

DARTMOOR FOR DEVONSHIRE.

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It has been of late years a maxim of public policy that waste lands—lands which have lain waste from time immemorial—shall be kept as parks or playgrounds for the people, where a dense population crowded in a town may disport themselves, refresh themselves with pure air, enjoy the beauties of the wild fauna and flora of the field, and learn to know something of the works of Nature.

Great efforts have been made in parts of England, especially in and near London, where human mortals are ground down in industrial mills, to preserve for the mass of mankind some of the restoratives that a free foot on a free heather can bestow on the jaded worker in a close unwholesome office or workshop; to preserve places where birds and wild beasts are allowed to live for the sake of their beauty and the interest that they excite, and where flowers and ferns are protected from the rude hands of the spoiler for the sake of the refined tastes of one and all. If wild beasts are stuffed and put into a museum by persons who rejoice in the name of taxidermists, they are no longer wild beasts, but dead skin and wire, with glass instead of eyes, which can teach no naturalist or scientific man anything whatever. Observe them when they are alive, and you can then learn a lesson from them, and the songs of the birds may cheer you. The unplucked flowers and the plants that do not flower have also more to tell when alive than when they are dead.

Many wise men—and I wish that sort of wisdom were a little less rare—have done their utmost to place some selected wild and beautiful parts of England under the protection of the law, that no selfish marauder may enclose them, no ugly noisy railway go through them, and no destroyer disturb the growth of plants, which ignorant and sordid persons are

pleased to call weeds. All flowers, except a few, are weeds to some uncultured minds; as all animals, except a few, are vermin to those modern enemies of nature known to society as gamekeepers.

The most important examples of these wild and beautiful parts of England, preserved for the good of us all, are the New Forest, Epping Forest, and Dean Forest; and I wish most earnestly to add Dartmoor to that glorious list of earthly paradises. As Epping Forest is the best example of a large tract of land, acquired with infinite pains and at great expense by the Corporation of London for the use of the public, an object of far greater utility than any number of acres covered with villas emitting smoke and poison instead of air fresh with the breath of forest leaves, it will be well to show that the County Council of Devon should acquire Dartmoor for the Devonshire folk as the Corporation of London acquired Epping Forest for the citizens of London, with far less trouble, at a cost which may prove to be a mere investment of money; and by so doing become the owners and protectors of the water supply of more than half Devon, as well as the landlords of a far-famed ground for the exercise both of body and mind.

Epping Forest is an ancient royal forest of great beauty, and in olden times was strictly kept as a forest under the forest laws, the severity of which is a well-known matter of history. The public, however, had rights over it which were recognised, but in course of time the Crown, when it gave up hunting and the forest laws were not enforced, neglected its forests, and encroachments became very destructive of its wild and natural beauties.

I need not here again dwell on the distinctions between a Forest proper, a Chase, and a Park. The word forest has undergone an entire change of meaning, and is now generally used for a large wood of trees, forestry having become a scientific term for the cultivation of trees. Dartmoor is called a forest, though it has no trees to speak of, and has not been a true forest in the proper meaning of the word since it was granted to the Black Prince, Duke of Cornwall, and then became a chase. However let it be called Dartmoor Forest, because it is well known by that name, and the Forest bounds are also well known, distinguishing the Forest from its purlieus, now called the Devonshire Commons.

The encroachments on Epping Forest at last threatened the extinction of all public rights, and aroused a feeling

that the citizens of London were likely to lose their pleasant play-ground altogether. About the year 1871 the Corporation of the City of London began a long and costly series of proceedings, which need not be particularly discribed here, ending at last on the 6th of May, 1882, when the Forest was thrown open to the public by the Queen herself. The Corporation fought for the rights of the public in the Courts of Law before the Master of the Rolls, then Sir George Jessel, in a suit which lasted twenty-three days, and a very famous judgment was delivered by Jessel in their favour on the 24th of November, 1874.

As a Devonshire man having rights on the Forest of Dartmoor, as a member of the Devonshire Association, and a member of the Dartmoor Preservation Society, I publicly call upon the Devonshire County Council to do the same for us, by undertaking the care of Dartmoor, as the Corporation of London did for the citizens of London in the case of Epping Forest. And I can show that Dartmoor is of far more importance to the people of Devonshire, even than Epping Forest is to the citizens of London, if for no other reason than because Dartmoor holds the water supply, now in danger and to be more and more in danger in the future, of a very large population.

