

THE MOURHOLME MAGAZINE OF  
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# The Mourholme Magazine of Local History



*Mourholme Local History Society (Charity Reg. No. 512765)  
covers the Old Parish of Warton containing the Townships of  
Warton with Lindeth, Silverdale, Borwick, Priest Hutton,  
Carnforth, Yealand Conyers and Yealand Redmayne.*

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IN THE VERY HEART OF DISSENT:  
Yealand's Two Schools

Joan Clarke

The Mourholme Magazine of Local History is issued by the Mourholme Local History Society for the study of the history of the ancient Parish of Warton, with its seven constituent townships; Borwick, Carnforth, Priest Hutton, Silverdale, Warton-with-Lindeth, Yealand Conyers and Yealand Redmayne.

The Society is named after the Manor of Mourholme, the home of the medieval Lords of Warton. Their seat, the Mourholme Castle, stood on the site now covered by Dockacres.

Yearly subscriptions £6.00 (£11.00 family or school membership) includes evening lectures, copies of the Mourholme Magazine and access to the Society's archival material.

Application for membership should be made to Mrs. Jean Chatterley, 173a Main Street, Warton, Carnforth, Lancashire.

Contributions to the magazine - articles, letters, notes - are invited. Please send them to the editor, Dr. John Findlater, 13 Lindeth Rd., Silverdale, Carnforth, Lancashire LA5 0TT

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It is always said that throughout the first three quarters of the nineteenth century attempts to supply schooling for all children were bedevilled by quarrels between the Church of England and the dissenting sects as to who was to control national education. Doubtless such differing views were held in the Mourholme area, but there is little evidence that feeling was viciously strong.

One example of prejudice has been found though, prejudice bad enough to bring the incumbent of Yealand, the Reverend John Deane Freeman, under suspicion of bending the truth. In 1840 money to build a new school in Yealand (£133 in all) was raised by subscription from the public and by a government grant. In those days the government, for fear of controversy, did not give grants directly to schools, but channelled them through two big voluntary societies, the *British and Foreign School Society* which took care of dissenting schools of all denominations, and the *National Society for Promoting the Education of the Poor in the Principles of the Established Church*.

In applying for the grant the Rev. John Deane Freeman wrote that 'There is no school at all in the district except three kept by females in which there is a very superficial system of education and hardly deserving the name of school'. Now this is odd, because the Friends' School had been going in Yealand since

1709 after Robert Withers of Kellet left in his will £6 a year to be paid for the support of a schoolmaster for the children of Yealand Meeting. The continued existence of the school is confirmed by a report of the Charity Commissioners on Endowed Schools. They said that the school had provided the '*only means of instruction till the National School was founded*' and added that the charity had never been reserved for the children of Friends only.

So why did the incumbent ignore this school in his letter? At first sight it looks like religious prejudice: a school run by Quakers was no school at all. The suspicion is enhanced by another letter he wrote in which he says '*We are situated in the very heart of dissent. There are three denominations around us, all equally hostile to the interests of the established church (Quakers, Methodists and Roman Catholics) whose wealth is great and influence from local circumstances otherwise to be dreaded.*' He would be tempted to downplay the part of the Quakers in educating his flock. There is, however, in the same Charity Commissioners' report one entry which suggested that Mr. Freeman was not merely being prejudiced. The Commissioners' report adds that at one period '*there was no school master*' and monthly meeting in 1845 invested the accumulation in an estate in Scotforth. Unfortunately the report does not make it clear whether there was no school master at all, or merely not a schoolmaster '*in profession with Friends*', a requirement, it seems, under Robert Withers' will.

Elucidation can be found in the papers of both Yealand Preparative Meeting and Lancaster Monthly Meeting (Quaker terms for two levels of organisation within the Society). In 1821 it was recorded by monthly meeting that a school master was

wanted in Yealand. In 1822 it was recorded in the Monthly Meeting minutes that the rent from Yealand and Kellet was to be paid into account except £6 '*heretofore*' paid to the school master in Yealand which was kept distinct '*that office being at present unsupplied*'. This was repeated each year until 1841. In that year the deeds of 'Yealand Estate' were being looked into, and after that it is not clear what happened.

More can be learned from an Account Book for Yealand Meeting. In 1803 the sum of £1.11.5d was paid out '*for sundries in making Meeting House fit for a schoolroom*' and seven shillings for a grate in the schoolroom. The implication would seem to be that the school was being continued in a smaller way. In 1764 Yealand Meeting had purchased a near-by cottage and fitted it up as a school house. Now it seems the school was to be again housed in the Meeting House itself. From 1804 to 1820 payments of £14 a year for teaching in the school are recorded in the accounts, first to James Noddle and then William Ord. Neither school nor schoolmaster are mentioned in 1821. From 1822 to 1829 there are no entries for payment to a schoolmaster, but a John Ford was paying a yearly rent '*for the schoolroom*'. No mention of the school has been found from 1830 to 1835 except that in 1832 the Meeting paid out 18/3d for '*sundries for children at school*' and 17/9d for '*raising schoolyard*'. ('Raising' probably meant raising or collecting money for it rather than physically raising it.) From 1836 to 1839 still another name appears. R. Dickenson paid rent annually for the schoolroom.

