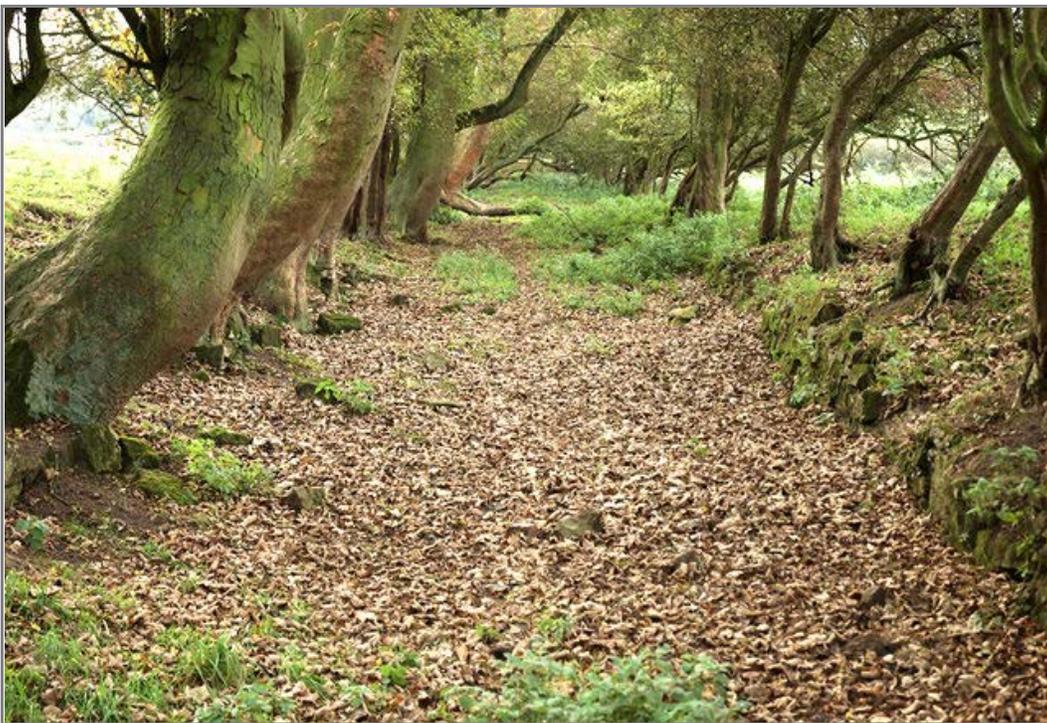
<sup>159</sup> See Hadfield, *Canals of the East Midlands*, p. 55, regarding how Swadlincote was linked to the end of the canal.

other owners of extractive concerns deemed the tramway/canal combination a success and worth further investment.



**Figure 64: Ticknall tramways.**

Source: Science and society picture library, 'Early plateway on the Ticknall Tramway, Derbyshire.' <http://www.scienceandsociety.co.uk/results.asp?image=10247137> (23/01/2010).



**Figure 65: The line of the tramway that ran from the Ashby Canal to Ticknall.**

Source: P. Myott, 'Disused Tramway, Calke Park.' <http://www.geograph.org.uk/photo/277879> (21/01/2010).



**Figure 66: The tramway bridge at Ticknall.**

Source: P. Myott, 'The Arch, Ticknall.' <http://www.geograph.org.uk/photo/271414> (23/02/2010).

## Conclusion

It is often the case that water management schemes cause disputes between neighbouring landowners and between developers and local residents.<sup>160</sup> Between 1781 and 1792 the property owners and their tenants whose land was to be cut through by the Ashby Canal had played a significant role in keeping the project from progressing. Therefore it is understandable that the canal company actively consulted them during its promotion and made attempts to engage as many landowners as possible by trying to persuade them to invest in the company. Ward has argued that the 'investments of landowners... appear to have been no more than proportionate to their incomes', and he questioned the argument made by historians such as H.J. Habakkuk, E.J. Hobsbawm and H. Perkin that 'landowners played a distinguished, perhaps even a principal part in the promotion and finance of canal building'. Ward further stated that 'Most landowners

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<sup>160</sup> For an example of land owners opposing canals see *Waterways World*, April 2008, p. 7: 'A farmer who has been waging a one-man campaign against the Rochdale Canal since it reopened following restoration has finally ended up in prison'.

were indifferent, or they invested – if at all – merely as one class among many'.<sup>161</sup> When they participated they did so to secure their own interests, which were not so extensive (he felt) as to embrace all other areas of economic activity. The findings in relation to the Ashby Canal do not dispute these views, but it is hard to validate them strongly either, given the nature of the evidence. We do not know enough about the wider range of such elite investments, in the personalities involved with the Ashby Canal, to be able to judge these issues fully. The wide social scope of investment, however, stretching to lower levels of society, was one way to gain popular acceptance of a project, and the persuasive benefits could have been notable for a measure which had such an effect upon people's perception of land, changes in its use, travel, and the marketing range of local produce. Whether this was an active elite policy, which might have extended to other and often more contentious issues such as enclosure, is unknown – minute book evidence does not delve sufficiently deeply into such questions to allow historians easy answers.

Once construction began the company continued to maintain good relations as disputes and arbitration could disrupt the process and drain the company's resources. It is probable that most negotiations regarding land prices, damage, deviations, water management issues and replacing the branches with tramways, took place 'on the ground' between those affected and front-line company representatives such as surveyors, valuers and engineers. The only disputes we know of are those that required select committee intervention; however, as landowners and tenants taking such action were in the minority, it can be assumed that most property owners and occupiers were satisfied with their awards.

The minutes record that the committee dealt with most referred cases swiftly. However, there were occasions where some members were faced with a conflict of

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<sup>161</sup> Ward, *Finance of Canal Building*, pp. 143, 158.

interest, as despite being elected to act on behalf of the company shareholders they found themselves attempting to negotiate favourable terms for either themselves or nobles they represented. Yet despite such complications, as there are only two recorded occasions where arbitration was required, it can be concluded that during the majority of negotiations common sense prevailed.

The surviving sources concerning the canal company's relationship with the affected landed interests provides a wealth of information concerning late eighteenth-century land issues. In particular the Book of Reference reveals how land owned by individuals and collectives ranged from small unenclosed strips to large expanses, that most farmers in the area rented their land, and the solicitors' records and company minutes demonstrate how these people had significant influence upon the expense incurred and actions taken by the canal company.

These findings dovetail with those from some other historians working for example on enclosure and the small landowner, stressing the extent of rented land by this period.<sup>162</sup> If we assume that some of these generalities hold true for this part of Leicestershire, this must have made decisions about landed change or improvement in the form of a new canal much easier to accomplish, because ownership had become more concentrated than it was in some areas, such as the Cambridgeshire fens, where there could be more opposition because of the host of small owners in some parishes. Yet other questions are left unanswered, such as were all landowners treated with equal respect or did status and the amounts of land owned affect the company's dealings with property owners? Was the enclosure of fields rushed through to simplify and speed up the process, for clearly these were inter-locking forms of improvement that had a mutual impact upon each other, and what was the extent of the damage and disruption caused to those who

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<sup>162</sup> See for example, G.E. Mingay, *Enclosure and the Small Farmer in the Age of the Industrial Revolution* (London, 1968).

lived in the area? What was the subjective experience of those among the poor faced with the Ashby canal? Unfortunately we do not have a local John Clare to tell us. The older question of the relation of such improvements to the supply of labour also remains surprisingly intractable, because the Ashby Canal records have little to say about the sources of labour, how local it was in origins, and whether outside labour was imported in significant numbers. An advertisement suggests deliberate recruitment. Yet the management committee were remarkably detached from issues to do with the obtaining of labour, and seem to have taken the view that it was always going to be available, a predicament that is itself perhaps indicative of the type of society we are dealing with, given prevailing low wage structures, a commoning open-field population becoming forced into wage dependency by proximate enclosures, the absence of significant early forms of labour unionisation, and rapid demographic growth since the mid-eighteenth century.

## Chapter 6: The construction of the canal

This chapter will look at the administrative and on-site politics of building the Ashby Canal, the different processes in its development and the effect it had on some of the areas' inhabitants.<sup>1</sup> I will begin by posing the following questions: during the canal's construction what were the key positions within the company and who held them? Do the sources reveal any of the employees' terms and conditions and how much were they paid? Where did the 'outsiders' who were involved in the project come from? How were instructions given and how flexible was the chain of command? What factors affected the project's strategic planning? Where was the construction headquarters situated and why was it not Ashby?

The remainder of this chapter will then address the four distinctive stages of building this man-made waterway starting with the first phase which involved constructing the top half of the canal and its southern end. What were the reasons for beginning the process in these locations and was there a program of works? Which sections were considered to be difficult and why? How did some contractors deal with the problems they faced? How was their progress monitored? What problems arose and why were some employees dismissed?

The second stage involved constructing tramways linking the various extractive concerns to the waterway. My intention here is to advance the existing historiography of canal-linked rail networks by considering how the tramways' implementation impacted on this canal project and whether it drew attention and financial resources away from the continuing construction of the waterway. Furthermore, I will consider Benjamin

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<sup>1</sup> See G. Box, 'The construction of the Ashby Canal' (unpub. M.A. dissertation, University of Leicester, 1997), for a study more focused on the technical and structural aspects of the waterway's construction.

Outram's (the tramways engineer) relationship with the canal company.<sup>2</sup> What previous links did he have with those involved with the Ashby Canal? What were the reasons for the disputes between the canal company and the engineer? What additional services did he provide for the company and what was the extent of his own investments in the project?<sup>3</sup>

To provide the canal with a sufficient amount of water, a large feeder reservoir was required. This was the third phase of the canal's development and here I will investigate issues such as who advocated that extra water storage was needed? When and why was it decided that such a construct was required? How long did it take to build? What was its capacity? How long did it serve the waterway's needs and what is its function today?

The fourth stage of construction involved finishing the remaining sector of canal between Shenton and Burton Hasting. Here one needs to consider how this work differed from the previous excavations carried out during phase one. This will involve comparative analysis of the structural challenges, the number of contractors needed and the disputes that occurred during the two stages. Much attention will be given to the main contractor employed during phase four: James Patterson from Stoke Golding, and attempts will be made to ascertain why he received so much work. Furthermore, attention will be given to the contributions of the labourers and craftsmen who carried out the construction.

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<sup>2</sup> G. Holt, *The Ticknall Tramway* (Melbourne, 1990), p. 2. Holt points out that the word tramway is not derived from the name Outram.

<sup>3</sup> D. Kitching, 'Biography of Benjamin Outram.' <http://www.brocross.com/iwps/pages/outram/bn-outram.htm> (3/8/2010).

## The 'on-site' structure of the canal company during the construction process

Figure 67 depicts the system adopted by the Ashby Canal Company during the first phase of constructing their waterway and further explains the hierarchy of authority and the components involved in the process.<sup>4</sup> This structure and the number of those involved were reduced towards the end of the project. It is also important to note that those referred to in the model were not collectively recruited *en masse* prior to the canal's construction; many of the counters, contractors and labourers were employed over time, to suit the expanding needs of the company. Although the canal was over ten years in its making, only a small number of these individuals gained full employment during this period.<sup>5</sup>

### The Whitworths and other engineers

On 1 July 1794 Robert Whitworth Snr (1734-1799) was employed as the canal's chief engineer.<sup>6</sup> His involvement with the supporters of the Ashby Canal dated back to 1781,<sup>7</sup> and in 1792 his revised map and quote was accepted by the company, following further consultations with William Jessop (Figure 68).<sup>8</sup> For his services Whitworth Snr requested 200 guineas for two months work a year, which was accepted by the select committee providing he increased his annual services to three months.<sup>9</sup>

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<sup>4</sup> See C. Hadfield, *British Canals: the Inland Waterways of Britain and Ireland* (1950, Stroud, 1994), pp. 26-32: This was a standard format adopted by most canal companies.

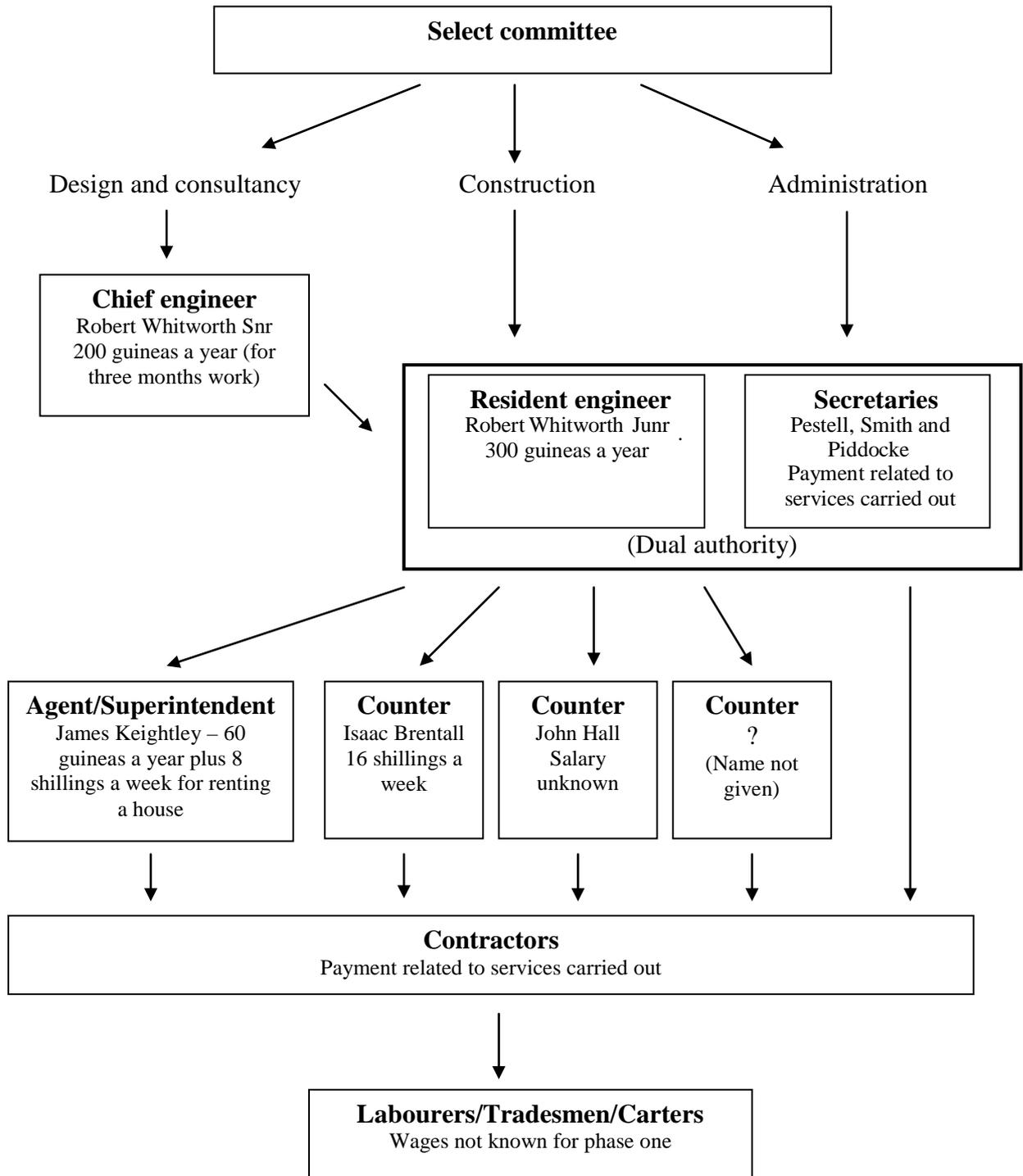
<sup>5</sup> The canal's construction began in 1794 and it officially joined the Coventry in 1804. However, as this chapter will show, the argument could be made that the canal was 12 years in the making, as an extension to its northern end was not completed until 1806.

<sup>6</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, pp. 9-11.

<sup>7</sup> L.C.R.O., DE 421/4/21 (Robert Whitworth's map of the proposed Ashby Canal), 1781. The accompanying quote for just over 31 miles of canal at £46,396 was criticised as being unrealistic in the local papers, see *Leicester and Nottingham Journal*, 14.9.1782.

<sup>8</sup> C. Hadfield, *The Canals of the East Midlands, Including Parts of London* (1966, Newton Abbot, 1970), p. 148.

<sup>9</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, pp. 9-11. It was common practice for the chief engineer to design the waterway, establish its cost and then leave the project, occasionally returning to monitor its development. See J. Shead, 'Jim Shead's Waterways Information.' <http://www.jim-shead.com/waterways/people.php?wpage=PE1187> (21/9/2010), on how during Whitworth's involvement with the Ashby Canal he undertook work for at least 13 other companies between 1794-7. See also M.



**Figure 67: The individuals and collectives involved in the construction of the Ashby Canal c. 1797 (phase one of the development) and the amounts paid to them.**<sup>10</sup>

Clarke, *The Leeds and Liverpool Canal: a History and Guide* (Preston, 1990), p. 87, regarding how Whitworth was paid £600 guineas by the Leeds and Liverpool Canal; however, Clarke does not state how many months of service the engineer was expected to give.

<sup>10</sup> This model provides a snapshot of the construction process at its height of activity. As this chapter will reveal many of these individuals were dismissed during this period.

The day-to-day managing of the project was carried out by a collective authority where – in theory – the resident engineer, Robert Whitworth Jnr (1770-1802 ) was responsible for the construction process,<sup>11</sup> while the company’s solicitors, Pestell, Smith and Piddocke (acting as on-site company secretaries) dealt with the administrative and legal issues.<sup>12</sup> Whitworth the younger was employed by the Ashby Canal Company to ensure the waterway was constructed to his father’s design, for a yearly salary of 300 guineas, after agreeing to increase his services from nine months to a full year.<sup>13</sup>



**Figure 68: William Jessop: an advisor to the project.**  
Source: Jupiter Images, ‘Portrait of British civil engineer William Jessop.’  
[www.jupiterimages.com/Image/royaltyFree/92824615](http://www.jupiterimages.com/Image/royaltyFree/92824615) (1/8/2010).

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<sup>11</sup> The Church of Jesus Christ of Latter-day Saints, ‘Family Search.’  
[http://www.familysearch.org/eng/default.asp?page=/eng/Policy/about\\_us.asp](http://www.familysearch.org/eng/default.asp?page=/eng/Policy/about_us.asp) (23/9/2010). Robert Whitworth was born in 1770 in Halifax. See J. Shead, ‘Jim Shead’s Waterways Information.’  
<http://www.jim-shead.com/waterways/people.php?wpage=PE1187> (21/9/2010), regarding his previous employment as a sub-engineer on the Forth and Clyde extension between 1790-1 and the Edinburgh and Glasgow Union Canal in 1793.

<sup>12</sup> A. Burton, *The Canal Builders* (1972, Newton Abbot, 1981), p. 126. Having three solicitors seems excessive in comparison to other canal projects. See C. Richardson, *Minutes of the Chesterfield Canal Company, 1771-80* (Chesterfield, 1996), p. xviii, for an account of Anthony Lax, the solicitor for the Chesterfield Canal, who in comparison to Piddocke, Smith and Pestell appears to have had greater powers and more involvement in the construction process.

<sup>13</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, pp. 10-12: In Robert Whitworth Snr’s proposal he states that his son will ‘superintend the Execution of the several plans of the Locks, Aqueduct Bridges and every other Species of Building whether Masonry or Brick Work - And also the digging and take Care that a proper Level be observed by the Diggers both for the bottom of the Canal, and the Tops of the Banks; also the Bridges and the Sills of the Locks; and to measure off the Work when completed, both digging and masonry’.

Following his appointment in July 1794, the 24 year old Whitworth Jnr moved to Measham (Figure 72). It is not known whether the canal company or Whitworth Jnr chose this location, but the advantages of the engineer living there can at least be considered. First of all it was near to Ashby, where the company's administration and managerial headquarters were based. Secondly it was close to where the majority of works were being carried out during the first phase of the canal's development (Figures 69 and 72). And finally, it was where the canal's biggest supporter, Joseph Wilkes, was commercially based.<sup>14</sup>

Unfortunately the available sources reveal little about what sort of man Whitworth Jnr was. The records relating to his family show that a year into his employment, Whitworth travelled to Scotland to marry 21 year old Jane Flemming (1773-1807) in July 1795.<sup>15</sup> Jane evidently followed Robert back to his place of work, as the following month she gave birth to a son in Measham – also named Robert – who died in December 1795.<sup>16</sup> These were evidently turbulent times for the young couple. They

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<sup>14</sup> The combined presence of Whitworth and Wilkes must have increased Measham's importance regarding the waterway's development; to the extent that Measham probably became the construction headquarters during phase one. This would have been a great benefit to Wilkes, who at the time faced the potential closure of his collieries in the area and may have orchestrated the engineer's move to Measham to ensure that his out of work miners had a better chance of finding employment on the canal's construction. Regarding the unemployed Measham colliers, see C. Owen, *The Leicestershire and South Derbyshire Coalfield, 1200-1900* (Ashbourne, 1984), p. 165. There is other evidence that supports the notion that Measham played an important role during the canal's construction of phase one. This includes the numerous select committee meetings that were held there and the fact that contractors, who were interested in bidding for work during phase one, had to meet Whitworth Jnr at the Union Inn (an establishment in Measham owned by Wilkes): for example see *Leicester Journal*, 23.10.1795 and 6.11.1795. Furthermore, the company records indicate that as the canal construction progressed and the works moved away from Measham, it was considered that a disproportionate amount of labour from this town was still being used 'at an Additional Expense'. This issue was raised by the inspection committee who recommended that instead more local labour was to be used. See T.N.A., RAIL/12/18 (The Inspection Committee's report), 4.1.1797.

<sup>15</sup> The Church of Jesus Christ of Latter-day Saints, 'Family Search.' [http://www.familysearch.org/eng/default.asp?page=/eng/Policy/about\\_us.asp](http://www.familysearch.org/eng/default.asp?page=/eng/Policy/about_us.asp) (23/8/2010).

<sup>16</sup> The Church of Jesus Christ of Latter-day Saints, 'Family Search.' [http://www.familysearch.org/eng/Search/frameset\\_search.asp](http://www.familysearch.org/eng/Search/frameset_search.asp) (11/8/2010).

were both far from their usual support network of friends and family and we can only speculate how the engineer dealt with the events in his personal life.<sup>17</sup>

At work Whitworth's duties brought him into contact with a multitude of interests ranging from investors to labourers. Burton describes how canal engineers were involved in surveying, negotiating with landowners, dealing with contractors, ordering and arranging delivery of materials, reporting to the select committee, answering to the criticisms of company representatives, measuring work for payment and overseeing the structural integrity of the canal.<sup>18</sup> Robert was a young outsider and may have been accused in some circles of nepotism. However, the following extract from the Inspection Committee's report of January 1797 is the only record of any official dissatisfaction with the engineer:

Is it possible for the Engineer to rough measure the Contractor's work against every pay day and if the contractor overdraws, whether the Engineer should be accountable for the same.<sup>19</sup>

#### Whitworth's assistants

To aid Whitworth Jnr, the canal company recruited James Keightley in October 1794 to act as the engineer's superintendent. This company employee's behaviour soon came to the attention of the select committee as the entry for 27 June 1795 shows:

Ordered that Mr Keightley be desired to...answer to such Questions as shall be put to him by the Committee touching on his Conduct and want of Attention to the Interests of the Company; - And that he do in the mean time desist from entering into Contracts and from setting out any Bridges and that he do not suffer any Bricks to be carried from the Kiln without the knowledge and Approval of the Engineer.<sup>20</sup>

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<sup>17</sup> Jane's family were presumably still based in Scotland, while Robert's parents had moved from Yorkshire to Hood House in Burnley in 1790, so that Whitworth Snr could concentrate on his work for the Leeds and Liverpool Canal: see G. Oxley, 'Robert Whitworth (1734-1799): canal engineer of Calderdale', *Local Historian*, 32 (2002), p. 61.

