

### Local Government

“In a democratic country, government depends to a large extent upon the manner in which it is delegated, and upon the quality of the local councils and the members to whom executive power is entrusted”<sup>1</sup>

This chapter is concerned with the events and people who brought local government to Wivenhoe. It will be seen that for the most part that they followed the national pattern but there were times when they quarrelled with higher authorities.

In 1700 Wivenhoe had its parish meeting or vestry meeting which met annually as did parishes throughout the country. Originally it was for ecclesiastical purposes that the parish was administered by the vestry meeting or vestry, which was originally an assembly of all the parishioners presided over en officio, by the priest. This system took over from the manor courts in the sixteenth century. A reminder of the power of the Lord of the Manor is given in the churchwardens account book where the following entry was noted.

June 23<sup>rd</sup> 1697 Memorandum that Mrs Martha Corsellis, Lady of the Manor of Wivenhoe and Nicholas her son appeared before the vestry and disclaimed any right or pretension to the

1 Victor Bonham – Carter. The English Village.

North side of the church assuring the parish that they would sign any reasonable instrument that they should propose in order to their disclaiming of it. Upon which the vestry proceeded to allow a ten monthly rate for the repairs on the north side.<sup>1</sup>

‘It soon became the practice at the annual meeting held after Easter, called the ‘open vestry’, to appoint an executive committee of one or perhaps two dozen members ( usually the leading figures of the village) to conduct the day to day business of the parish. The open vestry also selected the parochial officers, of whom the most important were the churchwardens. This was the system that was in operation in the early eighteenth century in Wivenhoe and continued well into the nineteenth century.

In the eighteenth century there was little local government work and time and money was almost entirely devoted to Poor Law relief and the maintenance of the church. As was seen in the chapter on Poor Law the administration was carried out by the churchwardens and overseers. This has been dealt with thoroughly in this chapter so it would be advisable to pass on to other matters of interest which the Wivenhoe vestry encountered from time to time

Before going on however it is convenient to include here two extracts from account books

1 Churchwardens account book

To show the type of administration that was going on throughout the country in the eighteenth century. One is from Banwell (Somerset) the other Wivenhoe

Overseers accounts Banwell, Somerset 1722-3 <sup>1</sup>

	£	s	d
Paid for stockings for John Norman	1	0	
“ making the Rates for the window tax	3	0	
“ Ann Helliard 11 months pay at 4s per month	2	4	0
“ “ “ for looking after John Norman	16	6	
“ for a Coffing for Ann Helliard	8	0	
“ for wooll for her	1	6	
“ for bread and cheese at her burial	3	6	
“ for beer and syder and tobacco when she was stretcht out, coffinged and at her burial	8	9	

Wivenhoe (Excerpts) <sup>2</sup>

1716	Paid Will Stubbs for grubbing up the mallows	6	0
1714	To ringing the church bells for the Coronation Of George the second	6	0
1712	To keeping boys out of the church gallery	6	0
1757	A pint of wine to Old Brown in sickness		7d
	Gin and ale at his burial	2	6

These excerpts are typical of parochial expenditure up to the beginning of the nineteenth century.

The Heavy expenditure on Poor Law relief which was prevalent throughout the country must be added to these minor items to give a true picture of the times.

1 Overseers Account Book Extract from The English Village Victor Bonham – Carter

2 Church Wardens Account (Wivenhoe)

Almost every page in the account books is covered with items concerning relief to the poor.

Occasionally is found an entry as follows

“At a vestry meeting held this notice of which was given in the Church last Sunday for the purpose of receiving proposals for a new fence, to enclose the churchyard so as to prevent all thoroughfare by paths, private gates or other passages whatsoever leading through the said church yard. And not to admit of any path or passage as has been customary hereto as the dependations committed by boys and ill disposed persons are so numerous and conspicuous to this meeting that it is needless to enumerate them, sufficient be it to say that at this meeting there were two proposals

received, being one from Mr Benjamin Barton and one from Moses Rayner the latter of which was accepted and unanimously approved off. By the vestry now assembled and with the concurrence of our worthy Rector the Revd. Nicholas Corsellis and the Revd John Garnons Curate, together with the churchwardens, overseers and principal inhabitants of the said parish. <sup>1</sup>

This is a very interesting extract for it sheds light on valuable information concerning a common feature of parish meetings. This is the feature of whether the meetings were of the 'open vestry' or 'select vestry'. It also shows the almost complete dominance of the parish priest.

