

Land Settlement in Scotland After World War I*

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Abstract

After World War I the Land Settlement (Scotland) Act gave the Board of Agriculture for Scotland powers to break up farms into smallholdings. The hopes of landless men in the Highlands and Islands were raised by promises both before and after the war, but for financial and other reasons the rate of progress in settling them was much slower than anticipated, and a number of men took illegal possession of farms. Public sympathy for ex-servicemen was so great that more money was poured into land settlement and strenuous efforts made to speed things up. The programme went a long way toward satisfying Highland land hunger and was considered, overall, to have been a success. However, as the failure rate was highest by far amongst the holders settled just after the war, those who came later benefited more than the ex-servicemen for whom the legislation had been intended.

LAND settlement – the breaking up of large farms or estates into small holdings – has been a worldwide phenomenon throughout history.¹ In the early twentieth century the scale of state-aided land settlement in Scotland was not particularly large: in Denmark more than 26,000 new holdings were created following legislation in 1899 and 1919, while in Scotland fewer than 6000 were formed.² What made the post-World War I Scottish experience noteworthy was the background of Highland land agitation which preceded it, and the intensity of the demand emanating from that region. Although one modern historian has dismissed Highland land settlement policy after the First World War as a 'minor, and largely ineffective, attempt to deal with the situation'³ (a disputable statement), the

amount of parliamentary time devoted to this subject between 1918 and 1924, the strong pressure put on the government to secure holdings even for those who had acted illegally, and the millions of pounds of public money poured into land settlement are indices of the importance attached to it at that time.

The situation in the Highlands – or, to be more precise, the western Highlands and Islands – had its roots in the traumatic events of the late eighteenth to mid-nineteenth centuries, known as the Clearances. Elsewhere in Scotland (including the Eastern Highlands) the removal of people from the land had happened slowly, and therefore while depopulation in some regions (eg, the Borders) was actually greater than in some of the 'cleared' areas, it had been a gradual rather than an abrupt process. Also, in most parts of Scotland there were nearby towns and cities able to absorb the dispossessed, which was not true of the more geographically remote areas of the Highlands. And finally, however much romanticised claniship may later have been, the fact remains that in that kin-based society, 'economic inequalities were . . . transcended by an egalitarianism expressed in terms of blood relationship, however remote, and encapsulated in the right of every clansman to shake the hand of his

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¹ E J Jacoby and C F Jacoby, *Man and Land*, 1971. They define land settlement as 'an agrarian reform programme particularly designed to relieve the pressure in overpopulated rural areas and promote a more homogeneous distribution of land and labour', p. 275. This definition would certainly apply to land settlement in the Scottish Highlands, although not to the Lowlands.

² Alexander S Mather, *State-Aided Land Settlement in Scotland*, O'Dell Memorial Monograph No. 6, University of Aberdeen 1978, p1.

³ R H Campbell, *Scotland since 1707*, 2nd ed, Edinburgh, 1985, p223.

chief.⁴ The advent of commercial landlordism in the aftermath of the 1745 rising was therefore exceptionally difficult for Highlanders to assimilate, especially as in so many cases the landlords who were so ruthlessly evicting them still held the title of chief of their clan.

Before the beginning of the nineteenth century smallholdings occupied by single tenants paying rent to a landowner were non-existent in the Highlands; the crofting system was a nineteenth-century development. It took a long time before this new breed – the crofter in place of the clansman – emerged to fight for the land that had been lost.⁵ The basis on which the crofters fought was the belief that occupation of the land gave men an inalienable right to that land.⁶ While unique in Great Britain, such a belief has surfaced in many other cultures and times, and has been called the Agrarian Creed.⁷ As far as the crofters were concerned, the rightness of their belief was confirmed by the Bible.⁸

I

As a result of the land agitation new legislation was passed in 1886: the Crofters Holdings (Scotland) Act guaranteed security of tenure to crofters and gave them the right, if they relinquished a holding, to claim compensation from the landlord for improvements made to it. This was radical legislation, for no longer after a crofter had put everything into improving his croft could a landlord evict him from it.

However, it failed to meet the crofters' most urgent need, the need for more land. As a result, Highland agitation continued unabated. It was not until 1897, with the passage of the Congested Districts (Scotland) Act – which set up the Congested Districts Board and provided money to create holdings – that this problem was tackled. Unfortunately, the funding provided was so far from adequate, and the limitations on the Board's powers so crippling, that the effects of the Act – although by no means negligible – were strictly limited.⁹

Highland land agitation did not, therefore, disappear in the early years of the twentieth century. However, when the Liberals came to power in January 1906, their dedication to land reform was not confined to the Highlands of Scotland. Both in England and in Lowland Scotland increasing alarm was being expressed at the rate of the exodus of small farmers from rural areas into the towns, and at the consequent deterioration of the land.¹⁰ The remedy was seen as government assistance in the creation of smallholdings. After a long and bitter struggle – far more so for Scotland than for England (the latter was subjected to new legislation in 1908) – the Small Landholders (Scotland) Act, 1911 was passed.¹¹

By this Act crofting tenure was for the first time extended throughout Scotland, crofters now being termed landholders. This meant that smallholdings could be created on privately owned farms in both

⁴ James Hunter, *The Making of the Crofting Community*, Edinburgh 1976, p.90.

⁵ A defining characteristic of the crofter was that, while earning the bulk of his living from his holding, he always had some kind of ancillary occupation as well. *ibid.*, p.3. A vivid description of life as a crofter in the post World War I period is Finlay J Macdonald, *Crowdie and Cream*, 1982.