<sup>18</sup> Burton, *Canal Builders*, pp. 133-9. In describing what qualities were needed to be a good resident engineer, Burton quotes William Chapman as stating in 1823 that 'To fit a man fully to this employment, requires so great a number of qualifications that I look upon it as impracticable to find them united in one person', p. 131.

<sup>19</sup> T.N.A., RAIL 803/12/18 (The Inspection Committee's report), 4.1.1797.

<sup>20</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 27.6.1795, p. 66.

Throughout 1796 Keightley continued to come under criticism. Yet, by the end of the year he found himself overseeing the construction of the canal at its southern end near Burton Hastings and Marston Jabet, which was effectively detached from the main works in the north of Shenton (Figure 72).<sup>21</sup> In theory, this should have eased Whitworth's workload, allowed the engineer to focus on the larger northern sector and lessened the need to travel between the two sectors.<sup>22</sup>

Whitworth received further assistance from at least three counters including Isaac Brentnall and John Hall, whose duties included ensuring the contractors correctly billed the company for the work they carried out.<sup>23</sup> Yet these two employees also proved to be untrustworthy, and in July 1797 Brentnall was dismissed for being 'guilty of indirect practices in his employment',<sup>24</sup> followed by Hall in January 1799 who was sacked under 'Suspicion of dishonesty'.<sup>25</sup>

It must be also noted that, during this period canal supporters such as Thomas Jewsbury of Measham, Mathew Ingle of Ashby, John Farmer of Carlton, and Thomas Newbold of Netherseal, were also participating in the waterway's construction.<sup>26</sup> These engineers and surveyors had been involved in the planning stage of the process and when the construction of the canal began, the company – despite employing the Whitworths –

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<sup>21</sup> T.N.A., RAIL 803/12/17 (The Inspection Committee's report), 4.1.1797.

<sup>22</sup> For details relating to the operations of the two sectors see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 31.10.1794, p. 34, 7.11.1794, p. 62 and T.N.A., RAIL 803/12/17 (The Inspection Committee's report), 4.1.1797. If the engineer – when moving between the two sectors – followed the line of the intended canal from the Shenton Aqueduct to the site at the southern end of the canal, this would have involved travelling eight miles. However, as much of this land was still to be purchased, using this route may not have been possible. Instead Whitworth Jnr would have used the existing roads which would have increased the distance of his journey.

<sup>23</sup> For Isaac Brentnall see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 31.10.1794, p. 63. For John Hall see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 23.1.1797, p. 230. Unfortunately the available sources do not provide the name of the third counter that was employed.

<sup>24</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 4.7.1797, p. 183.

<sup>25</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 23.1.1799, p. 230.

<sup>26</sup> See P.J. Foss and T. Parry (eds), *A Truly Honest Man: the Diary of Joseph Moxon of Market Bosworth, 1798 and 1799* (Macclesfield, 1998), p. 102, concerning how Jewsbury's daughter married Whitworth Jnr's successor, Thomas Newbold of Netherseal in 1794. This leads us to wonder whether Jewsbury – who after all worked for Joseph Wilkes – used his influence to ensure the position for his son-in-law.

continued to call upon their services,<sup>27</sup> with Jewsbury specifically asked to ‘attend’ to the chief and resident engineer when necessary.<sup>28</sup> As this chapter will later address, three of these individuals, Jewsbury, Ingle and Farmer, later dominated the canal company’s inspection committee and they may have been instrumental in the dismissal of the two Whitworths.

### The contractors

The canal company advertised for contractors in the Leicester, Coventry, Birmingham and Derby papers.<sup>29</sup> These individuals were required to provide the necessary men, tools and expertise, and during the ten years of construction 40 contractors are recorded as being employed: mostly in the northern sector of the project (Appendix 1).<sup>30</sup>

In August 1794, the company announced that the ‘Plans and Specifications of Several Works’ could be viewed by applying to Mr Whitworth at the Queens Head in Ashby and that those interested had to submit in writing their ‘Terms and Proposals’ at a meeting to be held on 4 September 1794.<sup>31</sup> The select committee then had to consider the offers made to them and possibly engage in some form of bartering regarding the

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<sup>27</sup> Despite being paid for their services, none of these individuals were initially offered specific salaried positions and it is not clear what levels of input they had during the early stages of the waterway’s development. For evidence of payments see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 10.4.1797, p. 174.

<sup>28</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.7.1794, p. 10. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 23.11.1796, p. 137, regarding Whitworth Jnr and Jewsbury still working together as they are ordered to measure work needed to be done. Jewsbury was later voted on the select committee after the canal became operational: see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 7.10.1795, p. 265, and he was later made chairman of the committee.

<sup>29</sup> For example see *Leicester Journal*, 23.10.1795. It was usual for canal companies to employ contractors rather than employ the workforce directly as the ruling committees neither had the experience nor resources to manage such a large number of men.

<sup>30</sup> These men operated either as sole contractors or within partnerships (normally when constructing a major structure such the Snarestone tunnel) and as Table 41 indicates many of them were able (or so they claimed) to provide more than one service. See also Box, ‘Construction of the Ashby Canal’, p. 60: ‘The status of contractors vis-à-vis the famous engineers of the 1790’s was low. Today contractors are knighted, ennobled, become treasurers to political parties’.

proposals. Once an agreement was made, a contract was written and signed, of which many are recorded in the minutes.<sup>32</sup>

The majority of contracts that dealt specifically with the construction of the canal (rather than the secondary structures such as bridges or tunnels), stated the separate amounts to be paid for cutting the canal, carrying the excess soil away and finally depositing it, as the minute book entry on the 3 September 1794 shows:

This Committee having agreed with John Hill of Birmingham for deep cutting a certain part of the Canal at or near Shackerstone at Fourpence per Cubic yard (and Two pence a yard extra for Rocks). And to allow him the same prices for carrying away the soil from Below the spoil Banks. And an halfpenny for each [ ? ] yard for levelling and laying the soil upon the said spoil Banks in the way required by the 'Act'.<sup>33</sup>

John Hill was the first contractor employed by the canal company and comparative analysis of the terms offered to other undertakers (as they were sometimes referred to) reveal differences in the amounts paid.<sup>34</sup> This was presumably due to topographical, geological, structural and transportation factors.<sup>35</sup> Such variances may also reflect the good or bad negotiating skills of the contractor, as Thomas Hill was only paid 2d. 3 farthings per cubic yard 'To cut ... the water course at the lower end of Ludlam's cutting, to near the Green Lane in Snarestone',<sup>36</sup> whereas Samuel Watson of Measham secured 6

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<sup>31</sup> For example see *Leicester Journal*, 22.8.1794. See also *Leicester Journal* 23.5.1794 for evidence of the company advertising for suppliers of stone and brick.

<sup>32</sup> For example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), pp. 25-8, where Joseph Parkin was contracted to supply bricks at 4s. 9d. per thousand, Captain Hall was to supply clay at one farthing per cubic yard and Joseph Ludlam, Henry Benjamin and William Ludlam were contracted to construct two tunnels at £9 10s a yard. See also T.N.A., RAIL 803/12/17 (The Inspection Committee's report), 4.1.1797, regarding the inspection committee complaining in 1797, that work was being given to undertakers without contracts and that this was causing numerous problems especially in the Marston Jabet area. They therefore resolve that 'Every Species of work... should be contracted for, which will prevent future Disputes and make the Interest of every Contractor to superintend his own Concern'.

<sup>33</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794, pp. 16-7.

<sup>34</sup> It can be presumed that prior to invoicing the canal company the contractors must have come to an agreement with the counters regarding how much work had been done.

<sup>35</sup> T.N.A., RAIL 803/12/3 (Robert Whitworth's 1792 estimate): Whitworth's quote acknowledged that different rates should be paid for digging different areas, with his predicted costs ranging between 3 ½ - 5d. a cubic yard.

<sup>36</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 21.6.1796, pp. 118-9. This is a rare example of accurate details being given concerning where the construction was to be carried out. Most contracts simply stated the nearest settlement to where the work was to be done. There is only one other example where the

½ d. per cubic yard for cutting through Oakthorpe.<sup>37</sup> Was the former of the two contracts easier work or was Watson a better negotiator?<sup>38</sup>

**Table 41: Details relating to the known 40 contracted undertakers.**

<b>Name</b>	<b>Area of origin</b>	<b>Forms of work the contractor was associated with<sup>39</sup></b>
George Bamford	Ashover	Constructing an aqueduct and bridges
Henry Benjamin	Ashover	Constructing tunnels, puddling, forming embankments and brick making
John Boswell	Ellesley	Digging, forming embankments, puddling, moving soil, levelling, and brick making
James Brassington	Macclesfield	Brick making
William Browne	Hill Ridware	Brick making
Mr Cheshire		Bridge building
Jonathan Cleever	Bulkington	Digging, moving spoil, forming embankments, levelling and cutting through rock
Robert Creswell	Ripley	Digging, moving spoil, levelling, brick making and puddling
Stephen Creswell	Ripley	Brick making
Mr Crossly		Brick making and their delivery
Henry Dennis		Digging, moving soil by boat, forming embankments, levelling, removal of rocks and masonry
Thomas Dennis		Digging, moving soil by boat, forming embankments and levelling removal of rocks and masonry
Francis Gadesby	Carlton	Brick making
Joseph Gladwell	Shackerstone	Digging, puddling and levelling
Mr Haddon		Constructing an aqueduct
George Hadfield	Stretton	Bridge building
Captain Hall	Shackerstone	Brick making and digging
Benjamin Harrison	Melton	Brick making
John Hill	Birmingham	Digging, puddling, moving spoil and levelling
Thomas Hill		Digging, moving spoil, puddling,

company are specific regarding the location of works: see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 31.10.1794, p. 32, where Wilkes is ordered to construct the canal between plot numbers 251 and 253 in the Book of Reference.

<sup>37</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 17.11.1795, p. 89.

<sup>38</sup> To date analysis of the two areas cannot provide any further explanations.

<sup>39</sup> Being associated with these different duties did not necessarily mean they were constantly on-site supervising the works. Some contractors may have employed other individuals to oversee the work (such as Wilkes or Hall). Furthermore, the majority of undertakers were employed within partnerships, therefore it is possible that different forms of work were carried out by different contractors within the collective.

		forming embankments and levelling
Stephen Holland	Mansfield	Digging, forming embankments, puddling, moving spoil, levelling and brick making
William Hough	Blackfordby	Digging, moving spoil, levelling and brick making
Solomon Holmes	Derby	Cutting through rock /quarrying
Joseph Ludlam	Ashover	Constructing tunnels, puddling, brick making, digging, forming embankments and levelling
William Ludlam	Ashover	Constructing tunnels, puddling, brick making
Joseph Malabore	Bulkington	Digging, moving spoil, forming embankments, levelling and cutting through rock
Thomas Mount	Stoke Golding	Brick making and their delivery and cutting
Philip Orme	Newhall	Digging, moving spoil, forming embankments and levelling
Joseph Parkin	Crich	Digging, forming embankments, puddling, moving soil, levelling, brick making and bricklaying
James Patterson	Stoke Golding	Digging, moving soil, puddling, levelling and forming embankments
John Patterson		Digging
Evan Price	Ashby	Digging, puddling, forming embankments, moving spoil and levelling
Mr Siles	Barlestone	Pipe laying
Mr Smith		Brick making
John Walker	Crich	Digging, forming embankments, puddling, moving spoil, levelling and brick making.
Thomas Walker	Shackerstone	Digging, puddling, forming embankments, brick making, bridge building and masonry
Samuel Watson	Measham	Digging
David Watts	Andover	Constructing an aqueduct and bridges
Joseph Wilkes	Measham	Digging, moving spoil, forming embankments, levelling, moving clay, brick making and boat building
Edward Wright	Macclesfield	Brick making

The majority of contracts recorded in the minute books reveal where the undertakers came from. With the exception of Edward Wright of Macclesfield, the

locations listed in Table 41 are within a 25 mile radius of the canal and 14 of these are situated less than five miles from the project. This suggests that the majority of contractors gained employment either via local connections or from responding to the adverts placed in the county papers, rather than following the appointed engineers, as sometimes occurred.<sup>40</sup>

Many of the contractors joined forces when tendering for work and Gerald Box's research rightly points out that there were often 'shifting alliances' between these undertakers, especially concerning Derbyshire and local men.<sup>41</sup> The minutes reveal numerous occasions where these insider/outsider partnerships were formed, such as Robert Crosswell of Ripley joining forces with William Hough of Blackfordby.<sup>42</sup> Could it be that the outsider Ripley brought expertise, while the local Hough had sufficient connections to provide the needed labour?

In addition to their rates of pay, many of the undertakers had included in their contract how much they were to receive to cover the cost of providing accommodation for their workforce.<sup>43</sup> The previously mentioned John Hill was to get 'no more than Two Shillings a Day for each man',<sup>44</sup> whereas Philip Orme was given an allowance of ten shillings a week for each man (this indicates either a five day week or a reduction in

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<sup>40</sup> See Box, 'Construction of the Ashby Canal', pp. 61-2. P.A. Stevens, *The Leicester Line: a History of the Old Union and Grand Union Canals* (Newton Abbot, 1972), p. 38. Steven's publication on the Leicestershire and Northamptonshire Union Canal (1792-1809) shows that four of the names of contractors working on this waterway correspond with those who gained contracts for the Ashby Canal. These were Henry Ludlam and Thomas Walker, who were employed as tunnelers, and Joseph Parker and Thomas Hill who were involved in the cutting of the waterway, of which the later is recorded by Stevens as abandoning his work.

<sup>41</sup> Box, 'Construction of the Ashby Canal', p. 62.

<sup>42</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.1.1795, p. 48. Crosswell and Hough separately signed contracts on the 3.12.1795, pp. 40-1, to make bricks for the company. This may have been the occasion where the two men first met.

<sup>43</sup> The earlier contracts usually stated how much subsistence money was to be paid to cover the living costs of each working man; however, later contracts make no reference to the issue. There are no noticeable increases in the amounts paid for the work carried out where there is no mention of subsistence payments, which suggests that the practice was an accepted part of the working relationship and did not need to be referred to.

<sup>44</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794, pp. 16-7.

subsistence for a six day week).<sup>45</sup> The wording of these excerpts from the minute book suggests that this money was paid directly to the contractors, who then either passed the money onto their workforce or used it to pay for the accommodation they had organised.<sup>46</sup> Yet, an entry in May 1797 suggests that prior to his sacking Whitworth the younger was paying the labour force their subsistence money directly.<sup>47</sup>

Most contracts also included a form of insurance against the operatives deserting or delivering poor workmanship. The previously referred to John Hill from Birmingham, had to agree that:

The Committee shall have power to enter upon and take possession of the Planks, Barrows and other Implements used upon the Canal and to sell and dispose of the same for the uses of the Company in case he shall desert or have the Business he engaged in unfinished, or shall not complete the same in a Workmanlike manner.<sup>48</sup>

In addition to being able to take contractors' property if dissatisfied, the canal company also initially insisted that contractors paid a deposit of £50 before any work commenced.<sup>49</sup> This was to provide some protection against the undertakers abandoning the project before completion.<sup>50</sup> This clause may have later become a 'deal breaker' as it was quickly replaced by the introduction of a 5% retention fee, which was first imposed

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<sup>45</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 15.12.1794, p. 44. See also T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 15.12.1794, p. 44, regarding the contractors, James Brassington of Macclesfield and Edward Wright from Chester, being awarded 'nine shillings per week each for subsistence money'.

<sup>46</sup> Having the company pay the workforce directly for accommodation would have made life less complicated for contractors. However, it is possible that some would have preferred being given the subsistence money themselves to then distribute among their workforce, as this would have given them more control over their men and helped their cash flow. Furthermore, if contractors were paying and organising the accommodation themselves, this would have given them opportunities for making a little extra money, providing they could find cheap places for their men to stay.

<sup>47</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 2.5.1797, p. 176.

<sup>48</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794, pp. 16-7.

<sup>49</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794, pp. 16-7. Three other contracts were signed on the 2 October which involved contractors agreeing to the £50 payment. This policy was then scrapped and replaced with a retention of 5%. See also T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 21.6.1796, pp. 118-9, where Thomas Hill working at Snarestone was 'To complete £50 worth of work before drawing any money'.

<sup>50</sup> Burton, *Canal Builders*, p. 175: Burton states how John Pixton working on the Gloucester and Berkeley Canal had to pay as much as £200.

upon Henry Benjamin, Joseph Ludlam and William Ludlam for the construction of two tunnels.<sup>51</sup>

It is also interesting to note that Joseph Wilkes and Captain Hall (landowners/canal supporters who also gained contracts to construct the canal) were not subject to penalty clauses.<sup>52</sup> Evidently their close ties to the company's management and investors – combined with their status – gave them exemption from company threats.<sup>53</sup>

While figure 67 depicted the 'organisation's skeleton',<sup>54</sup> it does not fully represent the lines of communication that existed or how the company truly operated.

Burton states that 'demarcation between jobs was never that distinct' and describes how:

The engineer, instead of only supervising and instructing the contractor, became involved in administration, whilst the secretary found himself involved with everything and everybody and often the contractor finished up taking precious notice of either of them.<sup>55</sup>

And the Ashby Canal Company minutes provide much evidence of the canal secretaries dealing directly with the undertakers:

That the Clerks do immediately give Notice to Mr Ludlam that he ... That the Clerks do immediately give notice to Mr Hough that he employ ... That the Clerks do immediately give Notice to Messrs Brassington and Wright ... That the Clerks

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<sup>51</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 7.10.1794, pp. 26-7. The tunnels were to be constructed at Snarestone and at Old Parks. Regarding the construct at Old Parks, it was later decided to have tramways running through it rather than a canal branch. The contract for these tunnels provides the only example of the company imposing a delivery date for the completion of work on the waterway: 'to complete in two years from Christmas next', p. 26. The Ludlam's name is associated with constructing other canal tunnels. For example see A.H. Faulkner, *The Grand Junction Canal* (Newton Abbot, 1972), p. 56, for an account of how Joseph Ludlam while working on the Blisworth tunnel was put in prison. See also Burton, *Canal Builders*, pp. 195-9 for an account of tunnel building and how miners were often used to carry out the work.

<sup>52</sup> Regarding Wilkes contract see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 15.10.1794, pp. 29-30. During this meeting a contract was also awarded to Philip Orme with all the usual threats concerning sub-standard work, however none were recorded in relation to the company's agreement with Wilkes. Regarding the contracts awarded to Captain Hall see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 12.8.1795, p. 72: 'to exact the level Cutting of the Canal from Shackerstone Bridge to the River Sense at 3d per yard and to employ 6 men only in Execution of the same'.

<sup>53</sup> The majority of contractors are referred to by their full names (without Mr or any other prefix). The exceptions being Mr Wilkes, Captain Hall, Mr Siles, Mr Smith, Mr Cheshire, Mr Crossley and Mr Hadden. This shows how the company clerks recognised the variable status of the contractors involved.

<sup>54</sup> See by comparison J. Taylor, *Operations Management* (1966, London, 1999), p. 113, regarding how today's companies structure themselves.

<sup>55</sup> Burton, *Canal Builders*, p. 128.

do write to Thomas Walker informing him ... That the clerks do write to Captain Hall ...<sup>56</sup>

Furthermore, while a chain of command existed, it is possible that the select committee dealt directly with disciplining contractors rather than passing such instruction down through the ranks. This notion is supported by Whitworth Snr's scathing report on work carried out near Burton Hastings by Bamford and Watts. Here the chief engineer complains 'I have a bad opinion of them and I hope somebody will take care of them'; further recommending that they receive 'good reprimand from the chairman'.<sup>57</sup>

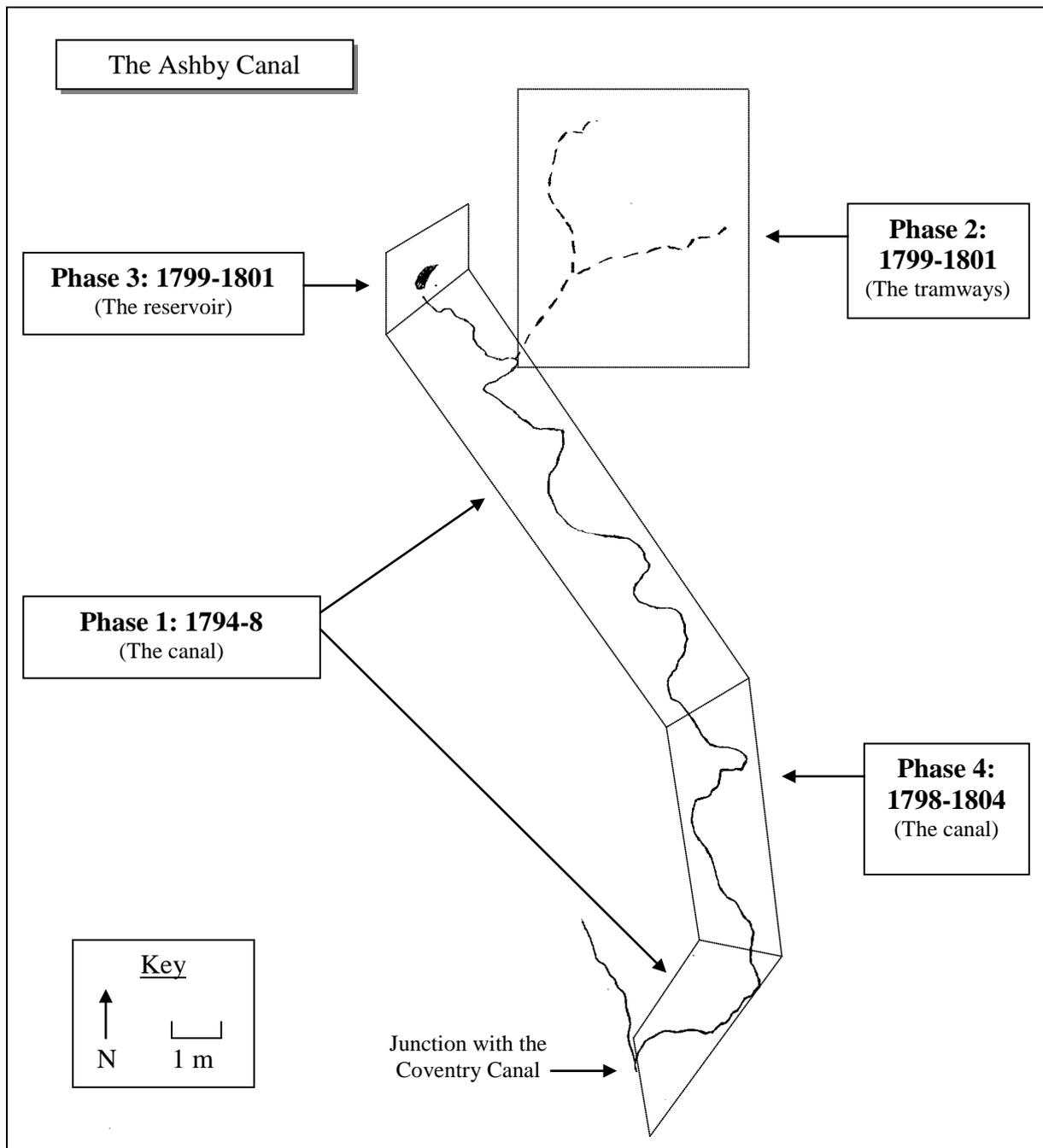
### **Phase 1: Constructing the northern sector of the canal from Ashby Wouldes to Shenton Aqueduct and a five mile stretch in the southern sector from Watling Street to Marston Jabet, 1794-1798**

To date no schedule of works concerning the Ashby Canal has been found. Still, it is possible to recognise four distinctive phases (which at times overlapped) within the project to construct the canal and its additional structures. Sub-dividing the project into four distinctive phases is an analytical construct derived from observations of the events. Figure 69 shows how the first phase of the project lasted four years and resulted in the construction of the bulk of the canal. The following analysis will reveal the thought process behind the order in which the work was carried out during this period, its nature and the fortunes of some of those involved.