Then comes the year 1840 in which the incumbent of Yealand wrote his letter to the National Society. R. Dickenson had ceased to pay anything in, but the Meeting paid out large

sums (large for those days) in rehabilitating the school; £17 for 'raising the school' and £13 for 'woodwork for the same'. Then there is silence till 1845 when the meeting acknowledges the receipt of £10 for the 'school account' and annual payments are begun to a J. Chapman, schoolmaster. The implication seems to be that from 1822, when John Ford began to pay rent for the school room until 1845, when J. Chapman began to be paid by the Meeting as schoolmaster the school was run as a private venture by schoolmasters who rented the room, and that from 1840 to 1845 there may have been no school at all, though plainly the Meeting was planning to continue it and investing money in it. Perhaps the incumbent of Yealand may have had some justification for overlooking the presence of a dissenting school in the parish, though one feels he was being a bit disingenuous in not even mentioning a school that had done such sterling work for the education of the children of Yealand for over a century.

It is pleasant to report that, from 1845 on, throughout the nineteenth century, both the National School and the Friends' school flourished, and earned excellent reports from Her Majesties' Inspectors. The National School is still there at Yealand, but the Friends' School is no more. In 1895 it ceased to be a public elementary school, and was carried on as a private school under the aegis of the Society of Friends till 1923 when it finally closed.

## SAVING SILVERDALE'S SHORELINE: CONSERVATION IN THE NINETEENTH CENTURY

Michael Wright

Silverdale's coastline is almost completely free from building development. Long stretches now belong to the National Trust and there is public access not only to the shore but also to the Lots, Jack Scout and the narrow coastal strip south to Brown's Houses and beyond. This would not be remarkable if the area was very remote, or very unattractive. But Silverdale is close to Lancaster and not far from the large Lancashire industrial towns. It also has scenery of very high quality, with limestone sea-cliffs and a well-wooded hinterland. Ever since the beginning of the nineteenth century there have been strong pressures to build houses in the village. This article shows how these pressures were countered, mainly by the larger landowners who themselves moved to Silverdale because they recognised its scenic qualities and who wished to conserve the coastline for their own benefit and enjoyment.

### 'To Sea Bathers; Valuable Property in Silverdale for Sale'

At the present day Morecambe Bay doesn't seem a very attractive prospect for sea-bathing. Perhaps we are too conscious of the possibility of pollution. But in the early years of the nineteenth century the proximity of the Bay was one of the main attractions for visitors. When Daniel Walling wished to let Bradshaw House Farm in 1813 he took particular care to mention that it was within a quarter of a mile of the sea "...where there is good bathing."<sup>1</sup> When Isaac Hadwen advertised his "new,

well-finished house" in Lindeth in 1817 he added that there was a "pellucid spring of spaw water at the shore side. Very convenient for bathing."<sup>2</sup> After the same property (at Gibraltar, Lindeth) had been taken over by H.P.Fleetwood it was advertised in 1832 as a valuable farm and situation for sea bathing, the estate being "bounded by the sea for upwards of one mile."<sup>3</sup> The proximity of sea bathing was considered to be a good selling point even for property as far away as Yealand Conyers. An advert for a cottage to rent there in 1820 included the comment that "there is good sea bathing in the Bay of Morecambe."<sup>4</sup>

Sea-bathing and visits to the sea-side became fashionable among the aristocracy and the gentry in the middle of the eighteenth century, and gradually replaced visits to spas. In north Lancashire the Holy Well at Humphrey Head had attracted visitors of all classes, including the Alston Moor lead-miners, but it was not developed as a resort. And at Witherslack there was a small, short-pived spa.<sup>5</sup> But the Lancashire coast was especially well suited to cater for sea-bathing as the new fashion percolated down to the increasing numbers of new-wealthy merchants and landowners.

The increasing popularity of bathing coincided with the search for picturesque scenery, especially in the Lake District. While the bulk of the tourist traffic passed by on its way to the Lakes, there were many who stopped to explore the limestone scenery of the Silverdale area and discovered its particular attractions. Not only was this an area where the countryside was agreeable, but it overlooked Morecambe Bay and there was easy access to the sea. Local farmers found that they could supplement their incomes handsomely by renting out parts of their

farmhouses, or adjoining cottages to middle-class visitors, who would often choose to stay for several weeks. This was particularly tempting at times when it was not easy to make a good living from crops and livestock. There was much in the area beside the scenery that appealed to the visitors, especially if they came from the overpopulated and polluted new manufacturing towns. There was clean air, a slower, quieter pace of life, and a varied flora and geology for those interested in natural history. And there was also, of course, the Bay, with its regular surging tides, and until the railway was built in 1857, a daily procession of travellers crossing to and from Furness. Mrs Gaskell was one of the better-known visitors. She described Silverdale as "a charming primitive desert (butcher 15 miles off and c.)"<sup>6</sup> To cater for visitors some improvement had to be made to the bathing facilities. First impressions of Silverdale's shore may not have been very favourable, especially when compared with resorts where the sea was visible all day, and splashed over a clean sandy beach. Consequently a bath house was constructed on the shore where visitors at the local inn could encounter sea-water without having to trudge across the mudflats.<sup>7</sup>

#### Wealthy "Incomers"

Holiday-makers and sea-bathers were not the only people to appreciate Silverdale at the start of the nineteenth century. It had already attracted a few people who had made fortunes in Lancaster and who wished to buy an attractive and prestigious country seat, usually in addition to a fine town house. So it was that Jackson Mason, a Lancaster solicitor descended from a local farming family, bought the Hill House estate (now known as Woodlands) in 1800. In 1808 he sold the property to Robert

Inman, a Lancaster shipowner and merchant who had inherited a fortune from his father Charles.<sup>8</sup> There is little doubt that Robert wanted a country estate as a prestige symbol. He already had a large town house in Lancaster, but wanted somewhere within easy reach of town where he could spend time, especially in summer, and perhaps entertain his friends, many of whom had invested in similar properties all around Lancaster. Robert probably spent a good deal of time in Silverdale where he indulged his interest in tree-planting and landscaping. The present landscape of the northern edge of Silverdale owes much to the alterations he made to the old field-pattern and to the tree-planting that he carried out.

