

## Briefing Note No. 7

# Local Government

These notes are intended to complement the VCH Guidance Notes on the 'Local Government' section of a parish history and should be read in conjunction with them. You'll find the Guidance Notes at: <http://www.victoriacountyhistory.ac.uk/local-history/writing-parish-history/local-government>

The Guidance Notes tend, again, to be rather southern-English orientated, assuming that the article you are writing will be dealing with the whole of an ancient parish, whereas many of our articles will treat other administrative entities, namely township or chapelry. These notes aim to highlight some of the northern English particularities you are likely to encounter and to draw your attention to sources relating specifically to Cumbria.

Your account should be structured thematically, as described in the Guidance Notes, which will mean that it is broadly chronological, running from manorial government in the medieval and early modern period, through parish/chapelry/township government in 16th-19th centuries, to modern local government. The section should thus cover the following topics:

- Manorial government
- Parish and/or township government
- Post-1894 arrangements in relation to Rural and Urban Districts

## Essential Starting Points and Key Sources

### ***1. Manorial government.***

You will have established the manorial structure of the parish/township in the 'Manors and Estates' section; the focus of this section will be on the manor courts: their powers (court baron or court leet); frequency/regularity of sittings; business transacted; officer appointed – in other words the role they played in managing the community's affairs.

In order to identify surviving records, consult the online Manorial Documents Register (MDR), maintained by The National Archives, which covers all manorial documents, wherever they are held, including those which remain in private hands. The whole of Cumbria is covered, though the database is arranged by historic counties. The MDR will be found at <http://www.nationalarchives.gov.uk/mdr/default.htm>

You may also find the Cumbrian Manorial Records website (a resource constructed during the preparation of the MDR for Cumbria in 2005-06) useful. It contains examples of many different classes of manorial records and guidance on their interpretation. It is at <http://www.lancs.ac.uk/fass/projects/manorialrecords/>

Two glosses:

- *Courts of superior lordships*. Much of Cumbria consisted of large compact units of overlordship (e.g. baronies of Kendal, Copeland, Greystoke and Gilsland; the seigniorship of Millom, lordship of Furness, honour of Cockermouth), which retained some jurisdiction over places within their boundaries. These superior jurisdictions are described in the Cumbrian Manorial Records website at <http://www.lancs.ac.uk/fass/projects/manorialrecords/cumbria/index.htm> For the purposes of your article, evidence of the continuing involvement of such superior courts (e.g. 'turnsmen' from the township attending the superior court; the court hearing cases and receiving presentments from or making orders concerning the township) should be noted.
- *'Twenty-four men'*. Several Cumbrian parishes/manors possessed governing bodies known as the 'twenty-four' (sometimes the 'eighteen'). Though they bear similarities with 'select vestries', self-perpetuating oligarchies running *parish* affairs, which are found in many other parts of England, in Cumbria they often seem to have been manorial in origin. If you encounter such a body in your parish/township, try to establish whether they are part of manorial or parochial jurisdiction. The following article should be helpful: Thompson, B L, 'The Windermere "Four and Twenty"', *Transactions of Cumberland & Westmorland Antiquarian & Archaeological Society*, new series **54** (1954), 151-64

Further reading. There have been several studies of manorial administration in Cumbria which will provide useful context:

- Dilley, Robert S, 'The Cumberland court leet and use of the common lands', *Transactions of Cumberland & Westmorland Antiquarian & Archaeological Society*, new series **67** (1967), 125-51.
- Holdsworth, Philip, 'Manorial administration in Westmorland 1589-1693', *Transactions of Cumberland & Westmorland Antiquarian & Archaeological Society*, 3rd series, **5** (2005), 137-64.

- Straughton, Eleanor A. *Common Grazing in the Northern English Uplands, 1800-1965*, Edwin Mellen Press, 2008 [relevant for the decline of manorial administration and what replaced it]
- Winchester, Angus J L, *The Harvest of the Hills: rural life in northern England and the Scottish Borders, 1400-1700*, Edinburgh University Press, 2000 [especially Chapter 2, 'Law, Custom and Good Neighbourhood'].

## **2. Parish/township government**

It is in this section that the differences between northern English local administration and the southern English parochial norm (assumed in the Guidance Notes) are most marked. Before embarking on this section, please read the following article, which tries to lay out the main features of regional variation:

Angus J L Winchester, 'Parish, township and tithing: landscapes of local administration in England before the nineteenth century', *The Local Historian*, 27 (1) (1997), pp. 3-17.

Perhaps the key point is that, while a cluster of administrative responsibilities – highway maintenance; relief of the poor; tax collection and peace-keeping (i.e. the constable's role) – fell to the parish in southern counties, these were often divided between parish, chapelry and township in the North. It is therefore important to distinguish between different administrative roles:

- *Constables* were, strictly-speaking, township, not parish, officers. A complexity in Cumbria is that it is sometimes necessary to draw a distinction between 'township' and 'constablewick', since territories which were termed townships were sometimes grouped together under one constable.
- *Poor law administration*. The 1662 Act of Settlement and Removal allowed townships to maintain their poor independently, so separate overseers are sometimes found for each of the townships within an ancient parish. Note, however, that a good number of middle-sized multi-township parishes in Cumberland continued to maintain their poor as single units, with the result that the ancient parish, rather than the township, is more often the ancestor of the modern civil parish in Cumberland than in Westmorland, where townships generally operated independently for Poor Law purposes.
- *Highways maintenance*. In the North, this was generally undertaken at township (or manorial) level and sometimes even at sub-township level.

The key sources for this section of the article are the annual accounts of parish/township officers, the overseer(s) of the poor, the constable and the surveyor of highways. If they survive, these are most likely to be found among the parish records (CAS class PR with prefixes 'B', 'W' and 'Y' for records held in Barrow, Kendal and Whitehaven respectively) or inherited by the modern civil parish and found in their records (CAS classes PC and SPC with prefixes 'B', 'W' and 'Y', as above). Note, however, that the township did not have a

communal repository equivalent to a 'parish chest' and that occasionally township records survive among private papers. CASCAT is thus the main finding aid for sources for this section.

### **3. *Post-1894 arrangements in relation to Rural and Urban Districts***

This section is likely to be brief. The local government unit into which a parish/township was placed after 1894 can most readily be ascertained by consulting either *Bulmer's Directory* (Cumberland 1901; Westmorland 1906) or Frederic A Youngs Jnr, *Guide to the Local Administrative Units of England Volume II; Northern England* (Royal Historical Society, 1991).

Records of the parish council (particularly minute books) should be consulted, to ascertain its composition and activities (here the 'political life' aspects, alluded to in the Guidance Notes, may be relevant).

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