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<sup>56</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 27.6.1795, pp. 65-6. There is also evidence of the select committee directly writing to the contractors. For example see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 27.4.1795, p. 60, where the minutes state 'That a letter be written to Joseph Malaborne and Joseph Clever requesting that they will employ an Additional Number of Men'.

<sup>57</sup> T.N.A., RAIL 803/12/21 (Robert Whitworth Snr's report), 28.5.1797.



**Figure 69: The four stages of constructing the canal.**

Eighteenth and nineteenth century canal projects often began by celebrating the first cut of the land – and the Ashby Canal Company was no exception.<sup>58</sup> Thomas Kirkland Jnr, whose father often acted as the company chairman, recorded in his diary:

<sup>58</sup> It is interesting to note how the start of the Ancient Egyptian water management project referred to in Chapter 1 also involved a ceremonial cutting of the land, in this instance by King Scorpion.

‘First spade dug in the canal by Mr Hall of Shackerstone on Thursday 2 October, 1794’

(Figure 70).<sup>59</sup> Finally after 13 years of negotiations the construction process had begun.<sup>60</sup>



**Figure 70: The canal opposite to where Captain Hall’s house once stood and where the first sod was probably cut.**

Source: The Ashby Canal Association, ‘Ashby Canal Association Archive.’  
<http://www.ashbycanal.org.uk/index.html> (2/7/2010).

Before Captain Hall’s ceremonial act, the select committee had already established which sections of the canal were to be first developed:

That agreeable to Mr Whitworth’s Recommendations...he should first begin and set to work with the Cutting of the Canal at the following Places - the Deep Cutting in Marston Jabet, the Embankment at Cannister Hall, the Cutting near Gopsall Park, the Tunnel at Snarestone and the Tunnel in the Parish of Ashby.<sup>61</sup>

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<sup>59</sup> A. Crane, *The Kirkland Papers, 1753-1869: the Ferrers Murder and the Lives and Times of a Medical Family in Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1990), p. 109. It can not be ascertained exactly why Captain Hall was given such an honour, as despite being an enthusiastic supporter, he was not even elected to the company’s select committee. He may have been chosen because his land was situated next to Curzon’s estate and the company wanted to show the Leicester MP that, despite his disruptive opposition, the project was still going ahead and starting in his neighbourhood.

<sup>60</sup> This was evidently a ceremonial act as no contracts had yet been signed. Captain Hall died – in arrears to the company – before its completion. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 10.6.1801, p. 62, regarding the select committee threatening the representatives of the Captain with legal action if they did not pay the money owed to the canal company.

<sup>61</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 29.7.1794, p. 13.

As figure 72 shows these areas were spread out along the proposed canal.<sup>62</sup> Clearly the company's management were not structuring their programme of works in a linear fashion (i.e. from one end to another). Why then did Whitworth Snr advise that the project should begin in these areas?<sup>63</sup>

Analysis of these surviving locations today indicates that the chief engineer wanted first to tackle the most challenging aspects of the canal's main line, situated in the waterway's top half and the five miles of its southern end (Figures 69 and 72).<sup>64</sup> A clue to some of the reasoning behind this decision can be found in his April 1795 report, where he states:

The works at Canister Valley goes on pretty well and the Aqueduct is nearly built – But I fear if the Level Cutting thro Sir W. Dixies land (which is advertiz'd) be let it will retard the works at Canister Valley; as men will not stay in deep heavy work without great wages, when they can be employed in Level Cutting.<sup>65</sup>

Whitworth evidently believed – presumably through experience – that labourers would abandon working on structures such as difficult, high embankments when nearby it was possible to gain easier employment on level cuttings. Therefore, it made sense to first focus on the more problematic aspects of the construction, so as to ensure the right amount of men would remain where they were most needed.<sup>66</sup>

Whitworth Snr may also have believed that the most difficult aspects of the canal's construction were best faced at the beginning of the process – when the necessary funds,

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<sup>62</sup> The referred to tunnel at Ashby was to serve the proposed canal branches (which never materialised). While work commenced in the other areas recommended by Whitworth, to date it cannot be established whether any work commenced on the planned appendages.

<sup>63</sup> T.N.A., RAIL 803/12/9 (Robert Whitworth Snr's report), 13.8.1794.

<sup>64</sup> Considering the proposed project as a whole, the planned 20 miles of canal branches (which were never constructed) were – in fact – more problematic and more expensive than the 30 miles of the main line of canal. The available evidence suggests that the company had opted to address the appendages once the waterway was in operation.

<sup>65</sup> T.N.A., RAIL 803/12/11 (Robert Whitworth's Snr's report), 27.4.1795. Canister Valley is situated in Shenton. See also T.N.A., RAIL 803/12/21 (Robert Whitworth Snr's report), 28.5.1797.

<sup>66</sup> See T.N.A., RAIL 803/12/12 (The Inspection Committee's report), 23.6.1795, for evidence that Whitworth Snr's, advice was not taken, as the Inspection Committee stated that there was a severe shortage of labour on the Shenton embankment and ordered that the men engaged in working on the level cutting

expertise and enthusiasm were available. The aforementioned aqueduct at Canister Valley in Shenton was certainly one of the biggest challenges the canal company faced as it required the construction of a large earthworks (Figure 71).<sup>67</sup>



**Figure 71: Shenton Aqueduct.**

Source: The Ashby Canal Association, 'Ashby Canal Association Archive.'  
[http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/01/2010).

In his description of the impact navvies had on their surroundings, Sullivan comments 'with the muck he created new landscapes and changed old societies. It was mass transformation by muscle and shovel'.<sup>68</sup> Unfortunately we have no accounts of what local people thought of the structures built by the Ashby Canal Company, yet viewing the earthworks at Shenton today and considering no heavy machinery was involved – just muscles, shovels, wheelbarrows and carts – it is hard not to appreciate the

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either side of the aqueduct had to be transferred to the larger works. The committee recommended doubling the number of men so that the structure could be completed within the next 18 months.

<sup>67</sup> See L.C.R.O., DE 421/4/22 (Map of the canal), 1792, regarding how on the original 1792 plan there is no aqueduct at Shenton; instead the waterway was to continue following the 300ft contour, forming a U shape to the east. However, by 1794 the decision to construct an aqueduct was made. See W.C.R.O., QS 111/2/3 (Map that accompanies the 1794 Book of Reference), 1794.

immense amount of energy and labour that was required to create this feature within the landscape.

The biggest challenge at Shenton was stopping the continuous slippage of earth that occurred to the raised banks. This led Whitworth Snr in October 1796 to recommend that the works had to settle before any more excavations could take place.<sup>69</sup> There were also problems with the contractors John Boswell, Stephen Holland and John Walker,<sup>70</sup> who by May 1797 – having struggled with labour shortages and landslides – opted to cut their losses, as Whitworth Snr reported:

The work at Canister Valley now stands still, the Undertakers being all run away. It is an ugly way, but should be completed this Summer by bringing earth from both ends in Hand Carts – It is now up to bottom water except the ugly slips which I think may be made to stand.<sup>71</sup>

Also included in Whitworth's starting list was the 'cutting at Gopsall Park',<sup>72</sup> situated north of Shackerstone. Viewing the area today, there is no indication that this section of the canal was in any way structurally challenging; however, this land was owned by the company's long-standing detractor, Penn Assherton Curzon, and as the previous chapters have established, Curzon had secured an agreement that if his home at Gopsall Hall was denied the use of his nearby spring he would receive compensation of £50,000.<sup>73</sup> A payment of this amount would have ruined the canal company; therefore the issue had to be dealt with at the beginning of the construction process and quickly; so as to maintain the shareholders' confidence in the project.

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<sup>68</sup> D. Sullivan, *Navvyman* (London, 1983), p. 4. Today the structure is covered by trees (a practice used to stabilise the works).

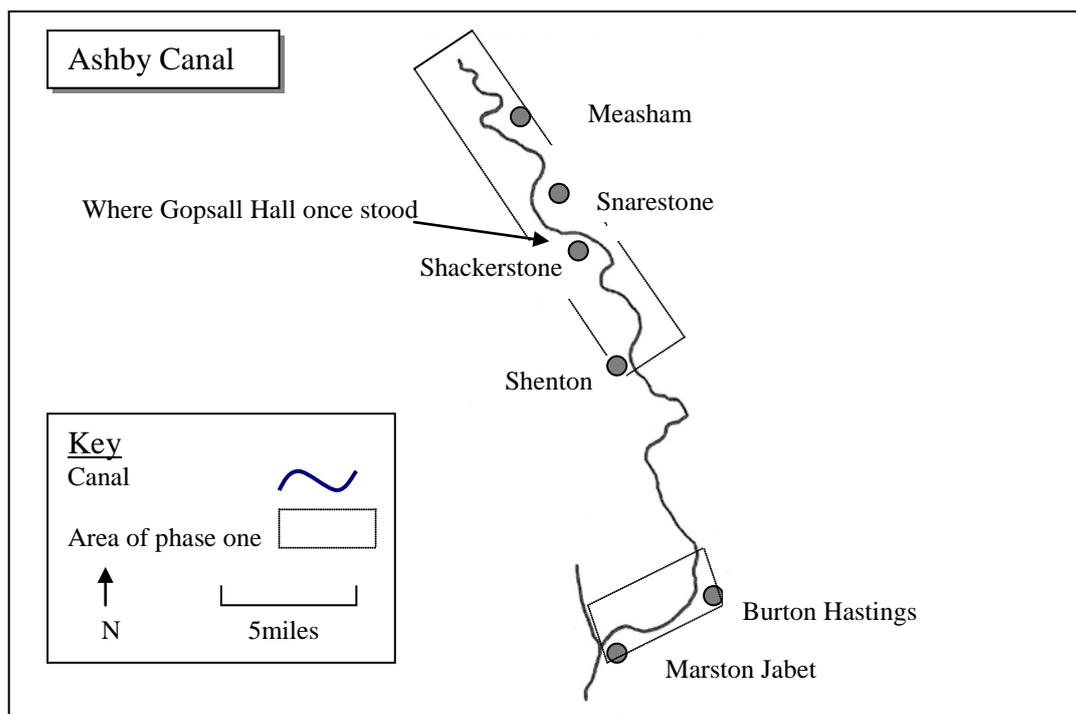
<sup>69</sup> T.N.A., RAIL 803/12/15 (Robert Whitworth Snr's report), 3.10.1796.

<sup>70</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794, p. 17. Originally Joseph Parkin was employed, however, he was replaced by John Boswell, see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 30.3.1795, p. 52.

<sup>71</sup> T.N.A., RAIL 803/12/21 (Robert Whitworth Snr's report), 28.5.1797.

<sup>72</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 29.7.1794, p. 13.

<sup>73</sup> 34 Geo III c. 93, pp. 1586-90. See also RAIL/803/12/5 (Mr Elkington's report on Mr Curzon's spring), 17.1.1793.



**Figure 72: Some of the settlements affected by phase one of the project.**

The importance of the situation is reflected in the numerous references to the spring found in the canal company documents. In Whitworth Snr's pre-construction report he reassured the select committee that concerning Curzon's water source 'there can be no danger of injuring it'.<sup>74</sup> Then in April 1795 the engineer further explained that Curzon's water was being diverted under the canal:

I have the pleasure to inform you that Mr Curzon's pipes are about eighteen inches bellow the bottom of the Canal, so there never can be any occasion to disturb them.<sup>75</sup>

By June 1795 the matter was – as far as the company concerned – put to rest, as the inspection committee reported 'The Cutting all done thro Gopsall Liberty and banks pretty well completed. Spring secured and pronounced out of danger'.<sup>76</sup>

<sup>74</sup> T.N.A., RAIL 803/12/9 (Robert Whitworth's Snr's report) 13.8.1794.

<sup>75</sup> T.N.A., RAIL 803/12/11 (Robert Whitworth's Snr's report), 27.4.1795.

<sup>76</sup> T.N.A., RAIL 803/12/21 (Robert Whitworth Snr's report), 28.5.1797. The clerks rarely underlined any points. Its use here signifies how important the issue was.

As already suggested, there may also have been a personal – as well as practical – element to the decision to start work on the MP for Leicester’s land. Curzon had exhausted much of the company’s time, money and patience during the canal’s promotions, and it is easy to imagine how some promoters of the canal would have enjoyed seeing his land being one of the areas to be developed first.

### Problems encountered during phase one

During the early stages of the canal’s construction the select committee decided to get the northern section between Shenton and the Ashby Wolds operational, with the objective of generating some income from tolls while the remainder of the canal was being completed (Table 42).<sup>77</sup> Within the first six months of construction 26 contracts, involving 19 undertakers, were issued to be carried out throughout this 18 mile stretch.<sup>78</sup> Clearly this was an intense time for those involved with the project. It was decided during this phase to complete the first five miles of the southern section of the waterway so that revenue could also be received from the movement of goods on and off the Coventry Canal (Figure 69).<sup>79</sup> However, the link with the Coventry Canal was not made until the Ashby Canal was officially completed in 1804.

Inevitably problems arose during this first phase of construction; many of which are recorded in the separate reports made by Whitworth Snr and the company’s own Inspection Committee. For example, brick makers such as Captain Hall were producing poor quality bricks; a bridge built by Walker between Shackerstone and Snarestone was badly constructed; in Whitworth’s 1797 report, the contractors Bamford and Watts were accused by the chief engineer of ‘using the worst mortar I have ever seen’ in their

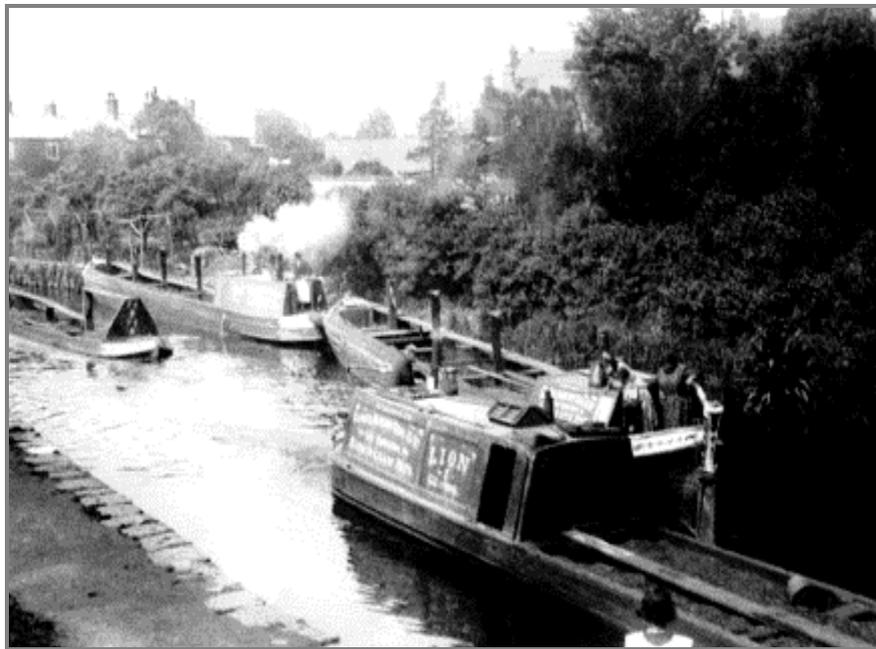
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<sup>77</sup> Whether this was discussed prior to the canal’s construction cannot be ascertained. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.10.1795, p. 78, regarding the first evidence of the proposal.

<sup>78</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 3.9.1794 - 23.3.1795, pp. 16-51.

<sup>79</sup> T.N.A., RAIL 803/12/13 (Robert Whitworth Snr’s report), 21.6.1796.

culverts under Lutterworth Road; the work carried out at Marston Jabet was said to be going too slow; a bridge had to be taken down as it was in the wrong place; a building constructed as a stable and blacksmith shop also had to be dismantled as it was considered useless; spoil was being thrown on both sides of the canal instead of just one; rocks were being left in the works and some of those that were removed by a crane was piled so high it was considered dangerous; work was being carried out without contracts and frost was damaging the embankments at Burton Hastings.<sup>80</sup>



**Figure 73: The ‘executed well’ cutting through Measham in 1936.**<sup>81</sup>

Source: The Ashby Canal Association, ‘Ashby Canal Association Archive.’  
[http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/01/2010).

It is important that such criticisms are put into context. Firstly the purpose of the reports was to look for problems with a view to speeding up construction and making the process more cost effective. In fact – when concluding their first report – the inspectors boldly claimed that if the company acted on their recommendations they would save

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<sup>80</sup> These examples were taken from the reports by the Inspection Committee and Robert Whitworth Snr: See T.N.A., RAIL 803/12/9, 11, 12, 15, 18 and 21.

<sup>81</sup> This section of the canal, despite the good workmanship, no longer exists.

‘several £100’s’.<sup>82</sup> Secondly not all the comments were negative; where good work was observed it was often noted. For example the inspection committee described the entrance to the Snarestone Tunnel as being ‘Masertly done’, the excavations in Oakthorpe and Measham was ‘executed well’ (Figure 73) and the canal cutting on Mr Dixie’s Estate was referred to as being ‘in a good way’.<sup>83</sup> And thirdly, as other company minute books and canal histories testify, there was nothing unique about these on-site issues; such problems were commonplace in canal construction.<sup>84</sup>

One area that did receive much criticism was the works carried out at the southern end at Marston Jabet and Burton Hastings (Figure 72). Initially the observations focused on the pace of work: ‘The deep cutting at Marston Jabet goes on very slow, if more men are not employ’d it will be a long time before it be done’.<sup>85</sup> However, by January 1797 the inspection committee, which now consisted of Jewsbury, Ingle and Farmer reported:

This end of the Work is more immediately under the Inspection of Mr Keightley who we fear is either connected or under pecuniary obligations to several of the Contractors, if this Enquiry proves to be the Case numerous Disadvantages we presume will arise to the undertaking.<sup>86</sup>

If Whitworth Jnr thought that moving his superintendent to the southern sector would keep him out of trouble, he was evidently wrong. For Keightley things were to get worse, as having repeatedly failed to provide the committee with the paperwork they requested, he was finally sacked in February 1797.<sup>87</sup> Yet still there continued to be trouble in Marston Jabet and Whitworth Snr’s May 1797 report was dominated by his

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<sup>82</sup> T.N.A., RAIL 803/12/12 (The Inspection Committee’s report), 23.6.1795.

<sup>83</sup> T.N.A., RAIL 803/12/12 (The Inspection Committee’s report), 23.6.1795.

<sup>84</sup> For examples of problems during constructing canals see Burton, *Canal Builders*, pp. 176-8. See also Anon., ‘Huddersfield Narrow Canal.’

<http://huddersfield1.co.uk/Huddersfield/narrowcanal/huddescanalgreat.htm> (21/9/2010).

<sup>85</sup> T.N.A., RAIL 803/12/11 (Robert Whitworth’s Snr’s report), 27.4.1795.

<sup>86</sup> T.N.A., RAIL/12/18 (The Inspection Committee’s report), 4.1.1797.

<sup>87</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 11.2.1797, p. 161. Despite being sacked Keightley continued to rent the company his horse: see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 27.2.1797, p. 163. Keightley was also a shareholder: see T.N.A., RAIL 803/9/1 (Shareholders’ List) and T.N.A., RAIL 803/10/4 (Leo Piddocke’s invoice), 1803, for evidence of the company taking legal action against him, presumably for arrears.

observations of poor workmanship and problems with measuring the work done by Holmes, Cleever and Malabore which the engineer described as a ‘tedious, wrangling business’.<sup>88</sup>



**Figure 74: Bridge 3 at the southern end of the canal.**<sup>89</sup>

Source: The Ashby Canal Association, ‘Ashby Canal Association Archive.’  
[http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/01/2010).

### The Whitworth’s dismissals

This was to be the engineer’s final official service for the Ashby Canal Company as the following month – after three years of employment – both Whitworths were

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<sup>88</sup> T.N.A., RAIL 803/12/21 (Robert Whitworth Snr’s report), 28.5.1797.

<sup>89</sup> Some bridges at the southern end of the canal are made of stone, which was most likely cut from the rocks encountered when digging the canal at Marston Jabet. The majority of the remaining bridges were made of brick. Observing the bridges today it can be seen that many of them have been refaced with the larger mass-produced bricks. This work may have been done following the early twentieth century reports on the canal’s structures done by the Midlands Railway who bought the canal in 1845. See W.C.R.O., 1590/P765/2 (Plans, profiles and the gradients of bridges), 1909-10. The original smaller hand-made bricks

sacked. No reasons are given for their dismissal; however, an entry in April 1797 suggests that the company were preparing for change as Whitworth Jnr was requested to inform the select committee, at the next meeting, how much he was owed and to provide a complete list of the 'level marks...upon the whole line of the canal'.<sup>90</sup> The following May the company minutes indicate that the resident engineer was ill, as they refer to Whitworth Jnr's 'indisposition'. At this meeting the select committee asked Wilkes to discretely inform the resident engineer that all his instructions regarding payments to the labourers were to be cancelled and that Ingle, Farmer and Jewsbury were 'in his room...to give Orders for the payment to the Workmen for subsistence'.<sup>91</sup> The final blow came in June 1797 when the company ordered that Robert Whitworth Snr and Jnr were no longer to be salaried employees and their services – if needed – were to be employed only on a daily basis.<sup>92</sup> The completion of the canal from the 'Woulds to Boworth' was now the responsibility of the Inspection Committee: Farmer, Ingle and Jesbury.<sup>93</sup>

We can only surmise why the Whitworths were 'let go'. Whitworth the younger's poor health could not have been the reason, as they would just have fired him and kept on his father. There is little evidence of direct criticism of the engineers, yet they were responsible for managing the canal's development and as the company records testify, the select and inspection committees were clearly dissatisfied with many aspects of the construction. It is further possible that Whitworth Snr was blamed for the company's

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can often be viewed on the underneath of the arches. See J. Tucker, *The Stroudwater Navigation* (Stroud, 2003), for an excellent study on this waterway's bridges, pp. 104-39.