While Robert Inman no doubt appreciated the beauty of the local scenery, his purchase of the Hill House estate was probably not driven primarily by that factor. He was more concerned with making an investment in the land, and his tree planting was intended to produce crops of coppice wood and of timber, as well as to provide good cover for game for shooting. For the first wealthy incomer who built property in Silverdale because of its scenic attractions we must consider the Reverend William Carus Wilson.

#### Rev. William Carus Wilson and Cove House

For William Carus Wilson the acquisition of property in Silverdale was intended to provide him with a seaside holiday home. He was born in 1791, the eldest son of W.W. Carus Wilson M.P. of Casterton Hall, near Kirkby Lonsdale.<sup>9</sup> When a farm at the Cove came on the market he bought it. This purchase must have pre-dated the Enclosure award of 1811-17, because he was allocated part of the old open commonland as a result of his ownership of the farm.<sup>10</sup> In this way he acquired the strip of land immediately south of his own property at the Cove, and so he

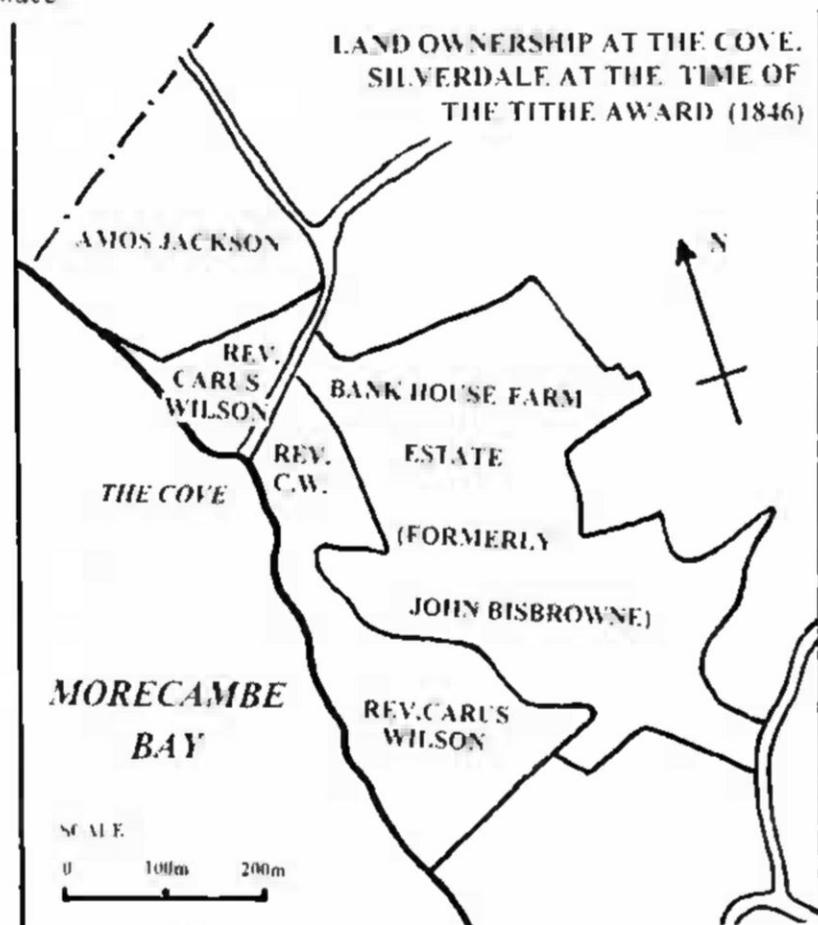
came to own the clifftop fields on both sides of the Cove, a significant stretch of coast of high scenic value. Soon after acquiring the farmland he erected a "marine villa" on one of the fields above the north side of the Cove. Remarkably, this building, the first purpose-built holiday home in Silverdale, has survived to the present day. It now forms the southern end of Cove House, having been left intact when the Boddington family extended the house during their ownership.

#### John Bisbrowne and Bank House Farm

To the south of Cove House and adjoining Rev. Carus Wilson's land lay Bank House Farm, which had been owned by successive generations of the Bisbrowne family for well over two hundred years. By the 1830s it was in the hands of John Bisbrowne, who was to be the last of the family to own it. He was by then in his forties, and looking for ways to profit from the visitors who were coming to Silverdale in increasing numbers. In 1833 he advertised two and a half acres of his land for sale "in a pleasant part of the country and well calculated for building land."<sup>11</sup> In 1835 he advertised to let a "bathing residence". This was a "neat cottage at Knowe Hill" which was stated to be "on the road from Lancaster to Ulverston and within a convenient distance of the sea shore".<sup>12</sup> By 1841, when he was 49, he put the whole farm on the market. "50 acres of land suitable for building marine and other residences."<sup>13</sup> Included in the sale offer was "a newly erected and excellent dwelling house usually occupied by persons visiting Silverdale in the summer season." This suggests that John Bisbrowne was already deeply involved in renting holiday accommodation in his specially built new dwelling house. This house is readily identified as the present Royal Hotel.

