

The following is a draft section for an expanded and revised edition of the VCH Cumbria Volunteers' Handbook, which will aim to combine the guidance on 'Writing a Parish History' on the national VCH website and the Cumbria-specific guidance in the current Volunteers' Handbook.

6. Local Government

The purpose of this section of the parish article is to show how the parish or township was run, by looking at the institutions and officers responsible for governing its affairs. This means that it should cover all aspects of civil governance, from the manor courts of the medieval and early modern centuries, through the parish or township 'vestry' meetings which dealt with poor relief, highways etc. from the seventeenth century, to the modern civil parish council. The section does not require a detailed account of how the institutions of parish government developed over time. However, attention should be drawn to any unusual practices within your chosen parish/township. Comment should also be made on any periods of intensive governance and, likewise, periods of exceptional lawlessness and laxity. The fullness of the account will depend a lot on how well the work of local officers has been documented – in many cases (particularly when it comes to township 'vestry' meetings) the records simply won't have survived. Therefore, it is worth providing a statement about survival of local administrative records.

Your account should be structured thematically, 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.

There should therefore be three sub-sections:

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

1. Manorial government.

You will have established the manorial structure of the parish/township in the 'Landownership' section. The focus of this section will be on the manor courts and the role they played in managing the community's affairs. You should comment on the following:

- a) their powers; was the local manor court only a court baron or a was it also a court leet?
- b) location and frequency/regularity of sittings

- c) business transacted
- d) officers appointed

These questions should also be answered if courts were held for a 'reputed' manor. If the township/parish was not a manor in its own right, how far did the tenants have to travel to pay their dues and suit of court? Remember that in several parts of Cumbria large, overarching manorial courts dealt with business from townships across a wide area, as described below. You should also indicate if and when enfranchisement takes place.

Court rolls are the most likely source to provide you with the information that you need for this section. Only about four per cent of manors have records from before 1500, while about half have records for c.1700-c.1900.

In order to identify surviving manor court records, you should consult the online Manorial Documents Register (MDR), 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://discovery.nationalarchives.gov.uk/manor-search>

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/cumbria/index.htm>

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'].
- Waddell, Brodie, 'Governing England through the manor courts 1550-1850', *Historical Journal*, 55(2) (2012), 279-31.

2. Parish/Township Government

It is in this section that the differences between northern English local administration and the southern English parochial norm 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 records of ancient ecclesiastical parishes or inherited by the modern civil parish and found in their records. The detailed lists of these collections are available online through the excellent online Guides on the CAS website:

For ecclesiastical parish records, see:

http://www.cumbria.gov.uk/archives/Online_catalogues/Ecclesiastical/parish.asp

For civil parish records, see:

http://www.cumbria.gov.uk/archives/Online_catalogues/official/pccs.asp

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 therefore an important finding aid for sources for this section.

Officers responsible for the relief of poverty, highways and justice etc. were answerable to the justices of the peace. Quarter Session Order Books should therefore be consulted to give an indication of criminality and concerns about civil matters.

There may be some overlap in the information for this section and the Social History section when it comes to welfare. The experience of the poor, in terms of the sort of relief they received, and the existence of any charities should be reserved for the Social History section, while Local Government should cover the administration of the Poor Laws.

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).

Civil parish councils continue to exercise jurisdiction to this day. Something should be said here about when the PC was established and where they meet. Their records (particularly minute books) should also be used to comment on council membership and the date a parish plan was compiled. It is important not to confuse the parish council with the Parochial Church Council (PCC), which is only responsible for the upkeep of the church.

It may be more appropriate to detail the activities of the parish council, such as the building of a village hall, in the Social History section. However, any aspects relating to 'political life' (allotments, elections, planning objections etc.) are relevant here.

AJLW/SAR

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