<sup>90</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 10.4.1797, p. 174.

<sup>91</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 2.5.1797, p. 176. Unfortunately the available sources reveal nothing more about Whitworth's illness.

<sup>92</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 7.6.1797, p. 179.

<sup>93</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.8.1797, p. 185. It is interesting to note that once Thomas Newbold (who had previously served on the inspection committee) became the project's engineer, the inspections stopped. There is no conclusive evidence why this occurred; however, contributing factors could have been that Newbold was more trusted than the previous engineers, as was the contractor: James Patterson, who dominated the construction of the rest of the canal. It may also have been the case that the structures in phase four were less challenging than phase one, hence their construction not being monitored.

financial problems due to his initial quote (which the companies financial structure was based upon) being too low.

However, in Whitworth the elder's defence, the following factors must be considered. His quote was in fact for £145,545 16s 7d and this excluded:

The expense of making Wharfs, Warehouses, Weighing Machines, Interest on money and all expenses attending the procuring an Act of Parliament and off all Surveys previous thereto.<sup>94</sup>

It was the company who rounded Whitworth's estimate to £150,000, which left – in theory – £4,465 (3%) for the above costs, which when compared to Gladwin's research into the cost of building canals, was clearly not enough.<sup>95</sup> It must be further added that Whitworth Snr's prices were based on the cost of labour, land and materials in 1792;<sup>96</sup> he could not have factored for large increase in prices that occurred during the building process.<sup>97</sup>

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<sup>94</sup> T.N.A., RAIL 803/12/3 (Robert Whitworth Snr's estimate), 20.12.1792.

<sup>95</sup> See D.D. Gladwin, *The Canals of Britain* (London, 1973), p. 36.

<sup>96</sup> See A. Temple Patterson, 'Canals', in W.G. Hoskins and R.A. McKinley (eds), *A History of the County of Leicester, Volume III* (London, 1955), p. 107, on how other canals during this decade also suffered an increase in the cost of labour and materials as a result of the war with France. However, Patterson further adds that 'The original estimates were badly out, especially as they had been formed in a spirit of excited optimism'.

<sup>97</sup> Critics of the Whitworths may also have claimed that mistakes made during the canal's construction and on-site mismanagement under the stewardship of Whitworth junior had added to the expence of constructing the canal. There may be some truth in this, however, it is worth noting that the decisions regarding the amounts to be paid to contractors and property owners (factors that also affected the cost of the project) were made by other parties.

**Table 42: The tolls for the canal between Ashby Woulds and Market Bosworth.<sup>98</sup>**

<b>Date</b>	<b>Amount made by tolls</b>
1.10.1798	£111
1.1.1799	£131
21.10.1799	£155
7.4.1800	£608
6.10.1800	£1053
1.4.1801	£1408
5.10.1801	£1298
5.4.1802	£1626
4.10.1802	£2269
4.4.1803	£2808
3.10.1803	£3496
2.4.1804	£3122

The suggestion could also be made that the company always intended to just use the Whitworths' skills to tackle the large, difficult works and once these were completed it made financial sense to employ cheaper local men, to finish off overseeing the remainder of the project.<sup>99</sup> Yet without further evidence such observations can only remain as speculation.

As Table 42 shows, by March 1798 the canal was partly operational along its northern sector and finally the company could start generating some income.<sup>100</sup> But during this first phase of development the realisation had quickly set in that the estimated £150,000 was not going to be sufficient to finish the project. The solution was to scrap the proposed canal branches that required costly locks and instead put in place tramways.

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<sup>98</sup> Taken from T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2) and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3).

<sup>99</sup> Officially there was still the branches to construct with the large amount of locks; however, it is possible that at this stage the company's management were already considering installing tramways.

<sup>100</sup> See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.3.1798, p. 201, for a letter to Mr Dixie informing him that the canal was completed from 'The Woulds to Bosworth'. Transported goods would have mostly been coal from mining area such as Measham, Donnisthorpe and Oakthorpe. It is also possible that the first five miles of the southern sector of the waterway were operational, despite not being connected to the Coventry; however, to date there is no evidence to prove this.

## **Phase 2: Constructing tramways instead of canal branches 1799-1801<sup>101</sup>**

As the previous chapter has shown, the proposals to construct the tramways instead of canal branches were opposed by two powerful landowners. This did not deter the canal company who set about installing 12 miles of tracks, upon which horses could pull wagons of coal and limestone from the quarries and mines situated to the north-east of the canal's terminus (Figure 75).<sup>102</sup> Once this extractive material was to reach the canal at Willesley (Figure 75), it was to be loaded on to canal boats and transported to customers locally and nationally.<sup>103</sup> These tramways were to be implemented at a time when the company was still constructing the southern section of the canal. Yet in 1801 the select committee were evidently keen to concentrate more of their resources on the former of the two phases as they ordered that for every £50 spent on the waterway, £100 was to be spent on the tramways.<sup>104</sup>

### Benjamin Outram and his relationship with the canal company

Entrusted with the task of supplying and fitting the tramways was Benjamin Outram (1764-1805): an engineer from Alfreton near Matlock, who is described in D. Kitching's study as 'a fine looking, high spirited man, of a generous temper and a

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<sup>101</sup> As table 43 shows there was much discussion before and after 1799-1801, however, it was during these years that the tramways were constructed.

<sup>102</sup> Towards the end of the project the company began including the railways when publicly referring to itself. For example see *Leicester Journal*, 23.3.1804 and 30.3.1804 where when advertising an assembly they use title 'Ashby-de-la-Zouch Canal and its Railways'.

<sup>103</sup> C.R. Clinker and C. Hadfield, 'The Ashby-de-la-Zouch and its tramways', *Transactions of the Leicestershire Archaeological and Historical Society*, 34 (1958). In Clinker and Hadfield's study of the canal and its tramways it is interesting to note that more attention is given to construction of the tramways than the actual waterway. Regarding other studies on the tramways see P. Neaverson, 'The Ticknall lime industry and transport system', *Leicestershire Industrial History Society*, 19 (2007), G. Holt, *The Ticknall Tramway* (Melbourne, 1990), and H. Usher, *The Ticknall Limeyards* (Ticknall, 1995). For contemporary descriptions see J. Farey, *General View of the Agriculture of Derbyshire with Observations on the Means of Improvement, Volume III* (London, 1817), pp. 298-9, W. Marshall, *The Review and Abstract of the County Records to the Board of Agriculture, Volume IV: The Midlands Department* (1815, Plymouth, 1968), p. 207.

<sup>104</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3 7.7.1801, p. 66. Even though this was rescinded on 9.12.1801, p. 94, the fact that such a resolution was passed indicates that (for a time at least) the tramways were to take precedence over the canal's construction.

relentless energy which would ill brook opposition'.<sup>105</sup> He had previously worked on the Huddersfield, Cromford and Derby Canals and was familiar with Ashby Company employees such as Whitworth Snr and Jessop.<sup>106</sup> He had also been employed by Joseph Wilkes in 1796-7 to provide the Measham industrialist with tramways linking his colliery at New Brinsley to the Cromford Canal,<sup>107</sup> and it is probable that it was Wilkes who instigated Outram's involvement with the Ashby Canal project.<sup>108</sup>

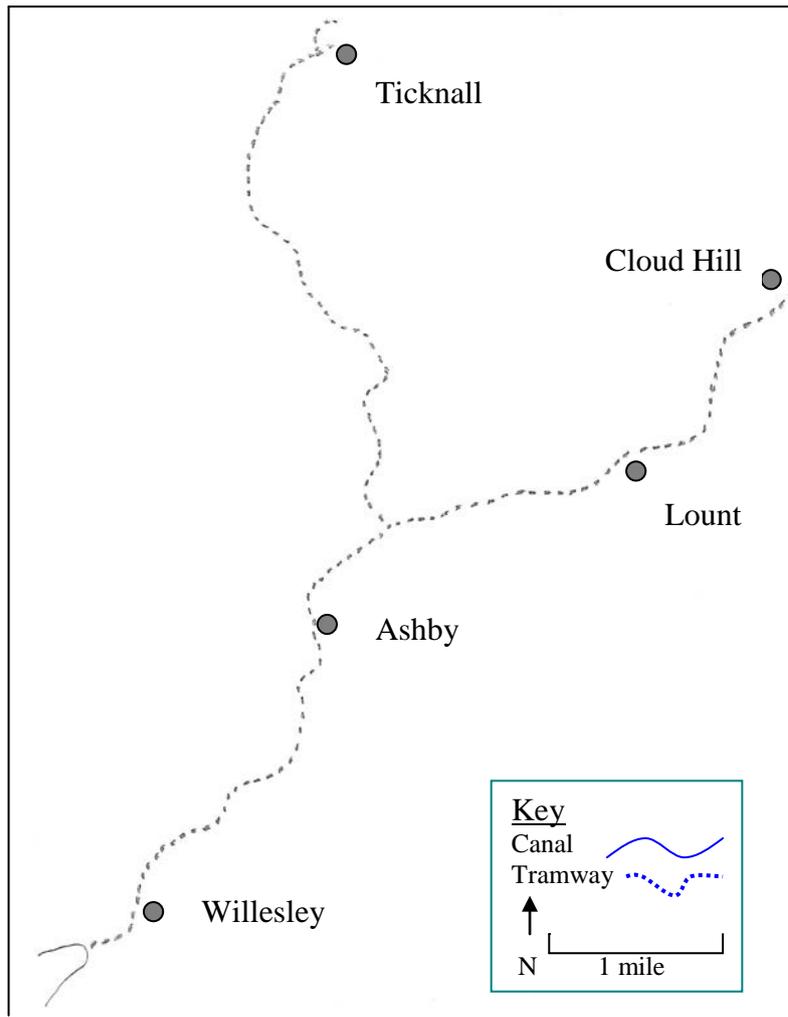
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<sup>105</sup> D. Kitching, 'Biography of Benjamin Outram.' <http://www.brocross.com/iwps/pages/outram/bn-outram.htm> (3/8/2010). Outram was named after the American politician, Benjamin Franklin, who was a friend of the family and Outram's godfather. See also R.B. Schofield, *Benjamin Outram, 1764-1805: an Engineering Autobiography* (Cardiff, 2000) and P. Riden, *The Butterley Company* (1973, Chesterfield, 1990).

<sup>106</sup> D. Kitching, 'Biography of Benjamin Outram.' <http://www.brocross.com/iwps/pages/outram/bn-outram.htm> (22/8/2010). During the construction of the Cromford Canal in August 1789 William Jessop was employed as a consultant engineer and Benjamin Outram was employed as a superintendent. Burton, *Canal Builders*, p. 110: Burton also makes the point that William Jessop was a partner in the Butterley Company.

<sup>107</sup> D. Kitching, 'Biography of Benjamin Outram.' <http://www.brocross.com/iwps/pages/outram/bn-outram.htm> (3/8/2010). Wilkes must have been pleased with Outram's work to allow him to install the Ashby Canal tramways. See Faulkner, *Grand Junction Canal*, pp. 46-7: It is also interesting to note that Wilkes was a member of the committee for the Grand Junction Canal Company, which also employed Outram to install tramways for them in 1799-1800, and that Outram only gained the contract after a sub-committee from the Grand Junction visited Wilkes colliery.

<sup>108</sup> Wilkes and fellow select committee member Greaves were instructed to inspect the Ashby Canal tramways during their construction. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 12.3.1803, p. 169.



**Figure 75: The Ashby Canal tramways put in place during the canal's construction.**

Source: P. Neaverson, 'The Ticknall lime industry and transport system', *Leicestershire Industrial History Society*, 19 (2007), p. 10.

Outram quoted the canal company £29,500, for 12 miles of tramways that would effectively link the various extractive concerns situated around Cloud Hill and Ticknall to the canal (Figure 75).<sup>109</sup> The main developments in the construction of the tramways are recorded in table 43 and extracts from the minutes further reveal how relations were often strained between the canal company and Outram:

<sup>109</sup> Clinker and Hadfield, 'Ashby-de-la-Zouch and its tramways', pp. 64-5. Outram made an additional claim for £2000 to cover the expense of the increased cost of labour and materials. See also Holt, *Ticknall Tramway*, pp. 17-9 for a copy of Outram's proposal to the canal company.

The railways are in a very imperfect and incomplete state.<sup>110</sup>

That Mr Outram and Company be written to and requested to inform Mr Leonard Piddock where the 1000 Gang Rails and the Cross Rails charged on their bill are to be found...and that an immediate answer be requested.<sup>111</sup>

Mr Newbold to write to Mr Outram to know if he is making the machines ordered and when the Company may expect to receive them and request his immediate answer.<sup>112</sup>

**Table 43: The main developments in the construction of the tramways.**

<b>Date</b>	<b>Developments</b>
5 June 1798	Jewsbury and Newbold were instructed to survey the land with a view to replacing the proposed branches with tramways
1 October 1798	Outram was asked to view and survey the intended line
1 April 1799	The assembly agreed to construct the tramways
17 February 1800	Outram's initial estimate of £29,500 was accepted
18 December 1801	Outram promises to finish the tramways by 1 May 1802
19 May 1802	Outram failed to meet the deadline
6 July 1802	A critical report states that the tramways were still incomplete
July-October 1802	The tramways came into operation
4 January 1803	Outram and the company began a long process of trying to find arbitrators to deal with the disputes over the workmanship and payments
6 July 1803	Another report heavily criticised Outram's work
9 July 1803	An agreement was made regarding arbitration
22 May 1805	Outram died, having been paid £31,163, with a further £450 later paid to his widow

Analysing the available evidence, it is possible to appreciate why both parties felt aggrieved to the extent that third party intervention was required. From Outram's perspective the relationship had started badly as the select committee's procrastination during the early months of 1799 regarding the project's start date had left his company in operational limbo.<sup>113</sup> Outram was holding back from taking on other work so that he

<sup>110</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 19.5.1802, p. 131.

<sup>111</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 7.5.1803, pp. 184-5.

<sup>112</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 5.3.1805, p. 258.

<sup>113</sup> On-site work would have been difficult at the start of 1799 as the country was experiencing an exceptionally bad winter. See J. Beresford (ed.), *Woodforde: Passages from the Five Volumes of the Diary of a County Parson, 1758-1802, the Reverend James Woodforde* (London, 1935), p. 466, for an entry on 2 February 1799 where the diarist claims that the weather during this period had not been known 'for the last Forty Years and likely to continue'.

could concentrate all his resources on the Ashby tramways, but the consequences of these delays were that Outram's men and machines were not being used.<sup>114</sup>

In April 1799 the select committee finally resolved to proceed with the project and ordered the manufacture of a small number of rails;<sup>115</sup> but still there was no mention of preparing the affected area which involved processes such as raising embankments (Figure 76), the laying of stone sleepers for the rails to sit upon (Figure 77) and tunnelling (Figure 78). When on-site work finally did commence in August 1799, Outram had to proceed without a contract.<sup>116</sup> Considering the company's financial problems, this must have been a concern to the engineer, especially when his scheduled payments were not being made on time.<sup>117</sup> Outram was also having to deal with the problem of inflation. He was initially asked to provide an estimate in December of 1798; however, the construction of the tramways continued until October 1801 and in this time the cost of labour and materials increased which reduced the profitability of the project.<sup>118</sup>

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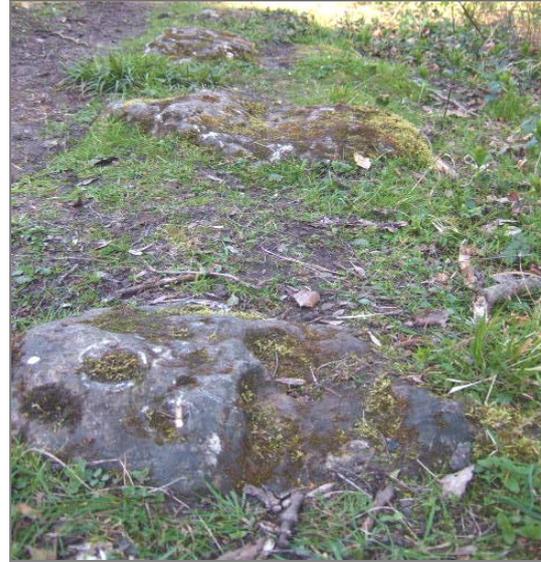
<sup>114</sup> These were orders from clients in the West Indies and America. See Clinker and Hadfield, 'The Ashby-de-la-Zouch and its tramways', p. 63.

<sup>115</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 19.4.1799, p. 241.

<sup>116</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.8.1799, p. 246. The company initially ignored Outram's request for a contract but he must have had one at some point, as an entry in the third minute book refers to it. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 11.11.1802, p. 155.

<sup>117</sup> See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 17.2.1800, pp. 12-3, regarding the scheduled payments where Outram was to receive £1420 every four months. Viewing the aforementioned developments from the canal company's perspective, it is obvious that their initial reluctance to commence the project was due to the uncertainty of their legal position regarding using tramways as a substitute for canal branches and the attacks they were under from the Earl of Stamford and Earl Ferrers on the issue. They could hardly give Outram instructions to commence work when the 'Solicitor General' had initially found in favour of the nobles' opposition. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 11.6.1799, p. 243. Furthermore, the company's precarious financial position – due to the arrears of their shareholders – meant that making the agreed payments to Outram was impossible. All they could do was reassure the engineer that once funds became available they would be directly channelled to him.

<sup>118</sup> See Marshall, *Review and Abstract of the County Records to the Board of Agriculture*, pp. 218-20, regarding the increase in cost of 'Building Materials and Labour' between 1786 and 1807 in Leicestershire.



**Figures 76 and 77: The remains of the embankment and stone sleepers upon which the tramways ran.**

Source: J. Poyser 'Stone sleepers on Ticknall Tramway'  
<http://www.geograph.org.uk/photo/467951> (21/8/2010).

During the course of the work the canal company carried out numerous inspections which highlighted many problems such as poorly fitted tracks and invoices not reflecting the amounts of work carried out.<sup>119</sup> Outram also failed to honour his promise to finish his work on time. Relations were so poor that arbitration was required; yet mediation was also problematic as neither party could agree on who was to preside over the disputes.<sup>120</sup>

Unfortunately the available sources provide little evidence of the on-site politics during the tramways installation. To replace the Whitworths the canal company employed one of the previously mentioned inspectors, Thomas Newbold, but his role concerning the tramways mainly involved surveying and inspecting the site.<sup>121</sup> The

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<sup>119</sup> For example see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 19.5.1802, p. 131, and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 7.5.1803, pp. 184-5.

<sup>120</sup> For example see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 9.7.1803, p. 188 and 6.9.1803, p. 190.

<sup>121</sup> For an example of Newbold being instructed to survey the tramways see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 5.6.1798, p. 213. See also T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 29.6.1802, p. 134, regarding a report made by Newbold and Ingle that was evidently considered sub-standard as the select committee ask for it to be redone 'in the most accurate manner they possibly can'.

position of site supervisor was given to an employee of Outram's company: Mr Hodgkinson, who had been in his service as early as 1787.<sup>122</sup> As to the actual workforce who dug the cuttings, built the embankments, laid the track and constructed the tunnels (Figures 76-8), Hadfield and Clinker claim that out of work miners were initially used for the task.<sup>123</sup>



**Figure 78: The south-west entrance to the tunnel that runs under the road leading to Calke Abbey.**

Source: P. Myott, 'Tramway Tunnel, Calke Park.' <http://www.geograph.org.uk/photo/277880> (29.9.2010).

### The continuation of disputes after the tramways became operational

Even after the tramways began servicing the canal, the two parties persisted with their claims and counter claims on issues concerning the quality of workmanship and

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Newbold was also instructed to build structures along side the tramways. For example see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.5.1803, p. 182, where he is given an order to build a cottage at the 'north end of the Tunnel for the accommodation of the person who may attend the weighing machine'.

<sup>122</sup> D. Kitching, 'Biography of Benjamin Outram.' <http://www.brocross.com/iwps/pages/outram/bn-outram.htm> (3/8/2010). Hodgkinson worked with Outram on the Erewash Canal in July 1787.

<sup>123</sup> Clinker and Hadfield, 'The Ashby-de-la-Zouch and its tramways', p. 63. It is also possible that many of those employed would have previously worked on the northern end of the canal and then relocated to work on the construction of the tramways.

outstanding payments.<sup>124</sup> Luckily for the canal company the construction of the remainder of the canal was less challenging during this period, which allowed the select committee to focus more attention on their disputes with Outram. Yet, despite the apparent hostilities, Outram was nominated by the select committee to value the tolls for the canal's extension to the Trent (which never took place).<sup>125</sup> He is also listed as loaning the company £1000; however, rather than handing this money over to the company it is likely that to facilitate the loan he simply reduced his bill by £1000.<sup>126</sup>

Even though the tramways began operating between July and October 1802, the following years witnessed further disagreements between the company and Outram, which led to more inspections and the need for extensive repairs. Selected excerpts from Clinker and Hadfield's analysis of the investigations reveal the extent of the criticisms:

The path for horse drivers lacked sufficient gravel and was so badly made as to cause the sleepers to slip... the embankment at Willesley was unfit... some side walls were too low... the sleepers were of unsuitable stone and the wood plugs carelessly cut... bad ballasting resulted in the track not being well supported and frequently out of gauge... the embankments had been hurriedly constructed and the track laid upon them before they had time to settle... the cuttings and archway under Sir Henry Harpur's drive at Tichnall were incomplete.<sup>127</sup>

Despite the above observations by March 1805 Outram had received £31,163 for the work carried out, but in May of the same year, he died in London aged 41, of brain fever.<sup>128</sup> Money was still owed to the engineer, which the company paid to his widow in 1805 and in 1807.<sup>129</sup>

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<sup>124</sup> Clinker and Hadfield, 'Ashby-de-la-Zouch and its tramways', p. 65: Client/contractor relations deteriorated to the extent that Outram openly questioned whether those he was dealing with were honourable gentlemen. For an example of disagreements between the two parties after the opening of the tramways, see T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 20.1.1803, p. 164.

<sup>125</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.7.1801, p. 65.

<sup>126</sup> See T.N.A., RAIL 803/7 (Ledger of mortgages), regarding a loan made on 21.4.1801 for a '£1000'.

<sup>127</sup> Clinker and Hadfield, 'Ashby-de-la-Zouch and its tramways', p. 66. These investigations took place during 1802-3 by various committee members including Joseph Wilkes and the Coventry Canal's engineer, John Warner.