Subsequent information from the Tithe Award and from press references shows that Bank House Farm and its land was

bought by Rev Carus Wilson, no doubt because he was keen to prevent the coastal strip south of his own property from being developed for building. He rented the farm back to John Bisbrowne, who stayed several more years but no building took place



Meanwhile John Bisbrowne evidently retained the ownership of the dwelling house, which now became known as

the Victoria Hotel. By 1844 he may have been in financial difficulties because he sold the hotel to Richard Fawcett.<sup>14</sup> Mr Fawcett remained at the Victoria until 1862, and is described by Edwin Waugh of Rochdale in his interesting account of a visit made to Silverdale in 1861.<sup>15</sup>

#### Later developments at The Cove

Carus Wilson had secured the southern flank of his property from development, but in 1847 there arose a new threat when the short length of coastline from Cove house north to the county boundary came onto the market. This land, owned by Amos Jackson, included farmland on each side of the Arnside road, and had a frontage of nearly 200 yards along the cliff-top. The advertisement for the land stressed the suitability of this cliff-top land for building.<sup>16</sup> Whether this 30-acre estate was bought immediately by Carus Wilson is not certain, but it does appear as part of the Cove House estate in later transactions.

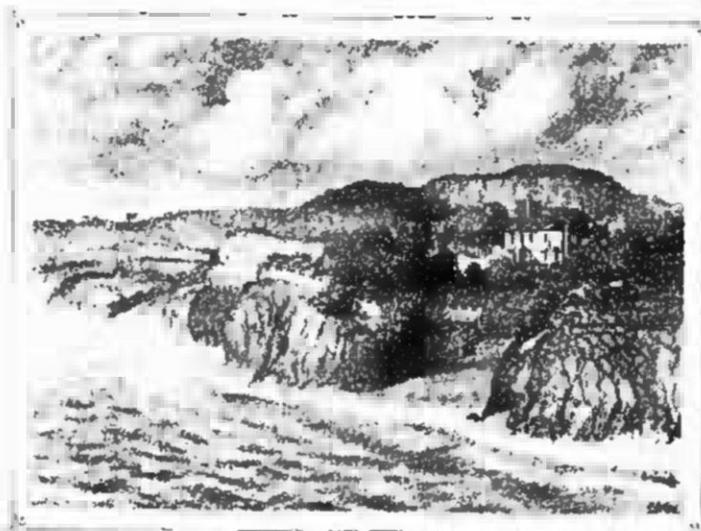
Carus Wilson died at the end of December 1859 and the property passed to his son-in-law, Rev. Henry Shephard, who was at the time Vicar of Casterton. It seems that Rev. Shephard spent a good deal of his time living at Cove House, where he wrote religious tracts. He and his wife, Margaret Jane, both suffered from ill health. In his case this was attributed to the "starvation and hardships" that he had endured during five months that he had been at school in Wiesbaden.<sup>9</sup> We know a little about the attitude to conservation of Rev. Shephard since he strongly opposed the scheme put forward by Mr Walduck to enclose a large part of the bay with an embankment and develop it as farmland. A few years later the scheme was dropped, but the threat had mobilised

opposition from a group determined to preserve the bay in its natural state

After Margaret Shepheard died in April 1873, the Cove estate, including all the land up to the county boundary to the north, and the Bank house Farm to the south, was put up for sale. A sale catalogue of 1875, three years before Rev. Shepheard's death, suggests that some of the land would be suitable for building.<sup>17</sup> As we know, Mr Boddington with his great fortune from brewing, was able to buy the whole of the property and keep it intact, so conserving it for another few decades. In 1903 it was bought by Major Morley Saunders, and after he, sadly, failed to survive the war (he died on active service in France in 1918 at the age of 62), it was bought by the Bright family, who finally safely delivered much of the estate into the hands of the National Trust. (see opposite page)

#### Lindeth and the Hadwens and Fleetwoods

In Lindeth in the early years of the nineteenth century the big landowner was Isaac Hadwen. In 1817 Mr Hadwen was advertising a new well-finished house to let as a summer residence.<sup>18</sup> This was the attractive house carrying the date 1816, adjoining Gibraltar Farm. It had four bedrooms and fifteen acres of land. It was on rising ground at Lindeth, with good views of the country and of "the flowing and ebbing tides on the sands." The long shoreline attached to the estate made it a good bathing place. When Isaac Hadwen became bankrupt the estate was put on the market, and it was probably at this time that it was acquired by Henry Paul Fleetwood, a banker from Preston. The sale notice had waxed lyrical about the view, which was stated to include "the Cumberland, Westmoreland and Welch mountains and the Isle of Man".<sup>19</sup> Henry Fleetwood enlarged the house and this "valuable farm and situation for sea bathing" was advertised for rent in



Illustrations of the "Marine Residence" known as The Cove  
From the sale brochure of 1875

1832.<sup>3</sup> For his own use Henry Fleetwood erected Lindeth Lodge, a "marine residence", now known as the Wolf House. This cottage was evidently only intended for short visits, his main residence being Woodfield Park. He sold the "marine residence" in 1849. Fortunately the Fleetwood estate remained intact well into the twentieth century and the long and attractive Lindeth coastline was also saved from development.