⁶ It is worth emphasizing that, unlike the Irish the Highlanders had no interest whatsoever in owning their holdings. Hunter, *Crofting Community*, p.185.

⁷ Jacoby and Jacoby, *Man and Land*, p.88.

⁸ Hunter, *Crofting Community*, p.159. This too was not unique to Scotland; Jacoby and Jacoby in *Man and Land*, pp.88–9, also noted the Old Testament as the first expression of the Agrarian Creed.

⁹ For a description of Highland land agitation and legislation in this period see Hunter, *Crofting Community*, Chs 8–10. The years up to 1886 are also covered by Ian Fraser Grigor, *Mightier than a Lord*, Stornoway 1979.

¹⁰ For England see H Rider Haggard, *Rural England, Being an Account of the Agricultural and Social Researches Carried out in the Years 1901 and 1902*, 2nd ed, 1906. For Scotland see *Scottish Land Rural and Urban: The Report of the Scottish Land Enquiry Committee*, 1914.

¹¹ J Brown, 'Scottish and English Land Legislation 1905–1911', *Scott Hist Rev*, XLVII, 1968. Lady Pentland, *The Right Honourable John Sinclair, Lord Pentland: A Memoir*, 1928 pp.86–98; J Gibson, *The Thistle and the Crown: A History of the Scottish Office*, Edinburgh, 1985, pp.39–42; I G C Hutchison, *A Political History of Scotland 1832–1924*, Edinburgh 1986, p.243.

Highlands and Lowlands, with the new holders not only receiving financial assistance from the government, but also being granted security of tenure, and having their fair rents set by the newly-created Scottish Land Court. The Congested Districts Board was disbanded, and the Board of Agriculture for Scotland set up in its place.

The most controversial aspect of the new legislation was the compulsory procedure which could be adopted if agreement could not be reached with the landlord of a farm considered suitable for smallholdings. The Board could in that case intimate that it was in the public interest that one or more new holdings should be constituted and then apply to the Scottish Land Court for an order authorizing the constitution of new holdings and enlargements. The Land Court would hear the landowner's objections, but if found invalid then the settlement of smallholders would go ahead. The holders would become the landlord's tenants, the Board (in theory at least) having no further part to play after providing the necessary loans and grants to assist the holders to erect buildings and equip the land.

By the time war broke out in 1914 it was all too evident that the Act would not have the hoped-for success in settling large numbers of men on the land. There were various reasons for this, but the crucial one was a clause which had been added when the bill was debated in the House of Lords, allowing landowners claiming compensation over £300 the right to be heard before an arbiter instead of the Land Court.¹² The Land Court was distrusted by landowners at that time,¹³ and therefore there was a general insistence on being heard before an arbiter. The key question became the claim by proprietors that the establishment of smallholdings diminished the value of their estates. The Board con-

tested that claim and as a result found itself embroiled in endless litigation. Arbiters came to differing conclusions, but the question was finally resolved by a House of Lords decision: in January 1916 the Lords pronounced that depreciation in the value of an estate was a competent claim.¹⁴ The Board had to pay full legal costs and vast sums of money which had not been budgeted for in landlords' compensation, not only to this landowner but to many others whose claims under this head had been suspended pending the Lords' decision. As a result many promising schemes had to be abandoned for fear of excessive compensation claims.

II

Some discussion of the difficulties which beset the 1911 Act has been necessary, because subsequent legislation built on this statute. The hopes of many landless men had been raised by its passage, only to be dashed in the years that followed, when only a fraction of those who had applied for holdings were actually given them. The Board of Agriculture were on the side of the applicants, but they had to deal with intransigent landowners and their agents. Changes would have had to be made to the statute in any case, but the main effects of the war were to create a vast reservoir of public sympathy for ex-servicemen wanting land and a greater militancy on the part of the landless. Interestingly, although Highland land agitation had begun anew toward the end of the war, the impetus for the new legislation actually came from England, not Scotland.

Indeed, one author has commented that 'Mr Asquith's government seemed more concerned with planning the post-war world than with the immediate problems of feeding the nation during the remainder

¹² *Scottish Land Rural and Urban*, p115.

¹³ Scottish Record Office (SRO) E824/469. Also, J P Day, *Public Administration in the Highlands and Islands of Scotland*, 1918, p229.

¹⁴ SRO, AF83/907.

of the war.¹⁵ A Committee was set up in the summer of 1915 to consider what steps could be taken to promote the settlement or employment of sailors and soldiers on the land after the war. The report pointed out that a much greater proportion of recruits rejected for active service came from towns than from country districts. 'If, therefore, we desire a strong and healthy race, we must encourage as large a proportion of our people as possible to live on the land.'¹⁶ Also, the war had shown clearly how necessary it was for the nation to produce as much of its own food as possible, and this was another reason for promoting land settlement.¹⁷

The result of the Committee's report was the Small Holdings Colonies Act, 1916, which empowered the acquisition by agreement of up to 2000 acres for the purpose of providing 'experimental small holding colonies'; no special funds were provided for this purpose. The Sailors and Soldiers (Gifts for Land Settlement) Act was also passed in 1916, and in 1918 the Small Holding Colonies (Amendment) Act authorized the acquisition of 20,000 instead of 2000 acres but still did not provide extra funds. These Acts were applicable to Scotland as well as to England, and under them several farms in Lowland areas were purchased by the Board of Agriculture for Scotland. The provision that three-fourths of the land acquired must be arable made the acquisition of geographically Highland estates impossible.¹⁸