<sup>128</sup> D. Kitching, 'Biography of Benjamin Outram.' <http://www.brocross.com/iwps/pages/outram/bn-outram.htm> (22/8/2010). Outram died 22 May 1805.

<sup>129</sup> See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.2.1807, p. 304.

The tramways, despite their installation problems, fulfilled their function of linking the mines and quarries to the waterway. They were considered so successful that in 1827 an additional three miles of tramway began operating, linking the head of the canal to Swadlincote collieries and potteries and in 1830 another branch came into use connecting the lime works at Staunton Harold.<sup>130</sup>

### **Phase 3: Constructing the feeder reservoir (1799-1801)**

It was commonplace for canals to use feeder reservoirs and the Ashby Canal was no exception (Figure 79).<sup>131</sup> Today this construct no longer performs its original function, yet we do have early nineteenth-century descriptions of this form of water-governance in operation.<sup>132</sup> In Farey's 1817 report on Derbyshire he describes how 'On Union Farm, between Boothorpe and Overseal, Leicestershire, a Reservoir of 36 acres has been constructed.'<sup>133</sup> And Marshall's 1815 report on Leicestershire also provides the following observations:

Containing when full 36 acres of water; this quickly filled by the rain and melted snow of winter, and dealt out gradually to supply the canal in summer: when I saw it October 1807 it was reduced to a few acres only.<sup>134</sup>

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<sup>130</sup> Clinker and Hadfield, 'Ashby-de-la-Zouch and its tramways', pp. 67-70. See also Holt, *Ticknall Tramway*, p. 10, for details of how long each section of the tramways was in use. Holt states that most of the works stopped operating during the second half of the nineteenth century, with the exception of the single track from Old Parks to Ticknall, which ended in 1915.

<sup>131</sup> See Clarke, *Leeds and Liverpool Canal*, p. 174, for an excellent cross-section diagram of how the canal traversed the Pennines and how numerous reservoirs supplied the waterway at its highest points. See also V. Davis, 'Charnwood Forest: population, landownership and environmental perception, c. 1775-1914' (unpub. Ph.D. thesis, University of Leicester, 2004), p. 241, for an account of the ill-fated Blackbrook reservoir near Shepshed which was constructed between 1795-7 to supply the Charnwood Forest Canal. In 1799 it burst its banks and after its rebuilding in 1801 it continued to leak until it was abandoned in 1808. See also Anon., 'Huddersfield Narrow Canal Reservoirs.'

<http://www.huddersfield1.co.uk/huddersfield/narrowcanal/huddscanalres.htm> (20/9/2010), for an account of how a feeder reservoir supplying the Huddersfield Canal failed and killed six people in 1810.

<sup>132</sup> This construct, despite its size and importance, has been largely ignored by recent historical works concerning the Ashby Canal.

<sup>133</sup> Farey, *General View of the Agriculture of Derbyshire*, p. 300.

<sup>134</sup> Marshall, *Review and Abstract of the County Records to the Board of Agriculture*, p. 207.



**Figure 79: The Ashby Canal feeder reservoir.**<sup>135</sup>

### The construction of the reservoir

It is clear that the promoters of the Ashby Canal had considered the need for an additional water supply even before the waterway's construction had begun as Whitworth's 1792 estimate included the cost of a reservoir and it was also referred to in the 1794 Book of Reference.<sup>136</sup> However, as the canal developed, some began to question whether such a construct was required, which led to a report made by Mr Ingle and the newly appointed engineer Mr Newbold in 1799, which concluded that 'Reservoirs upon the Ashby Woulds will be absolutely necessary'.<sup>137</sup>

The construction of the reservoir took at least 18 months between 1799-1801. Unfortunately the surviving company records do not refer to who was contracted to carry out the works or the labourers and craftsmen they employed. Yet viewing its remains

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<sup>135</sup> This construct no longer supplies water, but as the image shows it still retains it in some areas.

<sup>136</sup> See T.N.A., RAIL 803/12/3 (Robert Whitworth's 1792 estimate) and W.C.R.O., QS 111/2/6 (Book of Reference).

<sup>137</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 1.1.1799, p. 226. See also T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 14.1.1799, p. 228: At the next meeting two possible sites were proposed at 'Ashby Dam Valley' and 'Carter Slade Valley.' To date it has not been possible to find any maps that refer to these locations.

today, it can be observed that this was a major undertaking which required damming a valley with the reservoir head and then constructing embankments either side of it.<sup>138</sup>

In January 1801 it was announced that the reservoir was complete and the company requested permission from Moira to begin filling it,<sup>139</sup> which he gave providing it was closely monitored and done ‘with caution’.<sup>140</sup> Newbold was then ordered to fill the reservoir in February 1801, following an inspection by ‘Ingle, Farmer and Hodgkinson’.<sup>141</sup>

### Extending the canal to the reservoir

In November of the following year there were further dealings with Moira concerning water issues (Figures 80 and 81).<sup>142</sup> The minutes record that he had only allowed the tramways (which were now operational) to pass over his land on the condition that ‘the Canal should be extended from the present termination of it upon the Woulds to the Valley where the Reservoir is now made’ (Figures 82 and 83).<sup>143</sup> Moira now wanted this small and additional section of canal constructing and the committee resolved to grant him his wishes.

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<sup>138</sup> Observing the remains of the reservoir today, it can be seen that additional embankments were required either side of the header wall to ensure a sufficient amount of water was held. Clearly, constructing reservoirs in areas where the topography gently rolls requires more work than in areas such as the Pennines where existing steep valleys ensure that often one dam is sufficient to provide a large water storage area.

<sup>139</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 9.1.1801, p. 43.

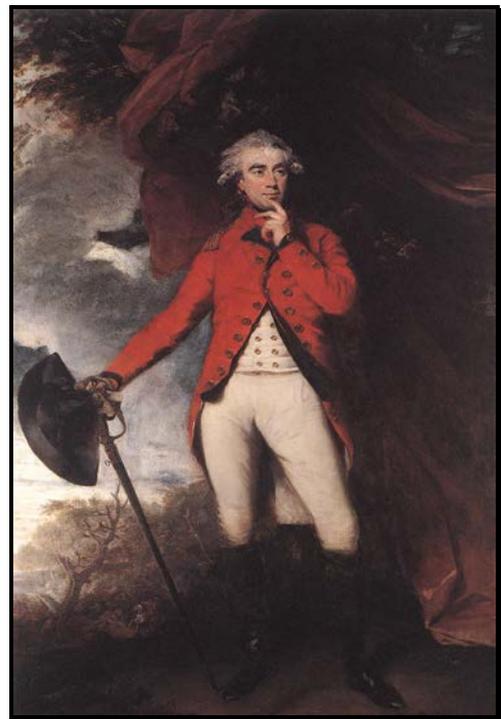
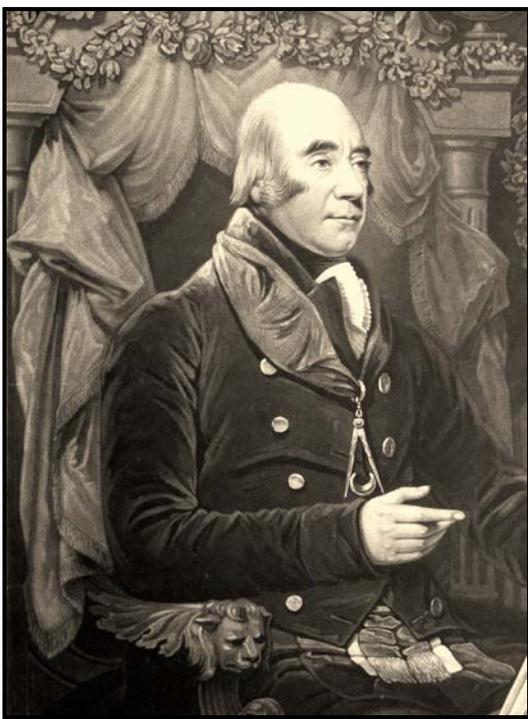
<sup>140</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.2.1801, p. 44.

<sup>141</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.2.1801, p. 44.

<sup>142</sup> P. Olsen, *Donington Hall: the History of an Ancient Family Seat* (Cambridge, 1990), p. 25. The Irish poet Tom Moore – who was a friend of Moira’s – recounts the Earl’s involvement with another form of water management: his own ornamental lake at Donington Hall. Moore describes how the ‘water continued to escape like the Earl of Moira’s own wealth through some invisible and unaccountable outlet leaving it dry’.

<sup>143</sup> As the previous chapter has shown, during the reservoir’s construction in August 1799, minerals were discovered on Moira’s land, which brought the noble and the company to the negotiating table. See T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 6.8.1799, pp. 246-7. This move to extend the canal was evidently to benefit his extraction interests in the area. See also D. Prentice, *One Man’s Moira* (Coalville, 1991), p. 6, regarding how the Reservoir Pit was not sunk until 1850.

In January 1806 the company recorded that its poor finances had prevented them from meeting their agreement with the noble and that Moira had offered to loan the company the necessary funds to complete the works.<sup>144</sup> In April the canal company received off the Earl the sum of £500. Unfortunately who was contracted and how long it took cannot be ascertained from the minutes, but Marilyn Palmer's research has concluded that the work was completed in the summer of 1806.<sup>145</sup>



**Figures 80 and 81: Further images of the Earl of Moira.**<sup>146</sup>

Source: Wikipedia, 'Francis Rawdon-Hastings, 1st Marquis of Hastings.'

[http://en.wikipedia.org/wiki/Francis\\_Rawdon-Hastings,\\_1st\\_Marquess\\_of\\_Hastings](http://en.wikipedia.org/wiki/Francis_Rawdon-Hastings,_1st_Marquess_of_Hastings) (20/2/2011).

<sup>144</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 27.1.1806, p. 272.

<sup>145</sup> M. Palmer, 'The Earl of Moira', in D. Cranstone (ed.), *The Moira Furnace: A Napoleonic Blast Furnace in Leicestershire* (Coalville, 1985), p. 8. See J.B. Harley (ed.), *Reprint of the First Edition of the One-Inch Ordnance Survey of England and Wales: Leicester, 1835* (1970, Newton Abbot, 1980) for evidence of the close proximity of the canal to the reservoir.

<sup>146</sup> W. Scott, *The Story of Ashby-de-la-Zouch* (Ashby-de-la-Zouch, 1907), p. 149. Scott writes in 1907 that there was also a statue of Moira in Calcutta, where it 'stands in the entrance porch of the Halhousie Institute'.



**Figures 82 and 83: Moira's extension to the canal.**

### The reservoir today

Nineteenth-century maps show that the reservoir remained watered during that century, however, to date it has not been possible to ascertain when it stopped feeding the waterway.<sup>147</sup> It was certainly operating in 1832, as in this year Mr Crossley produced a report where he also states that in October 1806 the banks had to be raised by four feet to increase its capacity.<sup>148</sup>

Today this structure that once held water is used as a dump for the waste produced from making ceramic tiles (Figure 84). Yet the construct's head and some of its additional embankments are clearly recognisable with their elongated earthworks and distinctive straight flat tops. Furthermore the road leading to the area still retains the name of 'Reservoir Road'. It is also worth noting that the last quarter of a mile of canal has managed to survive despite this northern section of the canal losing over eight miles of canal due to subsidence and neglect. This is not to be mistaken for the recently

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<sup>147</sup> See J. Gough (ed.), *Old Ordnance Survey Maps: South Derbyshire and NW Leicestershire, 1896* (Leadgate, 2002).

<sup>148</sup> T.N.A., RAIL 803/19 (Reservoir from Ashby Woulds). This report also refers to the damage done by waves against one of the reservoir's banks and states that rocks had to be placed in the construct to stop the slippage that was occurring. See also L.C.R.O., DE 41/1/123 (General statement of the Ashby Canal accounts) October 1833 and April 1834, for an entry stating the Moira's descendant the 2<sup>nd</sup> Marquis was to receive £200 for 'Damage of land at the Reservoir since 1794'.

restored mile-long section at Moria that has returned due to efforts of the Ashby Canal Association.



**Figure 84: Evidence of ceramic waste found within what was once the Ashby Canal feeder reservoir.**

#### **Phase 4: Constructing the canal from Shenton Aqueduct to Watling Street 1798-1804**

After four years of construction the largest section of the waterway (which also contained the most difficult structures) was completed and the northern section of the canal was operating with goods moving as far south as Market Bosworth.<sup>149</sup> Yet the canal was far from complete. The main problem was that the project was running over budget and there was a shortage of available money due to the arrears of its shareholders.<sup>150</sup> These factors had a major impact upon on how the remaining nine miles of the canal were constructed.

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<sup>149</sup> Unfortunately it is not possible to ascertain when the works at the end of the southern section of the canal (also phase one) were finished and watered.

### Differences between phase one and four regarding the canal's construction

Phase one was characterised by large numbers of contractors, labourers, administrators and other company employees, with regular inspections by the engineer and an inspection committee. During phase four the company could no longer afford to function at this level of expenditure, especially considering how it also had to implement the tramways and reservoir during this period (compare figure 67 with figure 85).<sup>151</sup> The answer was to maintain operations on the canal, but on a smaller scale. This allowed some momentum to continue; yet, it also resulted in extending the project's completion date.<sup>152</sup>

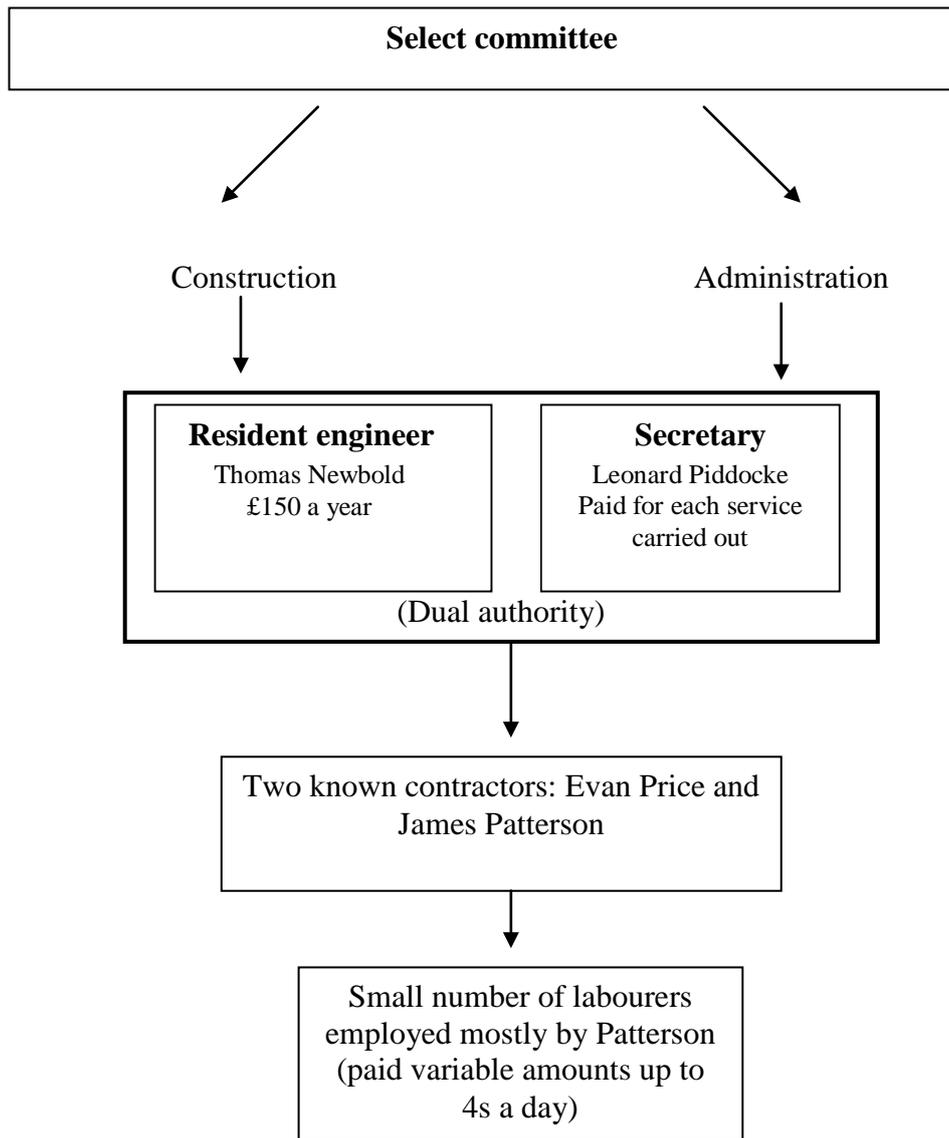
Only two contractors are recorded as being engaged during this period and one of these, Evan Price from Ashby, was only employed to construct a small – albeit difficult – section of the waterway through Ambion Wood (Figure 86). The remainder of the work during phase four was carried out by James Patterson of Stoke Golding, who had previously constructed a section of phase one at Congerstone in 1797.

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<sup>150</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 2.4.1798, p. 208. At the April 1798 assembly the figures show that the company had spent £83,292. It was in debt to the treasurer £929 and had £30,137 in outstanding arrears from its shareholders.

<sup>151</sup> It was common practice for canal companies to adapt to financial shortages by shrinking their operations. For example during the construction of the Melton to Oakham Canal in 1799 'All hands except 50 were discharged for lack of funds to pay them': C. Tew, *The Melton to Oakham Canal* (1968, Melton Mowbray, 1984), p. 24.

<sup>152</sup> These conclusions have been gleaned from the recorded actions of the canal company. It is important to note that there is no evidence of the select committee or assembly acknowledging these factors.



**Figure 85: The individuals and collectives involved in the construction of the Ashby Canal during phase 4 between 1798-1804.**

It is interesting to note the differences in the company records concerning phase one and four. During the early years of the project there are constant references to problems such as disputes, poor workmanship, dismissals and landslides, whereas very little is reported concerning phase four.<sup>153</sup> An obvious contributing factor was that the first phase covered a larger area, however, it is worth noting that phase four occurred over a longer

<sup>153</sup> The strongest criticism is aimed at Newbold the engineer. The committee resolve that ‘Mr Newbold do expediate the completion of the canal between the Town of Hinckley and the Intended Junction at the Coventry Canal’. See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 19.4.1802, p. 122.

period of time.<sup>154</sup> When examining the waterway today it can also be appreciated that the work carried out by Patterson was less structurally demanding than the work carried out during the first four years of the project. The canal in phase four still needed embankments, bridges and culverts, but these were evidently less challenging when compared to the deep cuttings, large embankments and aqueducts that were put in place during phase one.<sup>155</sup>

Another reason for the lack of references to the work carried out in Sutton Cheney, Dadlington and Higham-on-the-Hill could be that in James Patterson of Stoke Golding (c.1769-1819),<sup>156</sup> the company found someone who could be relied upon to provide quality work with a minimum of fuss. In 1797 the Inspection Committee – having observed the practices of the numerous contractors during phase one – made the following statement:

From the great Imposition the Company have sustained by different Contractors we think it will be best to set the Canal beyond the Ambyon Wood to be finished by some responsible Undertakers.<sup>157</sup>

Patterson (and Price) had worked on phase one and evidently out of the 40 contractors employed these individuals were deemed to meet the above criteria and were therefore ‘cherry picked’ to finish off the project.

In total Patterson secured three contracts and had his final bill of £100 paid almost a year after the canal opened.<sup>158</sup> There are no reports of any problems with his work; however, it must be noted that during Patterson’s employment there is no evidence of any

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<sup>154</sup> Most of these simply state what new areas James Patterson is being contracted for. The entries between 1798 and 1804 mostly refer to issues regarding the tramways, finances and the proposed Commercial Canal.

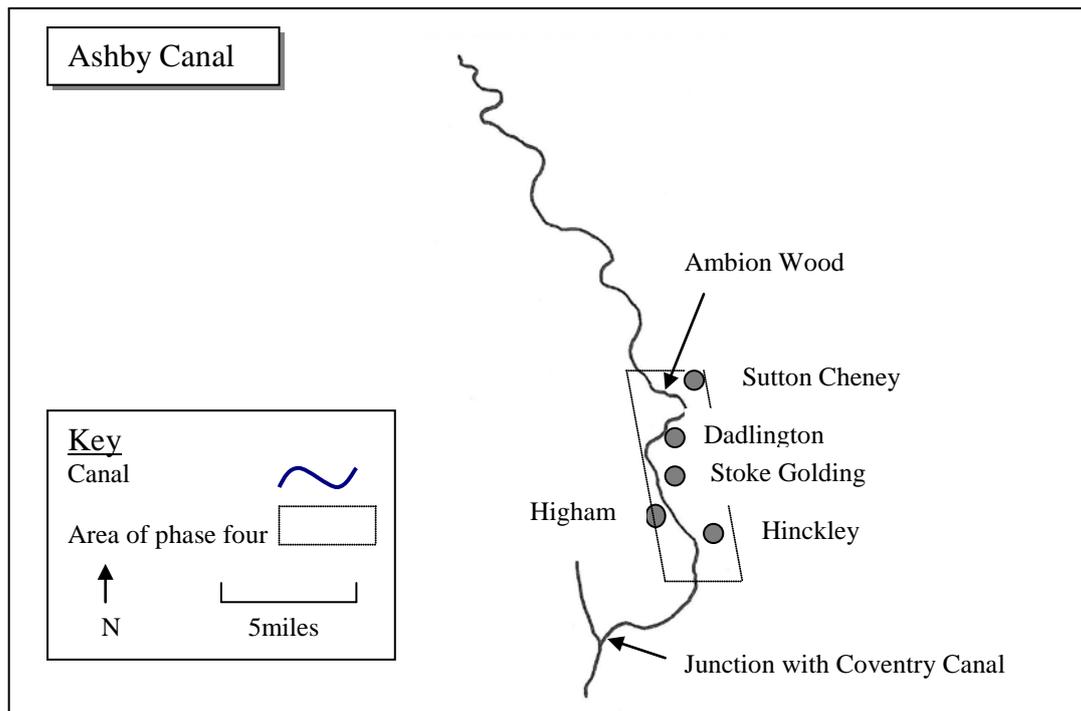
<sup>155</sup> H.E. Beavin, *The Book of Hinckley* (Oxford, 1983), p. 43: Beavin states that the Hinckley wharf was operational by 1802, which indicates that the canal was watered as soon as Patterson completed it.

<sup>156</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 127.

<sup>157</sup> T.N.A., RAIL 803/12/18 (The Inspection Committee’s report), 4.1.1797.

<sup>158</sup> Regarding Patterson’s contracts see T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 16.1.1797, p. 153, 4.12.1798, p. 226 and T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 1.9.1801, p. 74. See also T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 20.3.1805, p. 249, for evidence of Patterson’s final payment.

inspections being carried out. The only additional comments made that relate to the contractor are regarding his last contract, where – presumably to control expenditure – the company included a clause that allowed them to control the number of men Patterson employed.<sup>159</sup>



**Figure 86: Some of the settlements affected by phase four of the project.**

#### Numbers employed on the canal

Burton calculates that during the 1790's 'there must have been well over 50,000 labourers employed on canal work.'<sup>160</sup> Unfortunately calculating the total number of men (labourers and skilled) who were involved in the Ashby Canal (phases one to four)

<sup>159</sup> T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 1.9.1801, p. 74. Unfortunately details of the amounts are not recorded.