#### The motives of the landowners

There is little doubt that the landowners who conserved our coastline at a time when there was some danger of building development were mainly motivated by self-interest. They had all bought land in the village with the intention of finding peace in pleasant and reasonably secluded surroundings. They would not have approved of too many others following their example. However, it may be that in Rev. Shephard we can detect an element of motivation to save the land from development for the common good. There were other factors that made Silverdale less attractive for development than other places. There was no piped water-supply until 1938, and until then houses had to depend on collecting roofwater for most of their supplies. And when the railway arrived in 1857, the station was over a mile from the centre of the village. Many were attracted to the heart of the Lake District, and crowded onto the shores of Windermere. Those who wanted the seaside were more likely to choose not Silverdale but Grange-over-Sands where development was actively encouraged by the Furness Railway company. Silverdale's coastline was protected by a handful of large landowners during several critical decades. Although they did this largely for their own benefit, we are fortunate that they did not choose to capitalise on their assets and encourage large-scale building. As a result Silverdale kept not only its pleasantly undulating countryside but also an undeveloped coastline.

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## THE ESTABLISHMENT OF THE POLICE FORCE IN THE NINETEENTH CENTURY

John Jenkinson

At the beginning of the 19th century law enforcement within the Parish was controlled by the local Justices of the Peace. They were citizens appointed by the Crown from local persons of standing. The unpaid parish or petty constable appointed by the manor court or the parish vestry, usually for a term of one year, was the local keeper of the peace but subordinate to the Justices.

If a person was appointed as a parish constable it was a civic obligation on him to perform the duty. It was a very onerous post, and sometimes the duty was shared out by the houserow system. If a person, selected to be a constable was unwilling to serve he was obliged to appoint and pay a substitute. Sometimes having been selected, perhaps against their will, constables were decrepit and sometimes corrupt, thief takers who were paid for the convictions they were able to contrive. They might be called 'thief catcher' by their neighbours, and this term might follow them long after they had served. At times they would judge that the wisest policy was "see no evil hear no evil" particularly when it might involve interference with beerhouses or other elements of village life.

The lower the class from which constables were taken, the closer their affinities were likely to be with poachers and beerhouse keepers and the more sympathy they were apt to have with those engaged in petty crimes and village disorder.

In practice this judicial system placed the primary responsibility for the prosecution and sometimes the detection of crime in the victim's hands. The usual procedure in the case of property crime was for the victim to seek the offender and missing property, or find a constable and report the loss to him. The constable, an unpaid amateur with affairs of his own, would make little effort to find the guilty party unless the victim suggested a likely offender, or produced some relevant evidence. Since reimbursement of expenses incurred by the constable never included time spent on a case before arrest, he had to be certain that the victim, his parish, a prosecution society or some other body would compensate him for his time-consuming detective work. There were reports in the Lancaster Gazette in 1856 that "the Prosecution Society in Milnthorpe holds convivial meetings. Societies of this sort tend to prevent petty depredations of fences, gardens, and orchards etc and preserve the morality of the rising generation generally."

Where there was no professional police force those who had been robbed were liable to be presented with a bill by the constable. A Wiltshire man whose boots had been stolen chased and caught the thief and handed him over to the constable. The total bill from the constable amounted to £4.19s.7d which was far in excess of the value of the boots.

In the case of civil unrest, the constable might be assisted by special constables, but if the necessity arose the Home Secretary could sanction soldiers and militiamen to be called to the scene of disturbances and to arrest troublemakers. Such use of a peace keeping force from outside did not endear them to the

public and they were generally regarded as oppressors rather than protectors.

The Municipal Corporations Act of 1835 required each of 178 boroughs to form a Watch Committee which then appointed its complement of constables. The County Police Act of 1839 followed. This was a permissive measure enabling the Justices of the Peace to set up paid county police forces. An Act the following year authorised the amalgamation of borough and county forces where it was thought desirable.

Lancaster had created a borough police force in 1824. With a population of 10,000 the initial establishment was nine men increasing to 10 by 1856. The County Force, established in 1839, was initially intended to be comprised of 502 men, one for every 1985 of the population, but only 428 were appointed and the JPs decided to reduce the establishment by 147 to save costs. At least by 1841 there were county police stationed in our area. PC 340, John Mordaunt, was stationed at Carnforth. He had arrested a man who was committed to the Assizes for stealing some shirts. On 5th November 1842 the Lancaster Gazette reported that the rural Police force which had consisted of nine men was to be reduced to three under Sir James Graham's Act effective that day. By 1856 the strength of the County Constabulary had increased to 614. An Act of that year, 1856, required the Justices to establish a police force for parts of the county not then covered.

Though the Parish Constables Act of 1842 had removed all constabulary appointments from the Court Leets or Vestries and integrated them into the new system of administration, parish

constables were still being appointed in our area for some time afterwards. In 1856 Parish Constables were appointed in Warton, Carnforth, Yealand Conyers, Yealand Redmayne and Silverdale. The parish constable in Warton was mentioned in the Lancaster Gazette in 1866. The office of parish constable was abolished by statute in 1872.