The Scottish Board of Agriculture did not pay as much heed to the problems of

land settlement likely to arise after the war as did their English counterparts. As one Scottish MP pointed out bitterly in the course of a House of Commons debate in 1916, while the English had 'at least had the imagination and the initiative to set up a Committee to inquire into the problem of settling ex-soldiers and sailors on the land', the Board of Agriculture for Scotland had given no indication that they had even considered this.¹⁹

However, in that same debate, the Secretary for Scotland²⁰ was able to announce that the Duke of Sutherland had gifted the Board with the 12,000-acre farm of Borgie, the terms being that it was to be used 'for the settlement of sailors and soldiers who have been on foreign service and who had volunteered without compulsion and have a good record of foreign service.'²¹ In May 1917 the Duke of Sutherland approached the Board with the offer of another farm, Shinness, not as a gift this time, but by negotiation under the terms of the 1911 Act (though with the promise not to claim compensation for depreciation of selling value). This too was aimed at the settlement of ex-soldiers and sailors, and, in spite of the heavy cost of the exercise, acceptance was sanctioned.²² Apart from those schemes, very little was done during this period, and in 1917 there was renewed agitation for Highland land reform.²³

At the end of the war the Coalition

¹⁵ E H Whetham, *The Agrarian History of England and Wales*, VIII, 1914-39 Cambridge, 1978, p83.

¹⁶ *Departmental Committee on Land Settlement for Sailors and Soldiers*, PP, 1916, XII.

¹⁷ The Board of Agriculture for Scotland took up this theme in a 1918 'Memorandum on the Creation of Small Holdings as a Means of increasing the Productivity of the Soil', which concluded (regarding Lowland farms) 'that the creation of small holdings is a sure means not only of adding to the rural population, but also of adding greatly to the home production of food.' SRO. AF43/93. The validity of this assumption is, of course, open to argument.

¹⁸ The Board discussed the difficulties of utilising these Acts for Scotland in their *Seventh Report* (for 1918), pxxvii.

¹⁹ House of Commons, 9 August 1916, 1101. An author writing in the early 1920s thought that it would 'have been wise if steps had been taken to have a certain number of holdings ready as soon as possible after demobilization'. He admitted the uncertainties of 1917 and 1918 and granted 'the unfortunate slowness of the normal action of a public department', but nevertheless found it a matter of regret that more forward planning had not been undertaken. W R Scott, 'Scottish Land Settlement' in *Rural Scotland During the War*, 1926, p244.

²⁰ The Secretary for Scotland did not become a Secretary of State until 1926.

²¹ House of Commons, 9 August 1916, 1130-1131.

²² SRO, AF83/613 and 614. The Duke of Sutherland actually sold this farm before the holders were settled on it, but with the understanding that the new proprietor would be bound by his arrangement with the Board.

²³ Hunter, *Crofting Community*, p195; *Glasgow Herald*, 5 October and 6 December 1917.

Government presented their election manifesto:

The care of the soldiers and sailors, officers and men, whose heroism has won for us this great deliverance, and who return to civil life, is a primary obligation of patriotism . . . Plans have been prepared, and will be put into execution as soon as the new Parliament assembles, whereby it will be the duty of public authorities and, if necessary, of the State itself to acquire land on simple economical bases for men who have served in the war, either for . . . allotments, or small holdings, as the applicants may desire and be suited for, with grants provided to assist in training and in initial equipment.²⁴

A booklet entitled *Land Settlement in the Mother Country* was issued by the England and Scottish Boards of Agriculture to demobilized soldiers and sailors, giving instructions on how to apply for holdings and providing an application form.²⁵

The 1919 debate in the House of Commons contained many criticisms of the Scottish Board of Agriculture's dilatoriness in settling demobilized men, though the Secretary for Scotland put up a spirited defence.²⁶ When it came to legislation the English once again led the way, with the Land Settlement (Facilities) Bill, which established a fund from which the agriculture departments were to pay the cost incurred by county councils in providing small holdings for ex-servicemen.²⁷ The idea initially was that this statute would be passed for the whole of the UK, with special clauses inserted for Scotland.²⁸ The members of the Board of Agriculture for Scotland each submitted a memorandum, commenting on various clauses of the Bill. On 27 February 1919 the Chairman of the Board sent these to the Secretary for Scotland, along with his own comments. He began by stating that although initially he and the other members of the Board had felt that a separate Bill for Scotland

would be preferable, he now thought 'it may be better to attempt to adapt the English Bill to suit Scottish requirements, in view especially of the postponement of legislation for Scotland that would most likely take place if a separate Bill were introduced, and of the greater dangers that would attend such a Bill in its passage through Parliament.'

No further correspondence on the subject has been uncovered, but reading the Board's memoranda must have convinced the Secretary for Scotland that separate legislation was necessary, for the English localized system of land settlement administered by county councils, let alone the very different forms of land tenure in the two countries, would have made the drafting of a single Act for the whole of the UK a nightmare. The Land Settlement (Scotland) Act came into operation in December 1919, four months after the Land Settlement (Facilities) Act.²⁹ It seems clear from the Board's memoranda and notes – and from a comparison of the two Acts – that the Scottish Act gained muscle from the English one.

Earlier English legislation of 1908 had given county councils powers to compulsorily purchase farms for the creation of smallholdings; the Land Settlement (Facilities) Act extended those powers to allow such purchases to be made without reference to any confirming authority for a period of two years. Part I of the Scottish Act paralleled the English statute in allowing, for the first time, the purchase by the Board, either by agreement or compulsorily, of lands anywhere in Scotland, subject to the approval of the Secretary for Scotland and Treasury.³⁰ This power was

²⁴ *The Times*, 22 Nov 1918.