<sup>160</sup> Burton, *Canal Builders*, p. 160.

cannot be done.<sup>161</sup> We are only given clues, regarding the numbers involved, at certain points of time or at specific places as the following examples from phase one show:

Marston Jabet deep cutting – part of it executed well and banks formed, about 60 men at work, the committee recommend double that No to be employed immediately.<sup>162</sup>

Marston Jabet is now in a fare way to be done; there being 132 Men employed in that Quarter. There are 43 stone cutters which by the Calculation we have made will finish that business by May-day or soon after if the winter proves favourable.<sup>163</sup>

Further evidence is provided from the entry for July 1796, where the select committee resolve:

That Mr Whitworth be directed so to reduce the number of men employed on the works as to be within the compass of the expense of £600 a fortnight for the Harvest Months in order to let them go off to the Harvest work for the benefit of the County.<sup>164</sup>

Regarding the above quote Gerald Box has suggested that considering subsistence was on average ‘ten shilling per man per week, then some 600 men were at work’,<sup>165</sup> and considering the intense activity during 1796, this appears a fair assumption.<sup>166</sup> However, during the final few years of the project, after the construction of the tramways and the reservoir, when Patterson was the last contractor working his way through Sutton Cheney and Stoke Golding, the numbers employed must have been reduced or the canal would have been completed much quicker.

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<sup>161</sup> The Blackburn Community History Department, ‘A Canal Navy.’ <http://www.cottontown.org/page.cfm?pageid=2897> (12/8/2009). During the construction of the Ashby Canal, Robert Whitworth Snr was also employed by the Leeds and Liverpool Canal which in March 1796 had its workforce numbered at 518.

<sup>162</sup> T.N.A., RAIL 803/12/12 (The Inspection Committee’s report), 23.6.1795.

<sup>163</sup> T.N.A., RAIL 803/12/13 (Robert Whitworth Snr’s report), 21.6.1796.

<sup>164</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 28.7.1796, p. 124. See *Leicester Journal* 1.5.1795 regarding calls for subscriptions to pay for an application to Parliament to ‘restrain the employing of any Persons in making Navigable Canals during the Time of the Corn Harvest’. Evidently there was sufficient concern to warrant the formation of such an organisation. See also the *Leicester Journal* 29.5.1795, regarding how the campaign for the Bill had failed and that the £28 that had been raised would go to funding the army.

<sup>165</sup> Box, ‘Construction of the Ashby Canal’. p. 65.

<sup>166</sup> See Faulkner, *Grand Junction Canal*, p. 28, regarding how the workforce in 1790 expanded from 360 to 3,000.

Luckily we have evidence of three adverts he placed in the *Leicester Journal* for labourers. In November 1801 he announced he was constructing the canal between Stoke Golding and Hinckley and he required 20 to 40 labourers, the following year he advertised for 'Forty or Fifty Labourers to finish the ASHBY CANAL' and then in April 1803 he announced:

Wanted immediately Upon the Ashby-de-la-Zouch Canal THIRTY OR FORTY LABOURERS 3s 6d. or 4s. Per Day will be given to good Hands Apply to James Patterson, Stoke Golding near Market Bosworth.<sup>167</sup>

Such evidence indicates that, despite the contractor living in the area, he could not recruit enough local men to meet his and the canal company's needs.<sup>168</sup> Yet considering he was only asking for labourers may suggest that he had a sufficient number of skilled men (required for building bridges and culverts). It also indicates how much was paid and that the amount given to workers presumably depended upon their experience and performance.<sup>169</sup> But was he advertising for a complete fresh gang of workers, or was he topping up his existing team? Again this information eludes us.<sup>170</sup>

## Conclusion

Dividing the construction process into separate phases emphasises the complexities of providing a commercial man-made waterway and reveals how other

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<sup>167</sup> *Leicester Journal*, 13.11.1801, 5.11.1802 and 8.4.1803.

<sup>168</sup> Burton, *Canal Builders*, p. 135: During the construction of the Lancaster Canal in 1796 there were 35 contractors: 'the largest of these, Stevens, had 150 men; the smallest Pat O'Neil controlled a total workforce of two diggers'.

<sup>169</sup> Burton, *Canal Builders*, p. 202: Burton claims that in 1770 the 700 men who were employed on the Oxford Canal earned a shilling a day. However, he adds that during the 20 years prior to the 1790's 'canal workers pay practically doubled'. He also acknowledges the variable amounts that were paid by revealing how the Lancaster Canal in 1794 paid the following day rates: Masons 3 s, quarriers 2/6, labourers 2/2. See also B.R. Mitchell, *Abstract of British Statistics* (London, 1962), p. 343, on how between 1795-1805, the average wage rose from £82-£109.

<sup>170</sup> For studies on navvies see D. Sullivan, *Navvyman* (London, 1983), H. Hanson, *Canal People* (Newton Abbot, 1978), T. Coleman, *The Railway Navvies: a History of the Men Who Made Railways* (1965, London, 2000), E.P. Thompson, *The Making of the English Working Class* (1963, Aylesbury, 1979), p. 246

constructs were required. It also shows that the progress and success of each distinctive stage was reliant on factors such as the nature of the work, those involved and available finances.

It is clear that during phase one the company set out to tackle the most structurally and politically challenging aspects of the programme. This involved huge resources of men and money. It also placed much responsibility on the shoulders of the young resident engineer Robert Whitworth Jnr, who had numerous bodies to answer to including his father, the inspection committees of local surveyors, and the select committee, not to mention having to control and placate his assistants, contractors and men.

Studies of other canals show that terminating the contract of engineers was commonplace.<sup>171</sup> Still, it must be noted that the Whitworths were not subjected to a total dismissal as the company retained the option to employ them ‘as occasion may require by a satisfaction for their time and trouble per day’.<sup>172</sup> This, in effect, was a gentle sacking.<sup>173</sup>

It is also worth considering what the select committee intended to gain from loosing the Whitworths. The obvious advantage was economic, as by employing Newbold the company got the same job done for £150 instead of 500 guineas a year (the collective yearly salaries of the Whitworths). Yet, it is also likely that there was a strategic element to their actions, as the company’s financial problems could now be fully blamed on the departing ‘outsider’ engineers. Furthermore, the select committee could

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and for a rare, positive contemporary account of navvies see J. Lewis (ed.) *The Secret Diary of Sarah Thomas, 1860-5* (Moreton-in-Marsh, 1994), p. 93.

<sup>171</sup> Even James Brindley – who Whitworth Snr worked for as an assistant – experienced being sacked. See Hadfield, *British Canals*, p. 29, regarding Brindley’s dismissal by the Coventry Canal Company, and being strongly criticised by the Birmingham Canal Company. Burton, *Canal Builders*, p. 101: Burton makes the point that tension between the committee and the engineers was common because ‘the engineer was the qualified expert whilst the Committee was composed of unqualified laymen’.

<sup>172</sup> T.N.A., RAIL 803/2 (Ashby Canal Minute Book 2), 7.6.1797, p. 179.

<sup>173</sup> It is also possible that the Whitworths were glad to leave the company’s service, as the father had been involved sporadically with the project for over 16 years and his son had served the company full-time for

show their demoralised shareholders that – when required – they were capable of making the ‘big decisions’ and in providing new on-site management, the project would be re-energised and hopefully steered back on track.

By 1799, the canal was far from being finished and there was still a feeder reservoir to construct, but at least the most challenging structures were now complete (even if there was little available money). The company also evidently felt that this was the right time to commence linking the extraction concerns to the canal, as it was in this year that Benjamin Outram began his construction of the tramways (phase two).

This chapter has revealed that much of the select committee’s time and energy was taken in dealing with their numerous disputes with Outram. The construction of the tramways clearly took precedence over the excavations on the canal, to the extent that no new contracts for the waterway were issued during this period.<sup>174</sup> Yet Outram’s willingness to carry out inspections for the company and invest his money in the canal suggests that, despite the prevailing notion of politeness that ran through certain areas of society, it was also possible to engage in inflammatory exchanges over business matters without the two concerns resorting to complete, entrenched opposition.<sup>175</sup>

The construction of the feeder canal was also taking place during the installation of the tramways (phase three). This was a huge undertaking, yet unfortunately the sources on its construction are scarce. This may explain why the canal’s historiography rarely alludes to its existence.<sup>176</sup>

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three years. There may also have problems in the father/son working relationship; a notion which is supported by there being no further evidence of them working together again.

<sup>174</sup> This did not mean that the work came to a halt. Excavations were still being carried on the canal by James Patterson at Sutton Cheney, and possibly Evan Price at Ambion Wood.

<sup>175</sup> See J. Brewer, *Pleasures of the Imagination: English Culture in the Eighteenth Century* (London, 1997), pp. 101-3, on how politeness was a system of behaviour. See also P. Earle, *The Making of the English Middle Class: Business, Society and Family Life in London, 1660-1730* (London, 1989), especially Chapter 4, ‘Business’.

<sup>176</sup> Clinker and Hadfield make no reference to its existence in their 1958 paper on the canal; however, it is referred to in Hadfield, *Canals of the East Midlands*, p. 152.

The final stage of the canal's construction (phase four) was greatly affected by the company's financial constraints and its efforts to construct the tramways and feeder canal. In comparison to the previous excavations carried out on the waterway and tramways, the workings to the south of Ambion Wood appear to have been – as far as the company was concerned – an uneventful and simple process. It involved one engineer (Newbold), mostly one contractor (Patterson), one solicitor (Pidcocke) and probably a small group of men gradually working their way south from Sutton Cheney to Burton Hastings on the Leicestershire/Warwickshire border.

Considering the project as a whole, the available sources tell us much about the company's management, engineers, contractors and inspection committees who operated and manoeuvred themselves within a structure and schedule that was at the mercy of the company's investors. Still there is much to learn about the residents of the affected areas and how they viewed the changes imposed upon them.<sup>177</sup> In their introduction to their research on the dairies of Joseph Moxon – who would have seen first hand the effects of the canal's construction – Foss and Parry state:

Its construction must have been a major event in the life of the people of this quiet countryside, bringing in labourers, mud, spoil heaps, smoking kilns and noise to Bosworth's landscape.<sup>178</sup>

Despite the inferred chaos it can be assumed that the likes of farm labourers, carters, craftsmen, inn owners and others would have viewed the construction of the waterway positively as the canal company provided opportunities for greater earnings.<sup>179</sup>

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<sup>177</sup> See Thompson, *Making of the English Working Class*, on how 1795 was referred to as a 'famine year'. See also J.L. and B. Hammond, *The Village Labourer* (1911, London, 1978), especially chapter 4: 'The labourer in 1795', for an account of the problems faced by the poor, which resulted in 'a series of food riots all over England, in which a conspicuous part was taken by women', p. 76.

<sup>178</sup> Foss and Parry, *Diary of Joseph Moxon*, p. 32.

<sup>179</sup> M.E. Ware, *Narrow Boats at Work* (Ashbourne, 1980), p. 10: 'Many carters and wagoners may well have been involved with working for the canal contractors when the canals were being built'. Foss and Parry, *Diary of Joseph Moxon* (Macclesfield, 1998), p. 127: Regarding local innkeepers, it is interesting to note that the contractor, Thomas Mount of Stoke Golding (c.1753-1804) also owned an inn. It can be presumed that this would have helped him when recruiting for workers. He would also have benefited from many of those employed on the canal around Stoke Golding using his establishment. See also Chapter 2

However, it has to be noted that the amount of work they received was subject to variables such as the contractor's relationship with the company and more notably the weather, as severe winters, such as that experienced in 1795, could halt progress for weeks and sometimes months (Figure 87).<sup>180</sup>

Conversely it is probable that initially the development had a negative impact upon some farmers and other employers who required the labour which was being enticed by the canal company.<sup>181</sup> This notion is supported by the request to limit the number of men working on the canal during harvest.<sup>182</sup> Many of the company's shareholders and managers had strong links with the land and it easy to understand how such a policy would have been supported. Furthermore, while new faces would have been welcomed in some quarters (especially those who stood to profit), the arrival of outsiders from different parishes, counties and possibly countries would have caused many people concern.<sup>183</sup> This was, however, an area tending towards pastoral products during this period, which carried lower labour requirements than a more mixed traditional agriculture, and this in itself would have helped to supply a workforce for canal construction. Once enclosure work was complete, which could occur quite quickly after an enclosure award, as Keith Snell has indicated by quoting contemporaries who stressed

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'Uncertainty, irregularity, hours and wages' in J. Rule, *The Experience of Labour in Eighteenth Century Industry* (London, 1981), who emphasises how 'one of the features of employment in the eighteenth century was its fluctuating nature', p. 49.

<sup>180</sup> See Beresford, *Woodforde: Diary of a County Parson*, pp. 387-90, regarding bad weather during January and February of 1795.

<sup>181</sup> For those farmers who initially suffered because of the canal, they would soon experience its benefit once the construction was finished. See Clarke, *Leeds and Liverpool Canal*, p. 119, on how waterways 'made possible much cheaper movement of food to the market' and provided those working the land with 'some of the essentials of good husbandry such as lime and manure'.

<sup>182</sup> Clarke, *Leeds and Liverpool Canal*, p. 119. When working on the Leeds and Liverpool Canal Whitworth Snr 'took care to set out the line after the harvest had been collected to reduce damage'. See D.H. Morgan, 'The place of harvesters in nineteenth century village life', in R. Samuel (ed.), *Village Life and Labour* (1975, London, 1982). See also H.R. Haggard, *A Farmer's Year, Being His Commonplace Book for 1898* (London, 1909). Although published a hundred years later, this publication states that each labourer could harvest 11 acres a year. Therefore, if the number of workers was around 300 the canal was depriving landowners of a workforce that could potentially harvest 3,300 acres.

this short-term nature of enclosure employment,<sup>184</sup> labour would have been available for redeployment purposes, and any outside labour brought in for enclosure ditching, fencing and the like could then have found employment in canal construction. The chronology of Leicestershire enclosure and the Ashby Canal ‘fits’ together well in these respects, for this was an area where relatively early parliamentary enclosure featured strongly. The Ashby Canal construction began in 1794, by which date almost all Parliamentary enclosure in Leicestershire was over, for it took place largely during the first phase of that movement, from c. 1750 up till the start of the Napoleonic Wars.

Yet, despite such a suggestive chronology and exhaustive searches, very little can be found concerning the labourers who constructed the canal;<sup>185</sup> not even any direct references to their involvement in criminal action.<sup>186</sup> This is surprising as there are many accounts of disturbances during the construction of other neighbouring Leicestershire canals, especially the Leicester and Northamptonshire Union Canal where a troop of yeomanry had to quell a serious riot in Kibworth.<sup>187</sup> An historian cannot speak to subjects that are undocumented, whether this concerns labour issues, or finances and money supply for investment and wage payment – and indeed it is unprofessional for any historian to do so – and so despite evident interest in this area it is one that we must leave largely undiscussed here.

Many unanswered questions remain, such as what was the definitive number of men involved? How many on-site injuries occurred? Did the project cause any deaths?

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<sup>183</sup> See Clarke, *Leeds and Liverpool Canal*, p. 119, regarding riots between locals and canal workers in 1792 at Barrowford and Marsden which was quelled by a local justice of peace and the company handing out notices that they would ‘prosecute any person inciting further trouble’.

<sup>184</sup> K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge, 1985), pp. 182-3.

<sup>185</sup> A possible explanation could be that this indicates that the most of the labour employed was local.

<sup>186</sup> As the previous chapter has shown, damage was done to the purchased land, yet this was a normal part of the process. There were also isolated incidents regarding damage done to the canal, yet there is no evidence to prove that this was done by members of the workforce.

<sup>187</sup> *Leicester Journal*, 3.4.1795. See also *Leicester Herald*, 21.12.1793, regarding another dispute involving 300 labourers who marched into Leicester over their dissatisfaction with their wages.

What social impact did they have on local communities? What was the ratio of insider/outsider labourers? Where did they live? What were their working hours? Did they work on Sunday? And did any of the labourers follow the contractors or engineers from previous projects.<sup>188</sup> These issues are often unclear at various local levels even from the much later navy historiography dealing with railway and viaduct construction,<sup>189</sup> so perhaps it is not unsurprising that we cannot say much about them from the pre-Victorian documentation pertaining to fifty or more years earlier.



**Figure 87: Recent image of a winter on the Ashby Canal.**<sup>190</sup>

Source: BBC Leicestershire, 'January in Leicester.' [news.bbc.co.uk/.../newsid\\_8442000/8442894.stm](http://news.bbc.co.uk/.../newsid_8442000/8442894.stm) (11/10/2010).

We can also ask why the company records rarely allude to the workforce. Reading the minutes of the Chesterfield Canal the impression given is that this waterway's management had a greater involvement with the lower orders they employed, albeit via

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<sup>188</sup> See Clarke, *Leeds and Liverpool Canal*, p. 87, regarding labourers and contractors following Robert Whitworth Snr. to different projects, such as Alexander Mackenzie who moved from working on Forth and Clyde Canal in Scotland to Lancashire. See also contemporary works that describe the habits, routines and customs of manual labourers, such as S.C. Roberts, *A Frenchman in England, 1784* (Cambridge, 1933), p. 77.

<sup>189</sup> T. Coleman, *The Railway Navvies: a History of the Men who made the Railways* (London, 1965); D. Sullivan, *Navvyman* (London, 1983).

<sup>190</sup> During the winter of 2010/11 the canal was continually frozen for over two months.

their contractors. For example the Chesterfield Canal select committee instructed (on separate occasions) that waistcoats and liquor were to be given to the men working in the tunnel.<sup>191</sup> They also ordered that widows – whose husbands had died in the company’s service – and injured workmen were to receive compensation, and the select committee further became involved in encouraging the men to start their own sick fund.<sup>192</sup> In the Ashby minutes there are no such references to their workforce.<sup>193</sup> Is this because the committee was not interested or geographically too distant from the works? Was it because the Ashby Canal was less structurally demanding than other canals, which resulted in less injuries and deaths?<sup>194</sup> Or was on-site management so good that these issues were dealt with ‘on the ground’ without the involvement of the company’s select committee? Again we wait further evidence.

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<sup>191</sup> Richardson, *Minutes of the Chesterfield Canal Company*, p. 52 and 106. See also J. Rule, *The Experience of Labour in Eighteenth Century Labour* (London, 1981), pp. 77-8, on the practice of drinking during working hours.

<sup>192</sup> Richardson, *Minutes of the Chesterfield Canal Company*, p. 114 and pp. 134-5. Burton, *Canal Builders*, p. 199: It may be that the Chesterfield Canal Company were the exception as Burton states that ‘The Company records seldom mention the accidents that happened in the works’.

<sup>193</sup> See Rule, *Experience of Labour in Eighteenth Century Industry*, especially Chapter 3 ‘Work and Health’, where the author states that the ‘risk to life and limb was present in many occupations’, p. 84. Rule further points out how ‘Ruptures caused by the strain of heavy lifting were common among labouring people’. This was referred to as being ‘bursten’ and there were a number of charities forming during this period ‘for the support of the ruptured poor’, pp. 83-4.

<sup>194</sup> To date there is no evidence of any deaths or serious injuries caused by working on the Ashby Canal. See Anon., ‘Huddersfield Narrow Canal.’ <http://huddersfield1.co.uk/Huddersfield/narrowcanal/huddescanalgreat.htm> (20/9/2010), for evidence of 50 men losing their lives upon the Huddersfield waterway.

## Chapter 7: Conclusion

The landscape is a constant reminder of how humans adapt their surroundings to suit their needs. In Britain this process began around 5000 B.C. and has continued with three major periods of change, which were, according to C. Taylor ‘so profound and so extensive that it is perhaps not going beyond the bounds of truth to call them revolutions’.<sup>1</sup> Concerning the last of these developments he further states:

The third revolution, based on technical innovations and social change, began as early as the sixteenth and seventeenth centuries and continued in the eighteenth century with the enclosure movement and the development of industry. This revolution is still with us and its end is not in sight.<sup>2</sup>

Many of today’s existing hedgerows, lime kilns, factory buildings, reservoirs, and abandoned and functional canals and railways, with their accompanying structures of embankments, viaducts, aqueducts, and locks, are pre-twentieth century relics of this ‘third revolution’. These innovations were introduced to improve industry, farming, transport and water management, and some are still used for their original purpose, while others have adapted to other uses or have become places of interest and leisure.<sup>3</sup>

While these constructs have become established parts of our culture and landscape,<sup>4</sup> it is important to remember that their introduction greatly impacted upon many people’s property, parishes and livelihoods and in some cases there was much

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<sup>1</sup> C. Taylor’s quotes are taken from his introduction to W.G. Hoskins, *The Making of the English Landscape* (1955, London, 1988), p. 8.

<sup>2</sup> Hoskins, *Making of the English Landscape*, p. 9. C. Taylor describes the first revolution as during the later Bronze Age ‘around 1800-1400 BC’, p. 8, and the second revolution being during the latter part of the Saxon period, p. 9.

<sup>3</sup> In recent years numerous non-functional or semi-functional canals and railways have been embraced by tourists motivated by either historical interest, nostalgia or a desire to observe the wildlife which has established itself in such environments. See Leicestershire Tourist Information, *Cream of Leicestershire and Rutland: Over One Hundred Places to Visit* (Leicester, 2003). Of the hundred tourist attractions listed 9% are either canals or railways.

<sup>4</sup> G. Box, *Clinging On, The Moira Cut, Coal and the Last Days of Carrying* (Measham, 2003), p. 5. Canals settled ‘naturally into the late eighteenth century English landscape, visually un-intrusive as they followed its contours, and any scars from their construction soon obliterated by nature’.

opposition to them. Many studies have looked at these eighteenth and nineteenth-century developments; yet more micro-studies of specific cases are needed to enable us to fully understand the impact of these changes and the human experience of either witnessing them or being involved.<sup>5</sup>

With this in mind, detailed analysis has been undertaken of the promotion and construction of the Ashby Canal. This final chapter will provide a summary of what has been learnt and consider the significance of its findings in relation to the debates and challenges that exist today. It will argue that there needs to be more inclusion of canal studies within water-management history and that research into the how early canal companies formed and operated can provide context to the politics and debates that exist regarding the waterways today. Furthermore, it will reveal that the Ashby Canal's construction is also part of the history of the communities that live on and alongside the canal and it is hoped that this study will add to these residents' understanding of their environment and familiar constructs.

### **People, construction problems and perceptions**

Calculating the exact numbers of people who were affected by the canal's promotion and construction is problematic. Still, the company records provide sufficient evidence to make an estimate.<sup>6</sup> If we take into account the company's employees, shareholders, contractors and labourers combined with the landowners and tenants of the land that was cut through, it could be approximated that close to

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<sup>5</sup> See J.M. Martin, 'The Parliamentary enclosure movement and rural society in Warwickshire', *Agricultural History Review*, 15 (1967), for a good example of how 'improvements' impacted on the local politics of an area.