The Forest of Dartmoor, with all rights over its purlieus, was granted to the Black Prince as Duke of Cornwall, and has been held by the Duchy of Cornwall ever since. The Duchy of Cornwall, of course, is the office administering the estates of the Duchy for the use of the Duke. I have before brought to the notice of this Association, especially in 1876 and 1887, the rights of the Devonshire public over Dartmoor, on which grievous encroachments have been made; and it is difficult to understand how it is that a Royal office can be advised to defy the law laid down by so great a judge as Jessel in 1874, when he "granted an injunction against the Lords of the Manors, prohibiting them from inclosing in the future, and requiring them to remove all fences erected within twenty years before the commencement of the suit."¹

Dartmoor Forest is the large tract of land, nearly all of which is worthless for cultivation, lying within boundaries which have many times been perambulated and set forth in the archives of the Duchy. Outside these Forest bounds are

¹ SHAW-LEFEVRE'S *English Commons and Forests*.

the Devonshire Commons, but for the present purpose the Duchy itself, as the owners of the Forest, and of the rights appertaining to the Forest, is the authority with which we have to treat. The net revenues of the Duchy of Cornwall form a part of the income of H.R.H. the Prince of Wales, and as the Duchy has sold some of its property, including foreshore rights, it is by no means improbable that it would be willing to sell Dartmoor Forest to such a body as the Devonshire County Council, at a price which would not diminish the income of the Prince of Wales. If so the County Council could well be urged, in the interests of Devonshire, to purchase the Forest at a price that would leave them with no loss of any importance. If the Forest could be bought at a valuation of the present net income derived from it, the County Council could hardly incur any risk of loss, and would secure for Devonshire a property of far greater value than can be reckoned in money.

Taking the Forest within its perambulated bounds, with all the rights appertaining to the Forest, there are many peculiarities attached to it to be taken into account.

I have already mentioned the rivers, and the sources of the rivers, the bogs, matters of vast importance to all the parts of the county that they water. I need only mention Tavistock, Plymouth, Devonport, and Stonehouse, Kingsbridge, Dartmouth, Torquay, Newton Abbot, Teignmouth, on the south; Moretonhampstead, Chagford, Okehampton, Barnstaple, on the north; to make the rivers alone enough to show the necessity of buying Dartmoor for the sake of the water supply, now in great peril. The water supply from Dartmoor is copious, pure, and beautiful, but no alarm seems yet to have been taken at the ease with which it may be destroyed or diverted.

Then there are the rights of common on Dartmoor, which are very valuable, and ought to be preserved for Devonshire men by a Devonshire authority. A great many thousand head of cattle, sheep, and ponies might be grazed on Dartmoor if proper care were taken of the Forest pastures, and if the four quarters of the moor, into which it has been divided from ancient times, were better looked after than they are now from the Duchy Office in London.

There are the beauties of Dartmoor, the Tors, the ancient pre-historic remains, with which the annual reports of this Association are enriched; the splendid unenclosed ground, with its furze, heather, fern, and moss, over which the Devonshire folk and their guests can roam at will.

There is also the sporting—the fishing, shooting, and hunting—which, if carefully regulated, may be the happy hunting ground of the people. The red-deer, which you in South Molton so well know, cannot, I fear, be now reckoned among the attractions of Dartmoor; but they may come to us again when Dartmoor is ours, and the County Council appoint their Verderers, Foresters, Regarders, and Woodward—forest officers of old.

If on stepping across the bounds into the Forest we could say “This is our land, held for us and taken care of for us by our County Council,” how eager we should be to see that the regulations of the County Council were observed, instead of being inclined, as we now are, to hold the Duchy in defiance as a pilferer of our rights.

The question arises, what will the County Council have to buy, and what is the annual value to be capitalized for the purchase?

The pasturage on the common land is worth to the Duchy an annual sum, now levied through the moormen in the shape of fines according to very ancient custom, with which are connected the cattle and colt drifts, and the Duchy Pound at Dunnabridge for the unclaimed cattle and ponies. This is one source of revenue.

Another is, the rents and high rents of enclosed lands within the Forest. Some of these enclosures are ancient, whilst others are quite modern. Much of the enclosed land granted on long leases in the present century has been bought back, and is now held by the Duchy. It would not be difficult to put a value on this property, at which it would be an advantage to the Duchy to sell, and the County Council would be well advised to buy. This would include all the enclosed land within the Forest bounds now bringing in rent to the Duchy, except the Convict Prisons.