²⁵ SRO, AF83/57.

²⁶ House of Commons, 4 August 1919, 64–115.

²⁷ See Whetham, *AHEW*, VIII, p137.

²⁸ SRO, AF66/114/2.

²⁹ The Land Settlement (Facilities) Act, 1919 is 9 and 10 Geo.V ch.59; the Land Settlement (Scotland) Act, 1919 is 9 and 10 Geo.V ch.97.

³⁰ During the war, the Land Court had suggested that 'the Board of Agriculture should be empowered and provided with funds to purchase throughout Scotland suitable land for enlargement and for new holdings, either by agreement or compulsorily'. *Scottish Land Court Report for 1916*, p.xxx. The Board of Agriculture did inherit power to purchase estates in thecrofting counties from the Congested Districts (Scotland) Act, 1897.

at first operative for only two years, but it was continued in succeeding years by Expiring Laws Continuance Acts. Thus, under Part I of the Act the Board became the landlords of smallholders settled on farms acquired in this way. Part II still allowed the taking over of lands remaining in the ownership of the proprietor. The Treasury always preferred the Board to instigate Part II schemes, because obviously purchasing properties involved heavy expenditure, but landowners much preferred to have their lands purchased outright, and Part I therefore proved the more useful section of the Act.³¹

Nevertheless, Part II of the Act modified the Small Landholders Act, 1911 quite radically. The right to submit compensation claims over £300 to arbitration was abolished (the Land Court now assessed all compensation claims), and the right to claim compensation for depreciation of selling value was not allowed. The Board authorized their own schemes without recourse to the Land Court, and any objections by tenants or landlords were heard before the Board, who would then decide whether to go ahead with the scheme, amended or not. However, before it was put into operation an order had to be confirmed by the Secretary for Scotland, and if a landlord made representation that the scheme ought not to be confirmed, the Secretary for Scotland would make the final decision.

Part IV of the Act provided a new method of financing land settlement: for two years the Board were empowered to borrow a sum of £2¾m from the Public Works Loan Commissioners out of the Consolidated Fund, the annual loss, approved by the Treasury, to be made

good by parliamentary vote. Part V directed the Board to give a preference for two years after the passing of the Act to applicants who had served in the armed forces. (As will be seen later, this preference was actually continued for much longer than two years). This part of the Act also conferred power on the Board (initially for two years but extended more than once and ceasing only in 1926) to make advances to holders to enable them to purchase livestock, seeds, fertilizers and implements. The need for this provision had been made manifest by schemes in pastoral areas such as Shinness in Sutherland where applicants lacked the capital to take over sheep stock.

III

With radical new powers to purchase farms, the removal of the aspects of the 1911 Act which had rendered it ineffective, seemingly realistic funding, and the will on the part of all sections of society to ensure that the men who returned from the war were provided with small holdings, the stage seemed set for the rapid settlement of large numbers of these men. But it did not work out that way. Partly, as indicated above, it was lack of preparedness. Then, too, many of the procedures which had been necessary under the 1911 Act were still essential under the new Act: interviewing and assessing the suitability of applicants, inspecting potential farms, and then providing those acquired with buildings, fences, roads and water supplies, all of which took time. Most serious were the financial difficulties. Prices – not only of land but also of building materials – were at an all-time high in 1919 and 1920, the years when the Board were frantically purchasing and equipping farms for smallholders. Five months after the passing of the Act the funds allocated for land settlement were already used up, and all schemes

³¹ 'Although procedure in effecting settlements on properties remaining in private ownership was simplified by the 1919 Act, settlements of this nature, except where carried out by agreement, were and still are subject to protracted procedure. The result has been that policy has gradually changed over to the formation of holdings on lands acquired and held by the State.' DOAS. *Twenty-Seventh Report* (for 1938), p36.

not already under way had to be suspended.³²

The reaction from ex-servicemen might not have been so violent had the propaganda prior to and after the war not been so eloquent. As one bitter Highlander put it, 'At the last general election Sir R L Harmsworth and his agents flooded Sutherland with literature containing rosy promises to all of land etc, not even (*sic*) were they to break up farms and pay compensation for the same, but they were also to find capital for soldiers and others who they said could not be expected to have capital with only a shilling a day of pay.'³³

Not surprisingly, it was in the Highlands and Islands where real trouble erupted, as demobilized and land-hungry men used the only weapon that had proved efficacious since the late nineteenth century: raiding. On the mainland this was usually a symbolic gesture. A number of men would march onto the land – sometimes preceded by a piper – and stake out holdings, in the hopes of obtaining press coverage and sympathy for their demands. In the Hebrides the men would actually begin to cultivate the land, in some cases bringing their families with them and even erecting temporary dwellings. The tenants of such farms would be harassed and sometimes prevented from ploughing.

The owner's redress was to take out an action of interdict against the men illegally occupying the land; when this was ignored by the men, as it almost invariably was, the landlord could have them arrested for breach of interdict. Several landowners did this, but the imprisonment of men who had returned from active service in the war and were now claiming the land which

they insisted had been promised them created such a furore in the press and parliament that no landowner ever benefited from such an action. In one of the first post-war land raids, at Glendale, South Uist in 1918, the men involved were eventually given the holdings they had demanded, and this, which was supposed to be an exceptional case, proved instead to be the setting of a precedent.