<sup>6</sup> R. Porter, *English Society in the Eighteenth Century* (1982, London, 1990), p. 5. R. Porter states: 'the cult of quantification in the age of the computer runs the risks of creating mists of mythical 'averages' which veil the significant contours'. While such warnings are valid, it also has to be noted that where canal histories just record the main 'players' in the process without quantifying the participants they do not accurately represent the size of the operations and give the impression that canal companies were a much smaller concern.

1500 people had direct dealings with the project. However it has to be noted that the levels of individuals' involvement were variable.

Yet, in addition to these people, the issue of the Ashby Canal touched many other people's lives, such as the waterway's detractors who were against the proposed development, the canal's advocates who could not afford shares or chose for other reasons not to invest, the M.P.s and their staff who were lobbied by both sides of the debate, the local inn-keepers who accommodated company representatives ranging from the select committee to the on-site labourers, those involved in the negotiations concerning the Commercial Canal and the representatives of the Coventry Canal. The list could also include the newspaper reading population of Leicestershire, Warwickshire and Derbyshire, as prior to its construction the issue of the Ashby Canal was a regular feature in the press.<sup>7</sup> Clearly the company's scope of influence was wide and varied and when we consider the issue in such broad terms, the number of those affected by the canal's promotion and construction has to be in the tens of thousands.

Despite the supporters' claim that the canal would bring many economic benefits including cheap coal,<sup>8</sup> for the first 11 years of their campaign (between 1781-1792), the opposition were successful in preventing the development from gaining

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<sup>7</sup> On the 14 September 1792, out of 18 articles published on the front page, six referred to the Ashby Canal, and by 14 December of the same year, the story had increased to covering over two-thirds of the front page. While the issue of other canals within the county and country regularly made the front-page news of the *Leicester Journal*, between 1792 and 1794, no other canal received the amount of coverage given to the Ashby Canal. This extensive coverage was due to a combination of 'canal mania' and the lengthy and energetic nature of the debate.

<sup>8</sup> E.A. Wrigley, *People, Cities and Wealth* (1987, Oxford, 1989), p. 65: 'Shortage of wood made England increasingly dependant on coal for domestic and industrial fuel from the late sixteenth century onwards and on into the nineteenth century, England's coal production dwarfed that of continental Europe'. See C.P. Griffin, 'Transport change and the development of the Leicestershire coalfield in the canal age: a reinterpretation', *Journal of Transport History*, 4 (1798): in Leicester during the mid-eighteenth century 'inhabitants of the remoter areas of the county continued to burn poor substitutes such as wood or cow dung', p. 227. See also J. Byng, *The Torrington Diaries, Volume II* (1935, London, 1970), for his description of Staunton Harold which was eventually linked to the Ashby Canal. He describes how it was an area that had amazing amounts of coal and states that 'the land itself is as

any real momentum. But during the 1790's the country became gripped with 'canal mania',<sup>9</sup> and by 1792 there was sufficient interest in the Ashby Canal for the supporters to form a company for the purpose of promoting the project.<sup>10</sup> The canal's advocates, who were mostly residents of the affected area and whose status ranged remarkably from a labourer to a noble,<sup>11</sup> now attended frequently held and well attended meetings and engaged in a form of commercial democracy which – in theory – provided individuals the opportunity to influence proposed policies.

For many people improvements such as canals represented human progress and numerous arguments were made concerning the Ashby Canals' altruistic credentials. Yet it must be conceded that many of the supporters' participation in the process was driven by the desire to make money from the waterway (either from their investments or through using the canal). Some may also have been motivated by the notion that being associated with such a 'cause' would raise their profile and their standing within their communities.<sup>12</sup>

There were others besides investors who saw the canal as a provider of opportunities and money. People such as the affected property owners, contractors,

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black as if the coal lay above ground', p. 73. He further describes how in Ashby itself 'Coals are cheap in this country; the best at 7d the 100 weight', p. 71.

<sup>9</sup> This resulted in Royal Assent being given to a large number of waterways; many of which failed to live up to their expectations (the Ashby Canal being one of them). Still, as the minute books and solicitors' invoices show, acquiring the Parliamentary Act for the Ashby Canal was by no means an easy process and it required the resolution and determination of many of the canal's promoters to outmanoeuvre the project's detractors.

<sup>10</sup> B.F. Duckham, 'Canals and river navigations', in D.H. Aldcroft and M.J. Freeman (eds), *Transport in the Industrial Revolution* (Manchester, 1983), p. 116. Regarding shares, 'nothing, however, did more to widen the geography of canal finance than the period of canal mania, 1790-94'.

<sup>11</sup> See R. Porter, *Enlightenment, Britain and the Creation of the Modern World* (London, 2000), p. 19, regarding how "Foreigners were astonished to see how the 'Quality' consented to mingle with, rather than seclude themselves, from the nation at large. The hustings, sporting events, spas, pleasure gardens and urban parades – all encouraged social concourse".

<sup>12</sup> H. Perkin, *Origins of Modern English Society, 1780-1880* (1969, London, 1972), pp. 83-6. Perkin quotes Adam Smith as stating 'To what purpose is all the toil and bustle in the world... It is our vanity, which urges us on... It is not wealth that men desire, but the consideration and good opinions that wait upon riches'. V. Strang, *Gardening the World: Agency, Identity and the Ownership of Water* (Oxford, 2009), p. 36: Strang makes the point that 'By commanding resources and transferring them into products of their skills and labour, people express agency, creativity and power'. Such actions also allow them opportunities to leave 'long-lived material traces in the world'.

local and transient labourers, craftsmen, inn-keepers, carters and other service providers all stood to gain from the project. As the canal became more of a certainty, many of these individuals prior to 1794 would have used this time to consider how best to engage with the company when its construction commenced.

By 1793 there was a sense of inevitability about the Ashby Canal, and threatening events on the continent must have favoured anything that augmented transport infrastructure and resource deployment in England, but still the opposition continued to argue its case locally and in Parliament. It is important not to view all of these detractors as backward looking, self-centred individuals who were standing in the way of progress (although some opposers may have fitted such a description). Many had legitimate concerns, such as the millers who were worried about their water supplies and the colliery owner Newdigate, who was concerned that the Ashby Canal would allow his competitors to deliver cheaper coal to his existing customers. There is no doubt that such a canal had the potential radically to alter regional economic arrangements and processes of supply.

Even though the project was not universally supported, for many of the area's local inhabitants the canal company represented opportunity and advancement, and the news that a Parliamentary Act had sanctioned the waterway's construction in May 1794 would have been welcomed in many quarters. During the first eighteen months of the project, the restructured select committee showed little restraint in hiring staff and spending money. A nationally respected engineer was employed, a large number of contractors were set to tackle the most difficult features and landowners were receiving generous amounts for their property. These were exciting times for the company and for the local communities involved.

But this ‘honeymoon period’ was not to last long. During the second year of construction it became clear that the project was struggling financially. The biannual audits at the shareholders’ meetings were showing that there were insufficient funds to finish the job and that the large numbers of shareholders in arrears were making the situation worse. As the project progressed the company had to face many other problems. The poor attendance of the select committee members was preventing decisive action being taken as meetings were often declared inquorate. The treasurers were complaining about having to finance the work out of their own money due to the company’s poor cash flow. There were disagreements over the issue of the tramways between some of the canal’s leading advocates. Many shareholders were refusing to honour their financial pledges and there were problems with certain structures and contractors. But possibly the most worrying of all for the investors was the report in 1803 that there was less coal in the area than once believed, which led to disagreements between Joseph Wilkes and the Earl of Moira concerning the nobles’ failure to give the issue sufficient attention.<sup>13</sup> Miscalculations about local natural resources, and how these should be exploited, would have major repercussions for an initiative such as this canal. It is easy, with hindsight, to see what was available in the region, but such geological knowledge was not always available to entrepreneurs at the time, and their motivations and hopes need to be explored with this caveat in mind.

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<sup>13</sup> See T.N.A., RAIL 803/3 (Ashby Canal Minute Book 3), 3.10.1803, pp. 199-201 and 13.11.1803, p. 203. Despite these concerning reports, sufficient extraction did eventually take place to make the canal profitable, see T. S. Chandler, ‘The canals of Leicestershire: their development and trade’, *East Midland Geographer*, 10 (1958), p. 35: ‘Although the markets for coal and limestone opened by the Ashby Canal were less extensive than had been hoped, the canal encouraged the sinking of many new mines in the South Derbyshire coalfield and the population of this mining district increased rapidly in the early nineteenth century, mainly due to migration from the agricultural and hosiery districts to the south’.

Despite these issues, too much money had been invested for the scheme to be abandoned. The company simply had to get the project finished and hope that the waterway would eventually make a profit. This involved installing 12 miles of tramways instead of 20 miles of canal branches (Figure 88), forcing the shareholders to pay an extra 13% of the amount they originally subscribed to and using outsider creditors for money on the understanding that they were to be paid interest on their loans before any returns were made to the shareholders. Landowners were also asked to accept interest payments on the amount owed to them until the necessary funds were available to settle payments. This resulted in the select committee becoming embroiled in a multitude of disputes with various property owners, current and ex-employees, those who were in arrears, and opposition to the tramways. As the construction process limped along, relations within the company and its standing within the affected communities must have been strained.



**Figure 88: Tramway Tunnel, Ticknall.**

Source: M. Anderson 'Tramway Tunnel, Ticknall.' <http://www.geograph.org.uk/photo/494100> (12/2/2010).

News of the company's financial and managerial problems must have filtered down to the ranks of those working on the canal and its additional structures. This may have affected 'on-site' morale and could have caused the labourers, contractors, skilled men and other service providers considerable concern with regard to getting paid and picking up further contracts. Unfortunately while the minutes and inspection reports often criticised specific undertakers they rarely refer to the grievances of the workforce. It is hard to believe that they did not have any; a more likely explanation for their omission would be that they were deemed not important enough to be acknowledged.<sup>14</sup>

Yet, despite concerns over the finances of the company, it can be assumed that many of those who gained employment constructing the canal and avoided trouble while working would have viewed the project favourably (while the work was available). They had nothing to lose. This is obviously in contrast to local employers such as farmers who had to face a loss of male labour (especially at harvest time) and probably an increase in wage demands, although it is worth remembering that enclosure in this area was to pasture from arable at the time, thus releasing much male labour from the land. Pastoral farming, notably in dairies, also enhanced female labour, and this may have figured in wage accounts accordingly, as somewhat more work on farms came to be done by women as men left for lucrative work on canals, or indeed for enlistment in the armed forces after 1793. This was an area where farm service and its annual contracts persisted, and this suggests both a shift to pasture, well documented in the agricultural literature, and a precautionary measure via year-long contracts to ensure continued seasonal labour supply for farmers. The abandoning of yearly farm service tended to occur in areas of rural labour surplus, and

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<sup>14</sup> The exception being Outram who fought the company on a regular basis.

arable regions, both notable further east. The Ashby canal, with its heavy labour demands, would have much influenced these considerations. It needs to be borne in mind that those advancing the canal would, in many cases, have also been indirectly affected by its labour-related consequences, as labour left their farms or estates to be employed in canal construction, potentially leaving agricultural employers with rising wage bills and estate owners with demands from farmers to lower rents to compensate for those wage rises. This was not an area of markedly high poor rates, where labour surpluses could be taken for granted, as in many areas of East Anglia. Once labourers had experienced 'high' wages, they were usually disinclined to contemplate their reduction in other contexts, and that could result in unpleasant reprisals and threats to landed power. Outside labour would also be involved, which raised problems for many at that time. Such considerations must have entered into the minds and conversation of many landed elites in the area. Evidently, 'improvement' of this kind could have a range of possible consequences going beyond those of transport or raw material supply, and these thoughts would also have affected individual perceptions, lobbying, and alliances.

Between 1792-1804 the fortunes of the Ashby Canal Company, and the public's perception of what it would bring, experienced many changes. The uncertain and risky aspects of such a venture became more apparent. As the project moved closer to completion many shareholders began to accept that their money had not been invested wisely, many landowners were still owed payment for their land, land values were changing markedly during an intense period of inflation, and many labourers who had been employed were left looking for work elsewhere. It is therefore not surprising that there are no reports of any celebrations to mark the opening of the

Ashby Canal – for many it must have been a relief to see the process and its many risks come to an end.

### **The canal's impact on the history of communities**

Through the efforts of British Waterways and the numerous local and national voluntary groups such as the IWA, just over half of the country's canals have remained operational which has led to a gradual migration of people to living on boats. Recent statistics show that over 20,000 people are now residing on the waterways, however, it is widely held by many who use the network that this number is an underestimate.<sup>15</sup> Many of these 'liveboard' boaters have now formed into social groups, usually around wharves or marinas and they view specific watercourses such as the Ashby Canal as a distinctive locality in which they live.

Clearly these are functioning communities with the usual mix of politics, where bonds are formed through an appreciation of being detached from 'normal' society and from sharing the occasional hardships that come with this alternative form of living.<sup>16</sup> And just like any other community there is an interest in its history, a need to understand more about the factors which affected the area's development and to know more about the lives of those who were involved.<sup>17</sup> At Sutton Cheney, some canal residents show their allegiance to the waterway through having its name painted on their boat.<sup>18</sup> Evidently there is a sense of belonging to this stretched-out region of

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<sup>15</sup> Calculating the exact number is problematic as it is widely known that many people who have permanent moorings for their boats also unofficially live on them despite these being non-residential moorings.

<sup>16</sup> In the winter of 2010-11 the majority of the canal network was frozen for over two months. Many 'liveboard boaters' were trapped in the ice and soon ran out of drinking water.

<sup>17</sup> Unlike the old boating community who lived on the canal because it was part of the job, today there is a thriving boating community living in narrowboats as a lifestyle choice. Many 'liveboards' as they are sometimes known as, move constantly around the network, while others base themselves in one location.

<sup>18</sup> By contrast, and with less location resonance, there has been recently a proliferation of boat names that are Swahili swearwords.

22 miles,<sup>19</sup> and there are many who choose not to bother visiting other waterways.

One boater, commenting on a rare excursion onto the Coventry Canal, stated, ‘Other canals don’t feel the same, its only when I hit the Ashby that I think I’m home’.

Forming such relationships with waterscapes is understandable, as there is often a strong sensory aspect of spending time close to waterscapes. Conversations with the Ashby Canal residents reveal much appreciation for the aesthetic qualities of their home, with many commenting on the reflective qualities of the water and its movement:

It’s somert to look at cos its always different. Shinny like. Always makes me feel good. You can see the stars and the moon in it. The rain bouncing on surface making bubbles and circles. It’s different every day and night.<sup>20</sup>

There is also a community of more nomadic boaters who utilise the whole network of canals and see all the waterways as their home. As one interviewee put it when complaining about having to pay his boat licence fees: ‘Seeing as I contribute so much bloody money to its upkeep why shouldn’t I see the whole lot as me home’.<sup>21</sup>

The canal has also had a large impact on the settlements situated close to it (Figure 90).<sup>22</sup> Since its construction many of these residents have prospered through being located close to the waterway through trade, employment and more recently tourism. However, nineteenth and twentieth-century newspapers reveal that many unfortunate people also lost their lives in the canal, through accidents or suicides.<sup>23</sup>

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<sup>19</sup> A.P. Cohen, ‘A sense of time, a sense of place, the meaning of close social association in Whalsey, Shetland’, in A.P. Cohen (ed.), *Belonging: Identity and Social Organisation in British Rural Cultures* (Manchester, 1982), p. 21: “‘Belonging’ implies very much more than merely having been born in the place. It suggests that one is an integral piece of the marvellously complicated fabric, which constitutes the community’.

<sup>20</sup> Oral testimony of D. Walker (12.2.2011).

<sup>21</sup> Oral testimony of F. Wilson (15.1.2011).

<sup>22</sup> K.D.M. Snell, *Parish and Belonging: Community, Identity and Welfare in England and Wales 1700-1950* (Cambridge, 2006), p. 24: ‘Capitalism did not “undermine” “traditional” communities and belonging to them, but on the contrary it co-existed with and helped to shape them’.

<sup>23</sup> See the *Derby Mercury* 16.6.1824, 22.20.1828, the *Leicester Chronicle* 25.7.1846, 13.7.1861, 19.10.1861, 22.3.1862, 19.6.1897 and the *Sheffield and Rotherham Independent* 18.8.1874 for articles

Clearly the waterway has been an important feature in the history of the parishes and counties it cuts through, affecting their identity and history in countless ways, and it is therefore hoped that this research will add to the existing historiography of these areas.<sup>24</sup>

This thesis has covered the debates and building of the canal between 1781-1804, and many of the names of those who took part can now be found in people's home and business addresses close to the canal, such as Wilkes Ave. in Measham, Whitworth Rd. in Hinckley, The Curzon Arms Hotel in Twycross, and the Dixie in Market Bosworth.<sup>25</sup> During the first half of the nineteenth century the canal and its adjoining structures expanded with the extra section leading up to the reservoir being added by 1806 to service Moira's colliery (Figure 91). Then there were the additional railways in 1827 and 1830, and the building of numerous wharves and other service buildings.

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relating to bodies being recovered from the Ashby Canal. The reports between 1824-87 document the Ashby Canal causing the death of six children, two women and two men.

<sup>24</sup> Many local studies refer to the individuals that were involved in the promotion and construction of the waterway (such as Kirkland and Piddocke); yet do not acknowledge their links to the Ashby Canal Company.

<sup>25</sup> See D. Prentice, *One Man's Moira* (Coalville, 1991), pp. 2-3, for an account of how the small mining community close to the Ashby Canal took the name Moira.



**Figure 90: Moira Fire Service.**

Source: The Ashby Canal Association, 'Ashby Canal Association Archive', [http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/11/2010).



**Figure 91: Reservoir Colliery situated near the end of the canal and reservoir prior to its closure in 1947.**

Source: The Ashby Canal Association, 'Ashby Canal Association Archive', [http://www.ashbycanal.org.uk/ashby\\_canal\\_archive.html](http://www.ashbycanal.org.uk/ashby_canal_archive.html) (18/11/2010).

Following its purchase by Midland Railways in 1846 the canal, despite remaining profitable until the 1890's, began to suffer due to neglect. This resulted in abandonment of its tramways and the reservoir and by 1966 the canal had lost eight miles due mostly to subsidence caused ironically by coal mining. Many service

buildings along the waterway were demolished, and now compared to other canals there is a distinct lack of surviving architecture on this waterway.

The canal, along with the rest of the network, is presently undergoing a resurgence and is once again physically expanding.<sup>26</sup> This has resulted in the construction of two marinas with planning permission granted for the construction of a third marina in Market Bosworth for 150 boats in 2011.<sup>27</sup> It has also involved the tireless campaign by the Ashby Canal Association (established in 1966),<sup>28</sup> to win public and local government backing to restore the eight miles of the canal's northern end, which was lost through mining subsidence and which would return the canal to its original 30 mile length. Once again plans are being made, and meetings held, regarding how best to conduct negotiations; and once again authorities, commercial enterprises and landowners are considering whether having a canal cutting through their property would be beneficial. Some campaigners are approaching the debate with the energy and enthusiasm of previous lobbyists such as Wilkes and Curzon. More politics, more water management and possibly more of the Ashby Canal.

### **Contributions made by this thesis to the existing historiography**

Studies on the parishes, individuals and industries that were affected by the Ashby Canal are plentiful, yet the attention given to the waterway by historians is variable. To date published works (previously referred to in this thesis) by historians such as M. Palmer, A. Temple-Patterson and C.R. Clinker and C. Hadfield have been

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<sup>26</sup> Interest in the country's waterways has slowly developed to the point where today many waterways such as the Ashby Canal have become important sources of accommodation, employment and destinations for tourists and holiday makers.

<sup>27</sup> Canals are no longer considered unwanted and undesirable ditches and the property constructed in Market Bosworth on the site of the town's old wharf exemplifies the demand for living by these man-made waterways.

leading publications on this waterway,<sup>29</sup> yet surprisingly, in some local studies the Ashby Canal does not even make the footnotes. This thesis will hopefully encourage local historians to re-evaluate (or consider for the first time) the impact this project had on their chosen subjects by providing, amongst other things, detailed information concerning those involved, the role certain parishes played in the process and the debate over how commercial ventures such as the coal industry would prosper as a result of the canal.

It is hoped that the research and arguments of this thesis will provide a model for how historians elsewhere might write a new kind of water-related history: one which is much more alive to patterns of local politics, negotiation, sources of finance, influences of land ownership, and lobbying from different social elements. Local history in England, particularly following the traditions laid down following scholars like W.G. Hoskins, has yet to fully embrace political history. It has been concerned with landscapes, *pays*, definitions of region, the analysis of buildings, with parish or urban history, and with regional occupational cultures, despite the fact that political history often underlies these kinds of topics. The contrasting approach taken in this thesis should be clear. Politics, I have argued, underlies almost everything that I have discussed.

For historians specifically interested in water transport, to date no other study has looked at canal development in such detail. The case study methodology adopted in this thesis is supported by historians such as G. Mee who states ‘the choice lies ...

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<sup>28</sup> G. Box, *Clinging on: the Moira Cut, Coal and the last days of Carrying* (Measham, 2003), p. 8. Originally the Ashby Canal Preservation Society, the collective changed its name to the Ashby Canal Association in 1967.

<sup>29</sup> M. Palmer, ‘The Earl of Moira’, in D. Cranstone (ed.), *The Moira Furnace: A Napoleonic Blast Furnace in Leicestershire* (Coalville, 1985), A. Temple Patterson, ‘The making of the Leicestershire canals, 1766-1814’, *Transactions of the Leicestershire Archaeological and Historical Society*, 27 (1951) and C.R. Clinker and C. Hadfield, ‘The Ashby-de-la-Zouch and its tramways’, *Transactions of the Leicestershire Archaeological and Historical Society*, 34 (1958).

between a generalised approach to a field of study and an attempt to lay a foundation stone to support the building of a general structure of theory at some future date. By adopting the latter approach, firmer evidence is accumulated'.<sup>30</sup> Previous studies on the Ashby and other canals by C. Hadfield, A. Burton and P.A. Stevens are to be commended,<sup>31</sup> however, neither these nor any other works have yet fully utilised the abundance of canal company records. This is unfortunate as these sources tell us a great deal not only about canals, but also about the origins of finance, popular forms of capitalism, industrialisation, social rank and lower-class participation, or the much neglected role of women in financial matters. More quantitative analysis using such evidence is clearly needed. This will provide us with a greater understanding of issues such as the numbers of individuals and collectives involved (and their the social and geographical backgrounds), the complexities of the negotiations and construction process and the complications of trying to raise the required capital. It should also tell us more about the structures of public committees in the eighteenth and early nineteenth centuries, a topic about which very little has been written. There is no doubt that such committees fulfilled crucial functions in many other areas of economic improvement, such as enclosure, bridge and infra-structural building, hospital and asylum creation, and many forms of urban or suburban development. We have seen in this thesis how such committees operated with regard to canal building – this raises interesting possible comparisons with the raising and practical operation of semi-public committees affecting countless other areas of improvement. It is hoped that this work will encourage further numerical and network-informed analysis of

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<sup>30</sup> G. Mee, *Aristocratic Enterprise: The Fitzwilliam Industrial Undertakings, 1795-1857* (London, 1975), p. x.