Much of the recruitment for the new country force must have come from the existing officers. It was an unpopular, dangerous, and arduous job, and the incumbent officers were the only ones with the experience and, probably, the wish to join the new force. The level of pay dictated that recruitment was from the working classes. The attraction being secure employment and warm clothing.

Of the first 200 County Constabulary recruits, fifty were discharged within six months, 30 of them for intoxication. Recruitment could not have been helped by the extensive violence to which they were subjected. Many had to retire injured, usually on a pension of 1s or 1s.1d a day. It is apparent that the standard of officers appointed was very poor. In Liverpool, where the force had been established in 1836, an inspector was dismissed within five or six weeks of his appointment and the Watch committee heard an average of six appeals a week against dismissal over a period of nine years. In 1838 there were 101 sackings out of a total of 175 leaving the force. In that year 876 cases of dismissal, fining or cautioning were recorded including 282 for inebriation.

The pay of a constable was low. Lancaster, Preston, and Warrington were paying some of their employees as little as 16s a week while bricklayers' pay varied between 18s and 21s a week.

It was calculated that a family of five required some 30s a week to live adequately. Most constables would need additional sources of income, such as children working, in order to make ends meet.

In a number of towns there was duplication of police forces and at times there were three forces. Manchester, for example, had some police controlled by the constables of the Township and a nightwatch, supervised by the Watch Committee established under the Police Act. A move in 1836 to combine the two was defeated, and when the Borough Police were formed there were three bodies.

The Home Office required returns to be made of the cost of prosecutions and the conveyance of prisoners from 1835 and the cost of maintaining them from 1845. The costs of law enforcement for the period 1845-1846 were: prosecution costs £14,617, conducting offenders to prison £1,332, expenses of Lancaster Castle £6,768, earning of prisoners at the Castle £205, S. Lonsdale Constabulary wages £193, contingencies and clothing £113. At this time a 1d rate raised £15,000.

A new police station was built (by Thomas Pool of Crag Bank) on Lancaster Road, Carnforth in 1881 (The date stone says 1880). The townships of Warton, Carnforth, Yealand and Priest Hutton had police presence. At Carnforth there was a sergeant and three policemen, Warton had one, there was one at Yealand Conyers and one at Priest Hutton.

## RUDE FOREFATHERS

The Story of an English Village 1600-1666

by

Francis Horner West (Archdeacon of Newark)

(Illustrations by Alice M. West)

In his article on the Police Force, John Jenkinson writes about the Parish Constable, as important in the earlier years of the nineteenth century as in the centuries before. John portrays the constable as commonly a lazy or incompetent or not too scrupulous conscript. It seemed a quite instructive exercise to set out, in extracts from Archdeacon West's book, the work undertaken by the Constable in Upton by Southwell in the seventeenth century, albeit at the most unusual time of Civil War.

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Extracts by John Findlater

(As far as possible using Francis West's own words. Quotations from original sources - account books - are in italics)

### The Constable



On the Constable was placed the responsibility of preserving law and order amongst his neighbours. The office like that of warden fell in yearly rotation on the principal householders who were compelled to serve or find a deputy. *Mathew Parlethorpe constable this present yeare 1654 beginning when his brother William left, both for Mr Browne's his house this yeare.* This entry at the opening of a year's accounts suggests that Mr Browne whose turn it was to serve, found deputies in the brothers Parlethorpe, possibly on the grounds of age or infirmity. In 1644 the office fell to a woman householder who hired a deputy to serve for her: *The laying forth of Jane Kitchin Widow shee hiring one to serve the constables office this present yeare 1644.*

The constable's duties were strenuous and required a man of vigour to perform them. The office of Constable originated under the ancient manorial system, and as late as the 17th century the Upton constables were still sworn in at the Archbishop's Court which met in Southwell at Whitsun. But the Courts Leet had declined in importance since jurisdiction in criminal and legal cases had been taken from them, and they now dealt chiefly with questions of tenancy within the manor. In the meantime the constable had become the chief executive officer in the village community of the Justices of Peace and the High Constable of the County. When in 1642 the Excise courts were established the constable was expected to carry out their business as well. The constable, an amateur, received no remuneration, though the expenses incurred were paid out of public funds.

The Justices issued warrants of arrest to the constable: *when Mr Cludd sent his warrant for the bringinge of George*

*Yellicott and George Bykerke before him to answer some complaints made by George Smith and his wife spent 1 s.d.*



Before Mr. Cludd

When a disturbance took place or a crime was committed, the constable was summoned. If the criminal had escaped it was the constable who called together the neighbours and despatched them in search of the fugitive. *Given to ye men that gathered for a robberte 1 -*

Anyone who refused to give chase or lend horses for that purpose was liable to a fine. These chases were known as Hue and Cry, and were frequent. *Given to Richard Taylor for going to Aram with a Hunter in ye night 2d.* Sometimes when the constable despatched his neighbours on official business of this kind he had to find a deputy for them in the fields. *Payed to*

*Michael Skinner for driving plow for George Stanton when he and Goodman Gill went to Newarke 2/-.*

Once the lawbreaker had been arrested the constable was responsible for finding a place where he could safely be kept under lock and key until such time as he could be brought under guard to the Justice. *Spent when Thomas Godfrey was watched all night and most part of ye next day at George Cullin house by John Pettiford and Edward Greaves 1/6d.*