In the Board's report for that year, published in 1920, they noted that there had been extensive land raiding and 'feared that seizures in the North and West will increase in number, and will tend to spread to other parts of the country unless a more rapid rate of progress is secured than has hitherto been possible.'³⁴ *The Times* encapsulated the press's views in their comments on the Board's report concerning forcible seizures:

Having made these disclosures, the Board calmly turn to the discussion of cattle breeding and heather burning and kindred topics. They show no recognition of their own share of responsibility, nor do they give any indication of the way in which they or their superiors propose to deal with a situation which now contains elements of danger. The report is framed in such a spirit of aloofness that it might well have been drafted by philosophers in Saturn.³⁵

It will be noted that the Board rather than the lawbreakers were being blamed for the situation.

Some positive action had to be taken, and the first thing that the Secretary for Scotland did – with Treasury approval – was to create a new temporary post, Director of Land Settlement, and appoint to it an esteemed public figure, Sir Arthur Rose.³⁶ It is a measure of the respect he inspired that in the period in which he held the post, during which the Board was

³² The Secretary for Scotland considered the fact that the Board had so rapidly 'exhausted the possibilities of the Act in the direction of acquiring land' commendable, though he went on to admit that 'the position with regard to funds is serious when viewed in light of the present unsatisfied demand'. House of Commons, 4 Aug 1920, 2474.

³³ SRO, AF66/25.

³⁴ BOAS. *Eighth Report*, pxiv.

³⁵ *The Times*, 3 Aug 1920. The piece concluded, 'The agrarian trouble in the Highlands would never have reached its present intensity if the Board had acted with greater readiness and efficiency. They are now regarded with hostility and mistrust.'

³⁶ Sir Arthur Rose DSO. was Chairman of the Edinburgh Education Authority and President of the Association of Education Authorities of Scotland. During the war he commanded a battalion of the Royal Scots at the front, and afterwards he acted as Food Controller for Scotland. SRO, AF66/24.

criticized almost non-stop for not doing enough, none of this criticism was ever aimed at the Director of Land Settlement.

In view of the financial situation, a conference of government ministers was held on 5 July 1920 when the Cabinet had before them a memorandum by the Secretary for Scotland on the position of land settlement in Scotland. If operations under the Act were closed down less than a year after its passing into law nearly 9000 applicants would be left unsatisfied and the situation would be intolerable. 'The Cabinet were reminded of the election pledges which had been given and were impressed with the social and political discontent which would be aroused by any sudden or substantial decline in land settlement policy.' However, to fully meet the demand at the prices then current might have involved the Treasury in an additional expenditure (for the whole of the UK) of £100m, which was impossible to contemplate given the state of the country's finances. The conclusion, therefore, was that the machinery of settlement would have to be overhauled 'with a view to the most rigorous economies'. It was estimated that whereas in England 40 per cent of the expenditure on each holding was irrecoverable (ie, grants rather than loans), in Scotland it was as high as 60-70 per cent, so naturally Scotland received much greater attention. A Committee was appointed to consider the best way to overhaul the policy and machinery of land settlement.³⁷

In the intervening months letters and memoranda flowed between the Treasury and Sir Kenneth Mackenzie, the King's and Lord Treasurer's Remembrancer (the Treasury's liaison man in Scotland). In an August memorandum the Treasury noted, 'The broad question which is suggested for consideration is whether the better results might not be obtained in Scotland at less expense by acceptance of the less ambitious

standards adopted in England and by a similar decentralization of the work.' Sir Kenneth Mackenzie replied at length; he was highly critical of many aspects of the Board's policies and practices but thought it right

'to point out that the conditions in England and Scotland differ considerably. The bulk of the rural population in England live in villages, and the demands for land there can frequently be met by the provision of allotments . . . Generally speaking the land in England is more fertile than that in Scotland, and the latter country has a much longer winter. On a 10-15 acre holding in many parts of England, bestial can graze for nine months in the year, in Scotland there is little grass till May. Probably, therefore, there may be fair reason to have rather larger holdings in Scotland from which winter keep can be procured.'

As far as decentralization was concerned, Sir Kenneth had no doubt that 'had the system been the same in both countries from the outset, much better results at far less expense would have been obtained in Scotland.' However, he doubted if the existing system could now be altered. He advised the Treasury that he had written privately to the chairmen of county councils where the Board owned considerable estates to ask if they would be willing and able to undertake the work, and they had all agreed they could have done it at the outset, but several did not think it would be desirable to transfer the work to them at this stage. Sir Kenneth also wrote privately to leading farmers on the County Agricultural Executive Committees and received similar replies; those in the southern counties thought they could do the work while those in the north demurred.

The Cabinet Committee Report was produced at the end of 1920 and its main recommendations made public at the beginning of January 1921.³⁸ Comparing the differences in average expenditure per holding in the two countries, the reasons for the higher cost in Scotland were seen

³⁷ SRO, E824/469. All Treasury material prior to the Cabinet Committee Report is in this file.

³⁸ SRO, E824/472.

as first the fact that virtually all Scottish holdings had to be equipped with buildings, which was not the case in England; second the average Scottish holding was 36 acres compared with 15 acres in England; and third in Scotland most holders were given loans out of public funds for stock acquisition, whereas in England the bank loaned this money with a State guarantee.

The Committee estimated the total ex-service demand in Scotland at 7220 applicants, of whom 1284 had been, or could be, satisfied out of available funds. There were also approximately 500 disabled ex-service applicants, 3000 civilian applicants for new holdings, and 3500 civilian applicants for enlargements. The Committee realized that it would be quite impossible for the Treasury to provide the scale of expenditure which these figures suggested, but they felt that 'it would be difficult to maintain that the pledge to the ex-serviceman in Scotland was satisfied by the provision of holdings for only 1500 Scottish applicants - approximately the number which it will be possible to settle on present lines if Scotland is accorded financial treatment on the lines recommended in the case of England and Wales'.