The next source of revenue to take into consideration is the very important Convict Prisons, and the enclosures attached to them, held of the Duchy, it may be presumed, by the Government under lease. Part of this prison land must have been held from the year 1808, when the prison of war was first built; but whether the Government abandoned the prisons to the Duchy at the end of the war, or held them until they made Convict Prisons of them, does not concern us. If the County Council take the place of the Duchy by purchase, the lease or agreement to the Government would stand good, and it could be taken of the Duchy

at a reasonable valuation. The convicts have enclosed unrighteously hundreds of acres against the Commoners, and at least no more enclosures can be permitted. Jessel's judgment on this point is the Commoners' protection, and the County Council need not pay for rights to enclose which do not exist.

Rights are now to be considered which are rather vague, difficult to estimate, and may be open to dispute. Such are the mineral rights, the rights to quarry, and the right to cut turf. The mineral rights and the right to cut turf are more than likely to be most injurious to the water supply. There is, moreover, the Artillery range at Okehampton, which at all events is a feature, rather a novel feature, affecting the Forest and the Duchy rights.

The County Council may meet with difficulties respecting these various rights, but by no means difficulties that cannot be overcome.

The value of mineral rights is usually over-estimated. Everyone in the West of England seems to be haunted with the idea that there must be untold wealth between him and the centre of the earth—an idea that has led to the ruin of many a sanguine soul. The mineral rights are doubtless very ancient, and we hear of tin-streamers in pre-historic times, around whom a halo of romance has been cast by antiquarian enthusiasts. It may be safely said, all the opinions of mining persons notwithstanding, that there are no metals on Dartmoor worth mining for. Mines have been worked over and over again, time out of mind, but to find anyone who had ever received a dividend would be the despair of the most industrious investigator into historic facts. If Dartmoor and its water supply is to be preserved the mineral rights must be bought, and it would be for the Duchy to show their value by the net annual receipts from them, say for the last fifty or one hundred years, a valuation which need not be feared. Tin streaming on Dartmoor has long ceased to exist, and miners have since been searching in vain for the tin, which the tin streamers are supposed to have found in great quantities. But if it is reckoned that tin in those ancient times, when Hector wore a glancing helm, was of a value equal to, or even surpassing, the value of gold now, a very small quantity of tin would account for all "the old men's workings," as they are locally called. The mineral rights the County Council would have to buy at a valuation, and the minerals would include the granite quarries and stone cutting, the taking of sand, and all things coming under the head of

minerals, for the purpose of preserving Dartmoor and its water supply.

The right to cut turf, otherwise to destroy the bogs, which are the very sources of our water supply, is another most important matter to take into consideration. The annual value of this right to the Duchy must be very small. From time to time grants have been made by the Duchy to companies, enabling them thus to destroy the bogs by converting them into what they choose to call fuel, but these company promoters have caused heavy losses to their shareholders, and their works have happily been one after another abandoned. The venville men have a right to cut turf for their own use, but of late years the Duchy has demanded of cottagers a small fine for cutting turf, although cottagers living in venville parishes have a right to do so as venville tenants. The relative value of turf compared with ordinary coals has however so changed, that much less turf is now cut and dried for use in farms and cottages than used to be the case. It is absolutely necessary for the protection of the water supply that the right of cutting turf should be bought for the sake of all who are interested in the water supply, and it is a right which the County Council must reckon on in their valuation.

There is, besides what I have already mentioned, the small quantity of timber on the Duchy property, which it may be presumed, must be bought at a valuation. If such a valuation be correct, there could be no loss on that part of the purchase. And if forestry, which the scientific cultivation of trees is now called, becomes better understood in England, studied as its importance deserves in other countries, some parts of Dartmoor may be improved by planting, as in the case of the New Forest.

It is certainly not asking too much of the County Council to undertake the purchase of Dartmoor in the interests of their constituents, for it must be remembered that all Devonshire men have rights on Dartmoor, according to the Duchy documents, quoted in the report of Mr. Stuart Moore to the Dartmoor Preservation Society.