Minor offences were dealt with summarily by the Justice, who might be content with letting the offender go with a caution. Drunkenness, swearing and hooliganism were usually punished by a session in the stocks *Given to Edward Harper for making ye stockes 1/.* More serious offences were reserved for the monthly petty sessions presided over by a Justice, or the quarter sessions held every three months at Southwell or Newark. The constable attended these sessions. *My charges at the General Quarter Sessions holden at Newarke 6d. My charges at Southwell when I went to ye monthly meeting 1/-.*

Sometimes he was called upon to select some of his neighbours to serve as jurymen at the Coroner's court at Southwell. *My charges at Southwell when I was charged to bee upon a jury concerning the deayth of Marttin that hanged himself and Bromet wife that was drowned 6/-.*

The constable was expected to co-operate with the churchwardens in guarding the morals of the community. During the regime of Oliver Cromwell a particularly vigorous onslaught was made. Locally Edward Cludd, a stern puritan, represented the

Major General for Nottinghamshire. *When I went to deliver in a bill of the alehouses and whom was the fittest persons to continue with brewin 1/4d. Paid for a decolaration from His Highness (the Lord Protector) for regulating ye Sabbath 6d. Some of the clergy were suspected of scandalous behaviour, others of laziness and incompetence. Paid for carrying a warrant to Hockerton concerning scandalous ministers 2d. But the commonest offence was the illicit use of the forbidden prayer book. The Cavalier parliament of Charles II passed Acts restricting the Puritan sectaries but Quakers who had tried the patience of government were severely treated. Allowed our trayne soulders their charges when they apprehended some Quakers in our towne and conveyed them to prison. 13/-.*

1642 was a landmark in the history of taxation, moving away from ancient feudal dues to more systematic collection even from the poor by regular assessments. Each locality had a lump sum fixed for it, and left the locals to work out local assessments. *The losse of my dayes woke when I waited a whole day at church and towled (toll'd the bell) for neighbours to make an assessment 1/-.* The regularity of the new form of direct taxation was much resented and sometimes military pressure was necessary. *Spent on soldiers when they came to distraine for part of the assessment 3/-.* (1655) After the Restoration the quarterly assessments were retained. But to them was added, in 1662, the most unpopular of all 17th century taxes. This was the Hearth or Chimney tax which was particularly odious because it was supposed to fall relatively more heavily on the poor than the rich, and even more because it necessitated the visits of inspectors to private houses. At Upton the counting of the chimneys and the collecting of the tax were left to the constable who would be unlikely to arouse the dislike

of his neighbours, by an unnecessary show of 'insolent pride'. My charges gathering chiney money at Mr Smiths 6d. My charges at Southwell 3 severall days to procure a warrant for distrayning 1/-.

A form of indirect taxation which was introduced in 1642 also met with opposition and criticism, again because it was a departure from a traditional English principle of taxation. This was the Excise, imposing duties on articles made in the country for sale (previously duties had been imposed only on imported luxuries), especially when in 1643 a duty was put on beer, cider, ale and soap; and after that cloth, flesh, salt, hats, starch and copper goods were included. Every butcher's shop and alehouse had to be licensed. *When I was sent for by warrant to the Exise man to bring a bille of those that brewed without licence 6d. Laid out to 4 men to watch Thomas Harries house that night he fled upon the search for mutton 2/6d.*

The constable was also responsible for collecting local and county rates. These were imposed piecemeal for particular expenditure, for example building bridges and erecting houses of correction. These latter were harsh places of detention for vagrants, the idle, and the vagabond; they were set to work with hemp and flax, bought out of rates, to help maintenance. In the County Gaol prisoners of means were expected to pay their own expenses. *Payd to Mr Trueman at Southwell ye 25th day of July towards the building of a house of correction a quittance 14/2 (1652). Payd to Mr Trueman for building the Muscam bridge 14/2.*

The burden of taxation in a small rural community like Upton, consisting of about 70 houses, can be estimated by the following figures for the year 1662:

	£	s	d
<i>Direct National Taxation (Quarterly assessment) paid through The High Constable in 4 quarterly instalments of £9 3s 9d</i>	36	15	0
<i>County rate ('Quarterly dues') paid in 2 six-monthly Instalments to the High Constable</i>		14	0
<i>Relief of poor prisoners (County rate)</i>		4	8
<i>Repairing of Leane bridge (County rate)</i>		5	5
		<u>5</u>	<u>5</u>
		<u>£37</u>	<u>19 1</u>

This figure should be compared with that of 1641, the year the account book opened, when there was no quarterly assessment and the county rate, including gaol money, amounted to only 16/-.

The references to the Post Office at Newark are of particular interest because the Postal Services underwent a thorough reorganisation in 1635. Previously the Post Office was for the service of the Crown as the King moved from place to place. In 1635, at the suggestion of Thomas Witherings, the Postmaster for foreign parts, a Post Office for Inland letters was set up. After the Restoration it was the practice of local offices, like Newark, to exact an additional penny over and above the charge imposed by the General Post Office, on all letters which passed through. There was difficulty in collecting this extra penny and it fell to the constable to collect it from those who had received letters. *Payd to ye postmaster for three years that was behind with him £1.* If Upton owed the postmaster 240 pence for three years delivery, presumably 80 letters a year arrived in Upton, just a little more than now (1949) arrive in a day.