The meat of the report was the question of what economies could be made. After careful consideration the Committee came to the conclusion that 'the objections to transferring the control and management of Land Settlement in Scotland to the county councils or other representative bodies are insuperable'. Neither did they think it a good idea to give such bodies advisory or consultative functions while the entire financial responsibility lay with the Exchequer. The Committee suggested five ways in which economies could be effected.

- 1 By reducing the number of applicants.
- 2 By acquiring land in future otherwise than for cash, and by adopting the practice of

acquiring individual farms already equipped rather than large estates.

- 3 By reducing the size of the holdings and endeavouring to extend 'bare' land settlement.
- 4 By instituting a most rigid control over capital and other expenditure per holding.
- 5 By limiting the amounts lent to applicants for purchase of stock, etc

However, after a full discussion of the above, the Committee returned to the differences between Scotland and England, and recommended that additional funds be made available in order to satisfy more of the pressing demand. As a result of this, an amending Act was passed in 1921.³⁹ The Board's borrowing power was enlarged up to £3½m, and the period for borrowing was extended for a further two years, or a later date as the Treasury, after consultation with the Secretary for Scotland, should fix.⁴⁰

In an attempt to reduce the number of applicants, it was announced that no applicant would be eligible for the preference given to ex-servicemen unless his application was received on or before 1 March 1921. Also, the names of men not prepared to accept holdings which, in the opinion of the Board, were suitable, were to be removed from the lists of ex-service applicants. The public announcement also stressed the importance of reducing the average expenditure per holding and advised that it would be necessary to limit the size of individual holdings, and provide only minimum equipment.⁴¹

The debate in the House of Commons that year was characterized by an even greater than usual barrage of criticism of the Board's lack of progress on land settlement. The Secretary for Scotland put up a vigorous defence, advising at the same

³⁹ For background on the drafting of the Bill see SRO, AF66/33.

⁴⁰ Borrowing actually ceased at a total of £2,158,185 on 31 March 1926, when land settlement again came to be financed out of the Agriculture (Scotland) Fund, *Report of the Committee on Land Settlement*, PP 1928, XI p12.

⁴¹ SRO, E824/482.

time that as the Chairman was about to retire, and Sir Arthur Rose wished to resume his ordinary occupation, the Board would be reconstituted.⁴² *The Scotsman* commented, 'There is ample justification for the criticism to which the Scottish Board of Agriculture was subjected in the debate on the Scottish Estimates. It is the expression of well-defined opinion in every part of Scotland. The Board is costly, ill-directed, and to a large extent ineffective. Its reconstitution is a step in the right direction.'⁴³

IV

Far more serious from the Board's point of view than parliamentary and press criticism of its performance was the fact that land raiding was still taking place. The case which received the greatest amount of public attention at that time was the Raasay land raid. Seven men, with their families and stock, had come across to Raasay from the islet of Rona, where their ancestors had gone several generations earlier when they were evicted from the island of Raasay, and had begun to erect houses and cultivate the land. In 1920 the Land Court reported that Rona was 'entirely unsuited for a settlement of small holders' and that the housing and sanitary arrangements were 'of the most primitive description'. In view of these circumstances there was a great deal of public sympathy for the men. However, the proprietor had them interdicted, and in July 1921 they were found guilty of contempt of court and breach of interdict for not appearing in court; they were arrested in September.⁴⁴

In December the Scottish Office used

this case to prepare a press release in which the Secretary for Scotland announced: 'I have issued instructions to the Board of Agriculture that in future land raiding is to operate as an absolute bar to land settlement, and that persons taking part in such raiding shall be removed from the Board's list of approved applicants for small holdings.'⁴⁵ In spite of this statement, an arrangement was subsequently made whereby the raiders were given temporary accommodation elsewhere on Raasay so that technically they could be said to have 'removed', and immediately the Board purchased the estate the men were given holdings.

Such a result did not, of course, help to stop land raiding, and the year 1923 saw a heightening of Highland agitation at the slowness of land settlement. The depression made it much harder for men to wait for the chance of a holding, and because of this there was a wave of emigration from the Highlands and Islands,⁴⁶ which, in turn led to increased pressure to expedite land settlement. In May a deputation representing the Highlands and Islands Committee for the Free Church of Scotland called on the Secretary for Scotland to plead for the government to do more.⁴⁷ In June the Highlands Reconstruction Association presented a Memorial to the Secretary for Scotland with many of the same pleas. 'Whatever difficulties the Board of Agriculture have had to contend with', it stated, 'the rate of settlement has been painfully slow.' The reply which the Board provided for the Secretary for Scotland was that 'the scope and progress of Land Settlement, like every other administrative problem, is governed finally by considerations of finance.'⁴⁸

It is highly unlikely (to put it mildly) that

⁴² House of Commons, 28 July 1921, 755-792. For Notes for the Secretary for Scotland in connection with this debate, see SRO, AF66/34.

⁴³ *The Scotsman*, 30 July 1921. From the tenor of the piece, it is clear that the journal's hostility was not directed just at the Board but also at the whole policy of land settlement.

⁴⁴ The information on Raasay comes from files still held by the Department of Agriculture and Fisheries for Scotland (DAFS), which are not open to the public except by prior application.