The purchase of Dartmoor, however, must be so managed that the future owners, whosoever they may be, members of the County Council, shall not be in a position to sell it or use it for the sole purpose of making money out of it, even for so sacred an object as saving the rates, which might be a great temptation in times to come. Dartmoor should be held as a Public Park, Chace, or Forest, a place for recreation

like Epping Forest and the New Forest. It will be necessary carefully to define the enclosures and buildings which are to be allowed to remain after the existing leases have fallen in. As there is no freehold on Dartmoor, the leaseholds must in the end come to the landlord, and one of the main objects should be, so to tie the hands of the future County Councils that the interests of the public at large in the Forest as a whole shall be fully preserved. Some of the outlying enclosures may be allowed to fall into ruins as they already have. Others may be kept, and let to tenants as exceptions to the general rule, at least for a time. But the chief object in view must be the preservation of the Forest as a forest, as the source of an invaluable water supply, and as free pasture for cattle, sheep, and above all ponies, the only domestic animal that can live on the moor all the year round. A very valuable little wild horse might be reared in great numbers on the Forest.

It seems to me that for all these purposes an Act of Parliament will be necessary, and I can refer to the Act obtained by the Corporation of London, in 1878, for the final settlement of Epping Forest, as a confirmation of that opinion. An Act of Parliament will be required for the protection of the Forest, because, although the Devonshire County Council of to-day will desire to preserve the Forest as it is, with its fine pure water supply, the County Council of future generations may possibly have a hankering for making money and saving the rates, and, the Moor being their property, might sell it in parcels to the highest bidder, or convert it to other vulgar and sordid uses. An Act of Parliament must therefore be so framed, as in the case of the Act for the care of Epping Forest, that the County Council will hold it for certain uses, and for no other. It is evident, therefore, that a good deal of forethought must be bestowed on the Dartmoor Forest Act, enabling the Devonshire County Council to buy the Forest of the Duchy of Cornwall for certain specified purposes, including the preservation of the water supply for a very large and extended population, in the interest of the public, the people of Devonshire especially.

It is not possible to say what the sum of money may be that will be wanted for the purchase, including the Act of Parliament, until the actual net revenue of the Duchy, say for the last twenty years, has been ascertained, and the annual net receipts capitalized at a fair valuation, so that H.R.H. the Prince of Wales may not suffer loss of income. Dartmoor at present cannot be a good property from the point

of view of revenue, and the Duchy will probably be well pleased to sell and re-invest the sum obtained in less troublesome securities.

I have endeavoured in this paper to point out all the advantages, also the disadvantages, of the proposal to buy Dartmoor, by the authority representing the County of Devonshire, for Devonshire uses, purposes, and enjoyment; and although there are difficulties, although there is expenditure of money to be considered, and although much time and trouble must be taken in its accomplishment, it is well worth all the time, all the trouble, and all the money to the Devonshire folk and the public.

Having established the proposition without question, as I believe I have, that Dartmoor ought to be bought for Devonshire, the next step is to approach the Devonshire County Council and convince that august body of men that their duty lies towards the Forest of Dartmoor. Their minds are at present much exercised on the Local Government Act, but there is no time to lose if Dartmoor is to be rescued from the hands of the spoiler. A good strong man is wanted to take the work up, and not leave it till it is carried to a successful end, when Dartmoor will be ours for ever and ever, not the property of princes, who cannot see it and cannot love it, but can only associate it with £ s. d., ours to enjoy with, may I say without offence, a holy joy.

Mr. Robert Burnard has published a lecture showing how necessary it is to buy Dartmoor by Devonshire folk for Devonshire folk, and to him be the honour of first proposing an undertaking of an importance, which it is not easy fully to estimate. Perhaps in future years, when the population of the County is better informed respecting the value of such forests as Dartmoor in an æsthetic and ethical sense, due praise will be offered to the man who had the foresight to urge the preservation for our descendants of so fine a play-ground.

I have again and again referred to the importance of the water supply, and to Mr. Radford is due the thanks of those who know its value, for the paper he read at Tavistock to this Association, on the importance of the bogs of Dartmoor as the very best storage of rain for the sources of our bright and pure rivers. Trees, bogs, and marshes are the best natural reservoirs; without them we should be subject, as some countries are, to destructive floods and equally pernicious droughts. It is astonishing how the quantity of rain that falls on Dartmoor is absorbed by the bogs, and

distributed in convenient quantities even in the longest dry seasons. To grant them for their destruction to a company, is an evil that should be prevented at all hazards.

Dartmoor Forest, already partially injured, ought to be bought by us for ourselves and our descendants, before any further injury is inflicted on it. And surely it is the duty of the County Council to protect the property of the County.