It was customary for the constable to be directed by warrant to find the required number of men in the parish to serve in the militia and attend the musters. He also had to equip them with arms and horses out of a rate levied on the parishioners. *My charges ye 27th August when I had a warrant to charge a man and horse to goe in for ye mala and none of our neighbours would goe nor provide a horse to take with me 2/6d.* However the next day: *Layde out in charges ye next day after at Mr Oglethorpe and I went to Nottingham and had a mare of William Horsepole at would not passe 4/6d.* This mare being rejected the constable was given a week to find another. Finally success: *Layde out in charges ye first day of September at Nottingham being ye first day of ye muster. Mr Oglethorpe, and I went to meet Mr Blankna to have ye horse approved on 4/6d.* Further entries follow.

Then in 1662 two Acts were passed remodelling the militia. The greater property owners were charged individually to provide horses, arms and men. The smaller proprietors were banded together in groups under the supervision of the constable, each group being responsible for the provision and the equipment of one man to serve for three years, as a horseman or footsoldier. *Paid to our common soldiers for their service at Newarke ye 19th and 20th September 6/-.* As the soldier's rate of pay was 1/- a day, this entry suggests that Upton provided three men for the militia.

The account book gives a permanent record of nearly every humble traveller who came to the village over 25 years. These 17th century travellers might be divided into four classes. First of all there were the well-to-do who could travel at will and at their own expense. Of these there would be no record in the accounts.

Secondly, there were discharged soldiers and sailors returning.

Thirdly, there were unfortunate people who had fallen on evil days and were returning voluntarily or by compulsion to the place of their settlement or to friends and relatives. Lastly there were the vagrants. The Elizabethan Poor Law had forbidden unlicensed begging. A criminal, if caught, would be whipped or sent to a House of Correction. *Given to two vagrants which was whipped 2d.* If through sickness or other misfortune people fell on evil days, it was the duty of the wardens and overseers of the poor to provide for them out of the local rate, but if it could be shown that a pauper had no settlement in the parish and his place of settlement could be discovered, the wardens would procure a pass from the Justice and pack the unfortunate off.

So the highways were thronged with unfortunate people, passing from constable to constable to their place of origin. On entering the village they could call on the constable to provide them with food and lodging and money for the next day's journey. *Given to a poor man and his wife and five children which lay a day and two nights in James Bloomer barne 1/8d.* *Given to a lunatic woman havinge a testimonyalle of her grievous servitude in Bedlam 2d.* *Given to a woman that was great with child to get her away 2d.* *Given to a little girl the 8th day of January which was sent from constable to constable by a pass to ye place of her birthe 2d.* *Given to a poor man, his wife and three small children June 25th. One of the children being very sore sicke for feare the child should die in this towne I gave them to be gone 8d.*

No travelling was allowed, even for vagrants, on the Sabbath, and those who arrived late on Saturday night had to be boarded until Monday morning. *Given to two poore travellers their wives and children which lay at my house ye Sabbath day, had meat and money ye 19 of November 6d.*

Soldiers returning from the wars overseas were granted passes and every facility for returning home. *Given to a souldier haveing been thieteen years in service in highe Germany 3d. Given to a souldier ye 27th May which were maymed haveinge beene long tyme in the Kinges service in ye Low Countries 2d.* These doubtless were veterans of the Thirty Years War in Germany which came to an end in 1648.

For many months after the cessation of the Civil War many unfortunate people were caught up in the disturbances were travelling about. These were not only discharged soldiers, many wounded, ex-prisoners but others like Anglican clergymen who had been expelled from their livings. *Given to a decayed minister 6d. Given to a distressed minister, his wife and child April the 4. He would have stayed to preach 4d.*

Two other types of traveller frequently seen were the gypsies and refugees from Ireland. *Given to six gieptians 6d. Payd to Smith wife for candles the Egyptians had that lay in William Gill lath [barn] Given to ten Irish people in companie that had great losse by the rebells in Ireland according to their testimonial haveinge beene at the High Court Parliament and haveinge certificate from the justices to be relieved on their way to Yorcke 1:-.*

The extent to which an Englishman experienced interference in his life is strikingly revealed in the account books. Duties were thrust upon him, on Sundays he had to go to church. As the century advanced his pocket was touched more and more by taxes, often involving the inspection of his home. But he was not a serf; he had rights and privileges, and through his obligation to take on irksome duties, such as constable, he learnt the art of managing things for himself in his own time and in his own way.

NOTICESProgramme 2002

(Society Evening Meetings in Yealand Village Hall, 7.30 pm)

January 10th - Dr. Mary Higham. Medieval Horse-rearing.

February 14th - Walter M. Johnston. Thomas Mawson: Landscape Architect.

March 14th - Dr. Angus Winchester. Parish Boundaries and Local History.

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Lancaster University - Centre for North-West Regional Studies

Local History Seminars 2002

(Held at Fylde College Lecture Theatre 1 (ground floor) 4.00 pm  
£2.75 per individual seminar)

Wednesday 16 January 2002

Paul Booth (Liverpool University)

Raising Cattle in the North-West in the Thirteenth and Fourteenth Centuries

Wednesday 13 February 2002

Sue Owen (Lancaster University)

Personal Landscapes of the Lake District

Wednesday 13 March 2002

John Walton (University of Central Lancashire)

Picturesque slums? Whitby's East Side and urban renewal c.  
1930-1970