⁴⁵ SRO, AF67/153. The announcement appeared in *The Scotsman* on 13 Dec 1921.

⁴⁶ Scott, 'Scottish Land Settlement', pp.260-1.

⁴⁷ SRO, AF67/376. This was reported in the *Glasgow Herald*, 23 May 1923.

⁴⁸ SRO, AF67/377.

deputations and memorials would have persuaded the government that something significant would have to be done to expedite land settlement in those areas; however, land raiding was continuing apace and causing growing concern.⁴⁹ The case of the 'Strathaird raiders' in Skye occupied an amazing amount of parliamentary time in the summer of 1923. Following the usual pattern, the men had been interdicted but ignored the interdict and remained on the land. In view of the Secretary for Scotland's 1921 statement, the Board removed the names of those men from their list of applicants. This caused an enormous public furore, which was redoubled when the men were imprisoned for breach of interdict.⁵⁰ The raiders had clearly assumed an important symbolic status as ex-servicemen who had waited patiently for the land they had been 'promised' until forced to take the law into their own hands.

Following an intense debate in the House of Commons⁵¹ the men were released and promised holdings in Skye. In order to expedite Highland land settlement, in June 1923 the Secretary for Scotland presented the following instructions to the Board of Agriculture:

- 1 Lowland settlement to be confined to present commitments, subject to such exceptions as may be unavoidable.
- 2 Settlement in the seven Crofting Counties to receive prior consideration.
All Skye ex-servicemen to be settled by the end of 1924 if possible.
- 3 Staff to be increased. Estimated increased cost of staff £3200 per annum.
- 4 Land to be acquired by compulsion if necessary.
- 5 Schemes sanctioned by the Secretary for Scotland to be proceeded with, without waiting for settlement of compensation claims if the Secretary for Scotland approves.

6 Treasury controls to be removed as long as £3,000,000 not exceeded. Board to consult with Treasury before adopting a Scheme the cost of which is likely to exceed the present Treasury limitations.

7 Board to proceed at once on these lines.⁵²

In the course of 1924 land raiding and criticisms of the Board finally died down. A report of that year entitled 'Economic Conditions in the Crofting Counties' noted that a great deal had been achieved by remedial legislation of the past generation, and that in some districts nearly all the farms had been taken. 'The difference made by such wholesale action is very great in such islands as Tiree and Barra, and can be appreciated by those, who remember the discontented state of the inhabitants of those two islands not so many years ago.' It was estimated that on the more thinly populated island of Skye so much land had been taken that by the end of the year 'probably one half of the population will have had their position improved thereby.'⁵³

In their report for 1925, the Board noted that the demand for land settlement showed no signs of abating; they continued to receive more applications than they could hope to satisfy under prevailing conditions. They recorded their conviction that the time had come to relax the strict preference accorded to ex-servicemen.⁵⁴ It is interesting that, whereas in England the land settlement emphasis by the mid-1920s was on relieving unemployment, that consideration is never mentioned in Scotland during this period. In 1926 all of the Board's senior sub-commissioners, chief factors and the chief surveyor submitted reports containing their views on land settlement; once again the need to remove the ex-service qualification was empha-

⁴⁹ The Board in 1923 produced a survey of land raids since January, with the reasons for the forcible seizures and the action taken in each case, SRO, AF67/159.

⁵⁰ SRO, AF67/158.

⁵¹ House of Commons, 26 June 1923, 2169-2263.

⁵² SRO, E824/489. There followed a good deal of correspondence between the Board and Treasury before these instructions could be carried out.

⁵³ SRO, AF67/387.

⁵⁴ BOAS. *Fourteenth Report*, pp.10-11.