<sup>31</sup> C. Hadfield, 'Writing railway and canal history', *Journal of the Railway and Canal Historical Society*, 8 (1962), A. Burton, 'Canals in the landscape', in M. Baldwin and A. Burton (eds), *Canals: a New Look* (Chichester, 1984) and P.A. Stevens, *The Leicester Line: a History of the Old Union and Grand Union Canals* (Newton Abbot, 1972).

such other fields of economic activity so as to allow comparative research to take place.

Harold Perkin states that ‘The nature and structure of the old society were the central, integrating cause, though not of course the sole determinant, of the British Industrial Revolution’.<sup>32</sup> The evidence of this thesis supports such a claim as it reveals how older structures influenced canal building, how entrepreneurial activity and lobbying groups fundamental to older landed structures came into play positively and cannot be said to have inhibited economic advance. They appear to have worked with many other social groups and sources of finance to promote this endeavour. Compared with, for example, eighteenth-century France, the English landed elites proved adaptable and opportunistic in connection with new transport and economic opportunities like the Ashby Canal.

It is hoped that this thesis can lead to a new form of canal and transport history. This would be one that is locally much more politically aware and which uses a wider range of sources, which is alive to the localised nature of lobbying, committee structuring, financing, and interest group alignments, one that goes beyond the traditional materialistic recording of industrial archaeology. If the thesis can achieve that, and provide a model that invites comparative work on other canals or historic transport systems, it will have served its purpose.

## **Water management**

Throughout the developed world good water policies have facilitated advances in health, industry, transport and farming, yet still many challenges remain concerning

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<sup>32</sup> H. Perkin, *Origins of Modern English Society, 1780-1880*, (1969, London, 1972), p. 63. See also S.A. King and G. Timmins, *Making Sense of the Industrial Revolution: English Economy and Society* (Manchester, 2001).

the less developed countries,<sup>33</sup> especially as environmental changes are increasing the inequalities concerning the use of this valuable resource. On the issue of shortages P.

Ball states:

Between 1950-1990, global water use tripled, and by 1996 it was estimated that we were using over half of the available run-off. In other words, if, as some predict, water use doubles over the next thirty-five years, the taps will have run dry.<sup>34</sup>

V. Strang also makes the point that there is now much agreement that water shortages or misuse will have a major impact on our future, as she states that ‘Many analysts now believe that water will soon follow – or overtake – oil as a source of conflict’.<sup>35</sup>

In this country water management is so ubiquitous that it is often taken for granted or goes unnoticed.<sup>36</sup> This technology has developed from crude catchment devices and drainage ditches,<sup>37</sup> to the extent that water now plays a significant role in manufacturing, food production, leisure and public health.<sup>38</sup> V. Strang states:

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<sup>33</sup> Recent figures published by the World Health Organisation report that millions of lives are lost every year due to poor water management. See P.H. Gleick, ‘Dirty Water: Estimated Deaths from Water-Related Diseases 2000-2020.’

[http://www.pacinst.org/reports/water\\_related\\_deaths/water\\_related\\_deaths\\_report.pdf](http://www.pacinst.org/reports/water_related_deaths/water_related_deaths_report.pdf) (11/1/2011), p. 4. The author states that ‘deaths from water-related diseases are inadequately monitored and reported. A wide range of estimates is available in the public literature, ranging from 2 million to 12 million deaths per year’. See G.T. Miller, *Living in the Environment* (Belmont, 1972), pp. 333-56, on how poor water resources affect famine and how water shortages are leading to conflict between cities and farmers. See also pp. 339-40 regarding countries clashing over rights to water from the rivers Nile, Tigris and Euphrates. See also P.S. Juuti, T.S. Katko and H.S. Vuorinen (eds), *Environmental History of Water: Global Views on Community Water Supply and Sanitation* (London, 2007).

<sup>34</sup> P. Ball, *H2O: a Biography of Water* (1999, London, 2002), p. 314.

<sup>35</sup> Strang, *Gardening the World*, p. 2. See also P.H. Gleick, ‘Water and conflict: fresh water resources and international security’, *International Security*, 18 (1993), regarding international disputes over access and use of water.

<sup>36</sup> For some examples of historical works that have a strong focus on our relationship with water see A.D.M. Phillips, *The Underdraining of Farmland in England During the Nineteenth Century* (Cambridge, 1989), H. Cook and T. Williamson (eds), *Water Management in the English Landscape: Field, Marsh and Meadow* (Edinburgh, 1999); H. Barty-King, *Water: The Book. An Illustrated History of Water Supply and Wastewater in the United Kingdom* (London, 1992); and N. Ashton, *Leicestershire Water Mills* (Melton Mowbray, 1977).

<sup>37</sup> M.P. Parker-Pearson, *Bronze Age Britain* (1993, London, 2000), p. 103. See also F. Pryor, *Flag Fen: Prehistoric Fenland Centre* (London, 2000), p. 62, for evidence of an early Bronze Age roundhouse managing rainwater.

<sup>38</sup> See B. Trinder, *The Making of the Industrial Landscape* (Gloucester, 1982), pp. 49-50, for a description of industry harnessing the power of water. For publications dealing specifically with contemporary water management issues see M. Newson, *Hydrology and the River Environment* (1995, Oxford, 1996) and C. Kirby, *Water in Great Britain* (1979, London, 1984).

Water lies at the heart of all development: indeed, little can be done without it. It is integral to people's abilities to have agency, to generate wealth and to direct social, economical and political events.<sup>39</sup>

Clearly there are many benefits to controlling water, however as publications such as *Gardening the World: Agency, Identity and the Ownership of Water* show, there are also negative aspects to this technology which need to be addressed.<sup>40</sup> This study has been placed within the framework of water management to reaffirm that the construction of waterways for transport is one of the many different ways in which we engage with water.<sup>41</sup> It has shown how moving (or storing) water upon (or through) a multitude of peoples' properties is a political process that delivers variable outcomes for those whose involvement is voluntary or forced. There is as yet no established historiography of water management, clearly identified as such a historiography, yet a contention here is that canal history should be approached with that priority in mind, making it highly relevant to many utility and resource problems today.

Comparing the Ashby Canal's construction with more recent and larger projects such as the hydro-dam across the River Yangtze, which resulted in two million people losing their livelihoods, are interesting.<sup>42</sup> Obviously the impact of the Ashby Canal was minuscule in comparison and there are numerous differences between the two schemes. Yet, when observing these forms of development together, it is possible to recognise similar processes at work: the public relations exercises, the consultations, the manoeuvring of individuals to strengthen their argument (and in some instances reap personal rewards) and the exclusion of the illiterate and lower

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<sup>39</sup> Strang, *Gardening the World*, p. 2

<sup>40</sup> See Strang, *Gardening the World*, for an excellent account of Australian water management problems and disputes concerning issues such as reservoirs, water shortages and water pollution.

<sup>41</sup> General or specific works on humans' relationship with water often focus on other issues such as farming or the need to provide safe drinking water. Canal historians rarely step out of the confines of their subject, and are therefore often omitted from debates and findings concerning water history.

<sup>42</sup> See the award-winning documentary *Up the Yangtze* directed by Yung Chan, which focuses upon the Yu family who were forced to send their daughter away to work as a result of being displaced by the flooding of the Yangtze valley to provide hydropower.

orders in most of the negotiations. Furthermore, during the construction of the dam and canal it is possible to see comparable outcomes such as the displacement, employment, disruption and real and perceived benefits and losses.

Water governance comes in many forms and suits a multitude of purposes.<sup>43</sup> The Ashby Canal was constructed to facilitate the movement of goods, and the finds depicted in figure 89 reveal the various materials that were transported and evidence of the human agency that was involved in the process. While many historic works have elements of water governance within them, the subject is now beginning to establish itself as a discipline in its own right, especially with the increasing interest in environmental history.<sup>44</sup>

Such is the interest in these water-related issues that in 2001 the International Water History Association was formed with an accompanied peer reviewed journal, *Water History*. Historians are clearly giving more attention to the issue and working towards a greater understanding of our relationship with water.<sup>45</sup> Yet, the subject of canals – specifically for transport – is rarely included in these publications. Instead topics such as drinking water, land drainage, irrigation, reservoir construction and pollution dominate the investigations. This omission is presumably because there is already a well-established canal historiography, usually taking the older industrial archaeological style that it does, which so often comprises something of a modern stranded enclave in university archaeology departments. However, the subject should not be ignored by water history, as it has much to contribute to the emerging sub–

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<sup>43</sup> See V.L. Scarborough, 'Water management adaptations in non-industrial complex societies: an archaeological perspective', *Archaeological Method and Theory*, 3 (1991), pp. 108-115, regarding the 'four principle techniques' of water manipulation: wells, reservoirs, dams and canals.

<sup>44</sup> J. Hassan, *A History of Water in Modern England and Wales* (Manchester, 1993): 'Water has, until recently been a fairly neglected area of historical investigation', p. 1.

<sup>45</sup> See the introduction to A.R.H. Baker and J.B. Harley, *Man Made World: Essays in English Historical Geography* (Newton Abbot, 1973), p. 6: 'The environmental crises of today are so largely a cumulative legacy from the past that it becomes a truism to state that their analysis is of limited validity without an historical perspective'.

discipline, and conversely canal history would also benefit from having its findings reassessed and viewed within the wider context of water governance.<sup>46</sup>

In addition, studies of politics in the eighteenth and nineteenth century should clearly become more concerned with issues of resource deployment and advancement, for the political handling of these matters then may have a number of lessons for us today. What induced people to support such improvements? How important or lethargic were local landed elites? Does their involvement here challenge ‘gentleman and player’ views of their antipathy or indifference towards wider economic growth? What kinds of economic growth did they sponsor, and how industrial could that be? Were they more concerned with the aesthetic features of their estates, and with matters such as garden design and landscape management according to the fashions of their time? What induced them to look beyond such issues? What alliances did they enter into, and how did landed elites function within those alliances, which we have seen to go far down the social scale in the case of the Ashby Canal? These questions have been raised here, and some answers have been provided about their working roles in this endeavour.

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<sup>46</sup> K. Wrightson, ‘The enclosure of English social history’ in A Wilson (ed.) *Rethinking Social History, English Society 1570-1920 and its Interpretation* (Manchester, 1993). Regarding the issue of compartmentalisation, Wrightson states if we cannot pull down our hedges ‘at least take time to pause in our labours and peer over them’, p. 69.



stakeholders like local residents and the various users of the waterways with a greater say in the future of canals and volunteers will play a large part in waterways' maintenance.

What we are seeing here (rightly or wrongly) is a movement towards taking the responsibility for the canals away from the government and giving it to those who use them and have a vested interest in them. Some quarters welcome the change, while others argue that this is the first step towards privatising our waterways.<sup>50</sup> Therefore, there has never been a better time to re-evaluate how the early canal companies formed, operated and conducted themselves, so that history can make some contribution to the debates concerning modern canal management.

What observers will learn depends on how they view the findings. For example, the case could be made that the construction of the Ashby Canal shows how water management schemes, which promise to provide benefits for the general public, can be funded independently of the government, with money raised by local stakeholders, and that such constructs can be delivered without intervention or funding from the government. The Ashby Canal Association – an organisation which is slowly reclaiming the lost sections of the canal – operates in this way and is having some success.<sup>51</sup> Furthermore, the fact that the canal began as a local concern and is now returning to one proves that localism is a viable option.<sup>52</sup> Conversely, the opponents of the changes to British Waterways could argue that the Ashby Canal Company's failure to keep to its construction budget, to acquire the money pledged,

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<sup>50</sup> S. Kennedy and J. Rossiter, 'Government considers £1bn sale of waterways'. <http://www.mail-archive.com/canals-list@yahoogroups.com/msg11336.html> (2/8/2011).

<sup>51</sup> For restoration see A.J.M. Harrison and R.D. Sutton, 'Why restore inland waterways?' *Municipal Engineer*, 156 (2003), pp. 25-33.

<sup>52</sup> This process has recently been resurrected. In 1793 a Parliamentary Act was issued for the construction of the Daventry Arm. Yet, it never took place. Using this legislation the Daventry Canal Association are presently in the process of resurrecting the project over two hundred years after acquiring Royal Assent. This project is predicted to cost 12 million pounds for two miles of waterway,

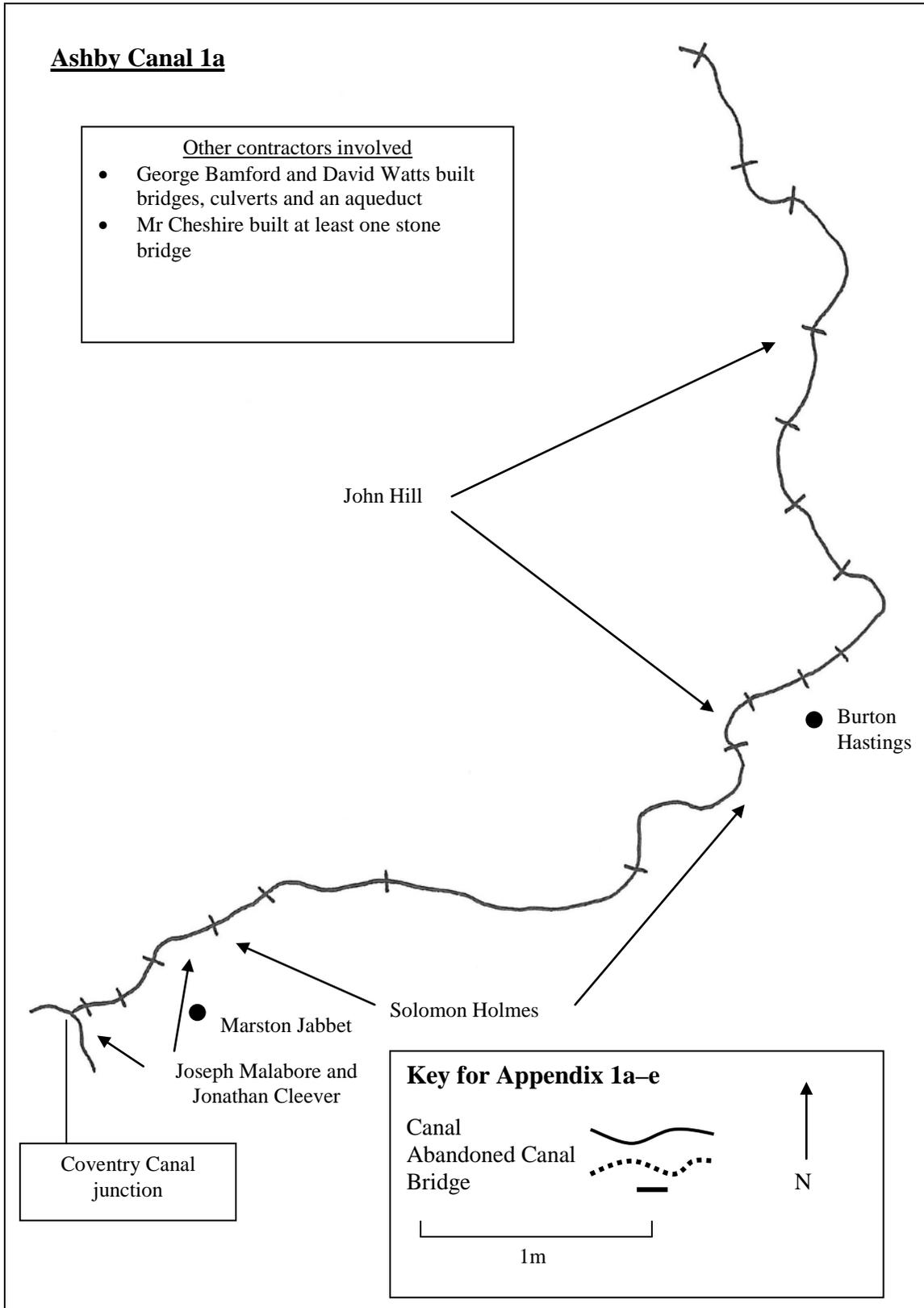
to deliver the full package of what was promised (20 miles of canal branches) was due to executive power being in the hands of amateurs, many of whom lost interest and may have put self-interest before the collective good.<sup>53</sup>

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however this will be not be paid by taxpayers, instead the money will come from long and short-term mooring fees and much of the administration and physical work is to be carried out by volunteers.

<sup>53</sup> A. Temple Patterson, 'The making of the Leicestershire canals, 1766-1814', *Transactions of the Leicestershire Archaeological and Historical Society*, 27 (1951), p. 96: 'The Ashby Canal was delivered over budget, incomplete and with shares not providing any return until 1828, and therefore considered by some studies an unsuccessful commercial venture'. Patterson concludes that the Leicestershire canals such as the Ashby 'which lay to one side or the other of the main north-south line of water communication through the centre of the county were in varying degrees unsuccessful', p. 96.

# Appendix 1a-e: The contractors associated with the Ashby Canal and their locations of work





Ashby Canal 1c

Congerstone ●

James Patterson

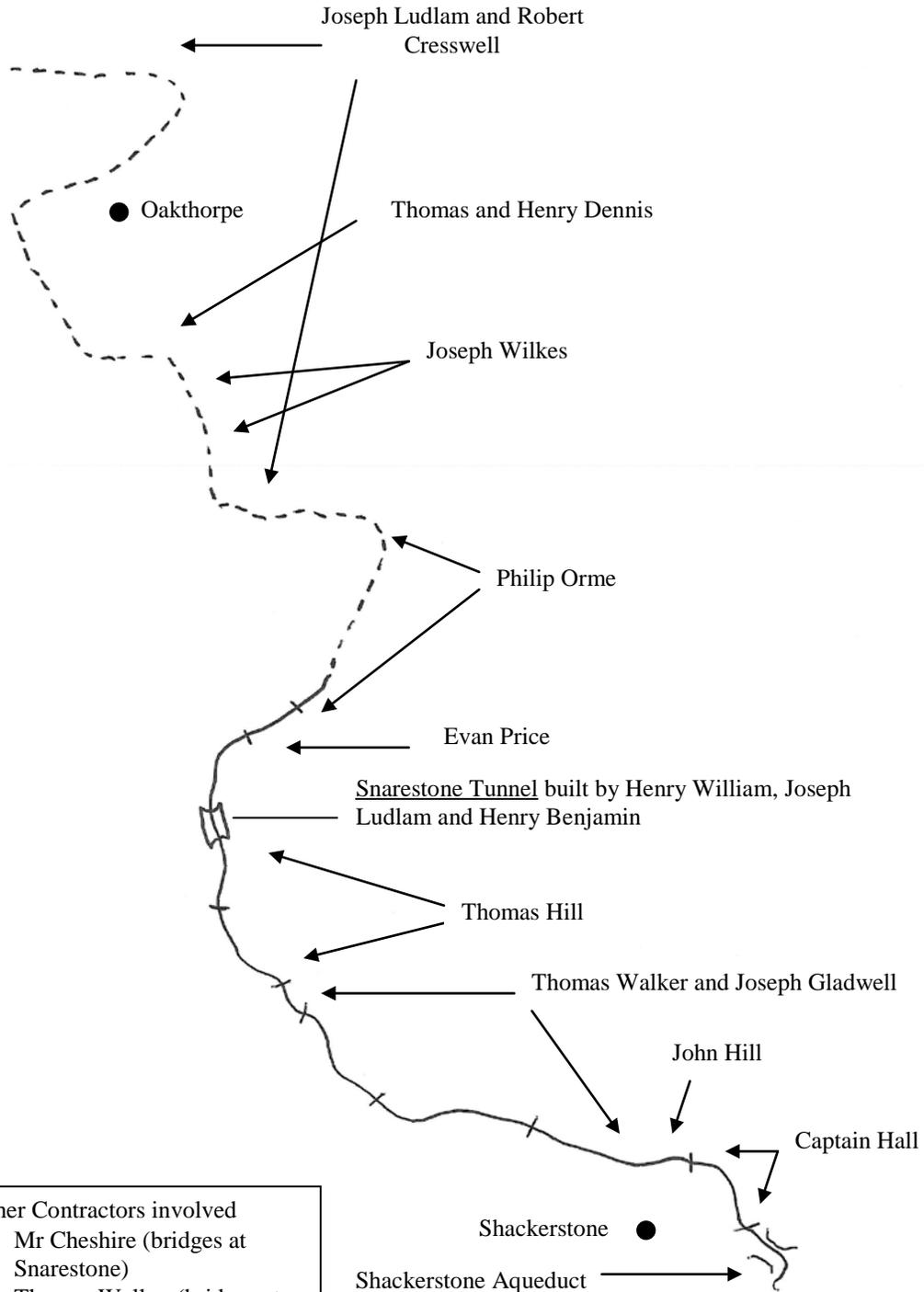
John Patterson

Market ●  
Bosworth

Stephen Holland  
John Walker  
John Boswell  
(Boswell replaced  
Joseph Parkin)

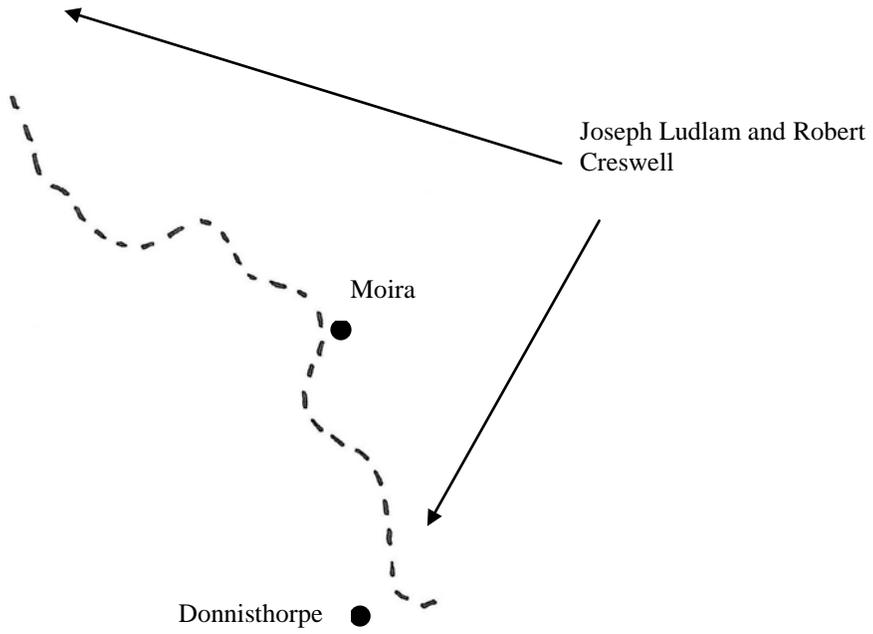
Shenton ●

**Ashby Canal 1d**



- Other Contractors involved
- Mr Cheshire (bridges at Snarestone)
  - Thomas Walker (bridges at Shackerstone)
  - Mr Haddon (aqueduct at Shackerstone)

Ashby Canal 1e



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