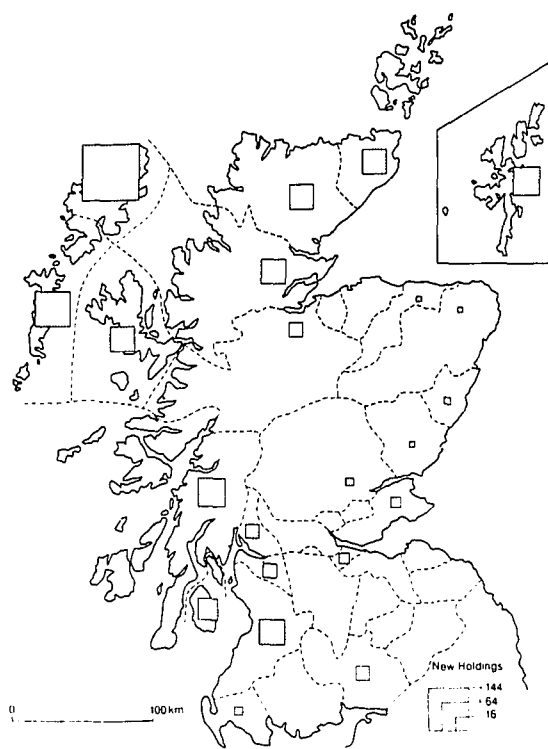


FIGURE 1

New Holdings Created on Private Land 1919-1930

Note: Data for Lewis, Skye and Harris, Uists and Barra, relate to period 1920-30

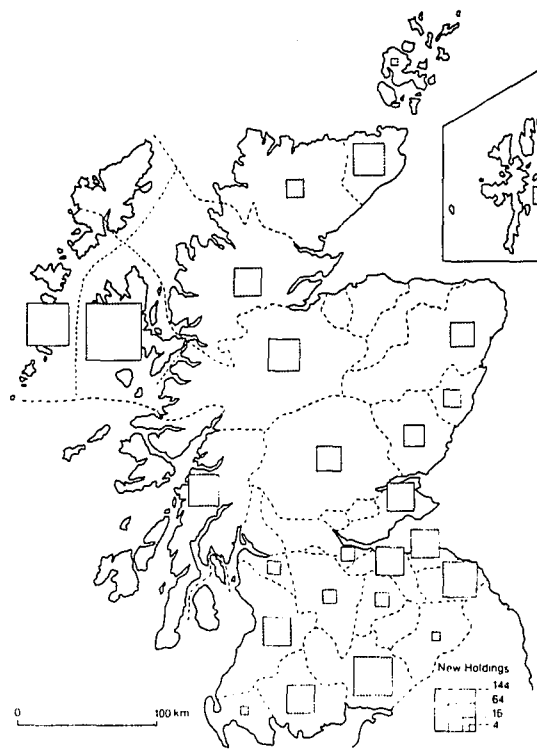


FIGURE 2

New Holdings Created on BOAS Land

sized. 'Any restriction in point of fact operates against ex-servicemen, in many cases, besides impeding the projection of land settlement generally.'⁵⁵ At the end of that year the Board were finally given authority to modify the preference given to ex-servicemen and to choose applicants on the basis of merit alone (though, other things being equal, ex-servicemen would still be chosen). An era had come to an end.

V

What had been accomplished during that era? Between the end of the war and 1930 a total of 2536 new holdings were created (a further 1236 had been constituted before the end of the war). Figures 1 and 2 show the geographical distribution of new hold-

ings created on private land and on state-owned land between 1919 and 1930.⁵⁶

As for how successful these holdings were, the picture revealed by Board of Agriculture Annual Reports and Board of Agriculture internal files is often very different.⁵⁷ For example, in their Annual Report for 1925 the Board noted that the failure rate amongst new holders was only 2 per cent, which was wonderfully low.⁵⁸

⁵⁶ These figures have been reproduced by kind permission of the author from Mather, *State-Aided Land Settlement*.

⁵⁷ Board of Agriculture Annual Reports can be found either in the SRO or in Parliamentary Papers. Although some crofting files (found at the SRO under AF66 and AF67) have proved useful, the main source for Scottish land settlement is Estate Management files. For each estate or farm acquired a series of files was raised. Files for schemes constituted on private land - under the 1911 Act and Part II of the 1919 Act - were deposited at the SRO, and a representative sample listed under AF83. The files for Part I schemes (on government-purchased land) are at time of writing still in the possession of DAFS, and prior permission must be sought for access to them. I am very grateful to DAFS for allowing me to examine these files. Treasury material also provides added insight into land settlement, and those files are in the SRO under E824.

⁵⁸ BOAS. *Fourteenth Report*, p 18.

⁵⁵ SRO, AF66/57.

What they did not mention was the high rate of absenteeism which prevailed in some of the Hebridean settlements, which caused great hardship to holders having to contribute far more than their fair share of the common work of the township. The statute did not insist on residence as a prerequisite to registration as a landholder, and the Board found it difficult to evict tenants who did not reside on their holdings. In any case, one reason for the seemingly low failure rate may well have been the extreme reluctance of the Board to get rid of ex-service tenants, no matter how hopeless they were. It was only in the late 1920s that efficiency appears to have got the upper hand over sentiment.

Another aspect of land settlement which – hardly surprisingly – is not revealed in the Board's Annual Reports is just how badly they handled the implementation of schemes in the immediate post-war period. Time and time again they were flooded with complaints by holders who had been settled without adequate housing, fencing, roads or water supply. And in spite of the extremely high cost of building materials at that time, many of the houses were very shoddily constructed, so that extensive repairs had to be undertaken some years later.

Nevertheless, in spite of some dreadful inefficiency and mismanagement in the early years, the end result was a successful programme of land settlement, which satisfied Highland land hunger and which, by the 1930s, was capable of providing numerous holdings in the Lowlands for the relief of unemployment. It is noteworthy that because the level of loss sustained on farms purchased for smallholdings in England and Wales after

the war was considered too high to be justified, the purchase of such land was brought to an end in the mid 1920s,⁵⁹ while in Scotland it continued until about 1950.⁶⁰

In their report for 1938 the Department of Agriculture for Scotland reviewed land settlement during the previous half century.⁶¹ Unlike the immediate post-war period, when land settlement policy was judged solely in terms of the numbers of applicants settled, by this time it was possible also to look at how well individual holders had done. Overall the policy was considered to have been highly successful. However, it was now admitted that the period during which demand for smallholdings was at its most clamorous was also the period of greatest failure. Most of the failures were 'ex-service applicants settled under Government pledge in the post-war period, who being for the most part hurriedly trained in agriculture and subsidised for stock and equipment could not stand up against the heavy fall in agricultural prices that occurred before they were properly established.' Some three-quarters of all the unsuccessful holders on the Department's estates had been settled between 1919 and 1924. It is sadly ironic that the situation which led to land becoming available to far greater number of smallholders than ever before – the ending of World War I and consequent demobilization of soldiers – benefited those who came after far more than those for whom the legislation was actually framed.

⁵⁹ Whetham, AHEW, VIII, p138.

⁶⁰ For the government's disengagement from land settlement since then see A S Mather, 'The rise and fall of government-assisted land settlement in Scotland', *Land Use Policy*, July 1985, pp.217–24.

⁶¹ BOAS, *Twenty-Seventh Report*, 35–46. (The Board became a government department in 1928.)