#### 1 Churchwardens account

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At Wivenhoe it has been seen that the open vestry system was being used from the many entries which start "At an open vestry". But these for the most part on matters affecting poor relief. This was considered by many to be an objectionable practice as the majority of the people at the meeting would have the same vote as those paying high rates. It was suggested in many sources that a plural voting system should be adopted. The poorer class's reaction to this suggestion was so great that the idea was dropped and a system of select vestry was introduced. This did not come into being until 1818 so what is in operation at the time of the extract was a system known as 'close vestry'.

Not all parishes were governed by open vestries in a number of towns and some villages there had grown up close bodies which carried out the functions of the vestry to the exclusion of the rest of the inhabitants. The difficulty of managing parochial affairs through a meeting open to all ratepayers had led the ruling groups to vest the government of the parish on a restricted body composed of the parochial officers and the more prominent inhabitants. The creation of such vestries was often strongly opposed, but the more powerful parishioners commonly had their way. These bodies were uncontrolled by any form of election or audit. B Keith - Lucas says "Accountable to no one for how they spent the parish funds, they abused their powers in many

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ways, but particularly in spending the rates, levied for the relief of the poor, on the refreshment and feasting of the vestrymen. <sup>1</sup>

It is clear that some form of close vestry was being carried on in Wivenhoe from the extract which reads 'together with the churchwardens, overseers and principal inhabitants' <sup>2</sup> But as was seen with the Poor Law in Wivenhoe at least it was a sympathetic select vestry even if undesirable.

Perhaps the least desirable of this type of meeting was the influence of the vicar. Certainly in Wivenhoe he was viewed with grace. In the extract he is given prominence 'and with the concurrence of our worthy Rector the Revd Nicholas Corsellis'. It should be noted here that the Corsellis family owned the manor therefore Wivenhoe fits nicely into the national picture. For the clergy often came from the family of the squire and if they did not usually behaved as if they had done so. They took little interest in those who had no status at the vestry meetings, attendance at which was confined to ratepayers, that is owners of the land or occupiers. The extract shows clearly that this was the position in Wivenhoe. However there is no evidence to prove that the Red Corsellis

or those that followed after were a bad influence. But it is morally wrong to invest one man with so much power in a community.

- 1 B. Keith – Lucas The English Local Government Franchise
- 2 See page 64

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In the nineteenth century the parish vestry, which had once been the sole governing body of the rural village under the supervision of the magistrate lost much of its importance. Its most important function the relief of the poor was in 1834 transferred to Boards of Guardians. But with the industrial revolution and a new type of society new problems came into focus. Problems like sanitation had existed for a long time but had been pushed into the background by the immense problem of poor relief.

Thus in 1841 Wivenhoe appointed a vestry clerk at a salary of £10 to be taken from the poor rates. <sup>1</sup> Already the centralisation was bringing extra work. This type of thing had never been heard of before. But at the same meeting the appointment of an assistant overseer was revoked by voting thirty nine – nil.

During these times it was often necessary to carry our repairs to roads but the vestry never carried out the full responsibility but usually made arrangements with private individuals e.g.

2<sup>nd</sup> August 1841. Moved by John Green Chamberlain seconded by Henry Ashford and unanimously agreed to that the surveyors Mr Death and Mr Frost be empowered to make an arrangement with Mr Barton or otherwise to throw an Arch over the Ditch in West Street provided the same should not exceed the expense of £20 – Mr Corsellis agreeing to build a brick wall at his own expense. <sup>2</sup> This philanthropy is not met with today.

By 1843 the vestry meeting was beginning to take shape

- 1 Vestry book 1841 – 1846
- 2 “ “ “

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Similar to the present council. Individuals were being delegated certain responsibilities. The following extract bears this out.

“Resolved to make Joseph Furman assistant overseer to the poor at a salary of £20. This position had a bond of surety of £75. Also at this meeting the following able and sufficient persons were nominated to be returned to the Commissioners of Land and assessed Taxes for them to appoint thereof assessors and presentors of the duties of Land and assessed taxes. A parish meeting to be called to appoint surveyors of the highways and to examine and allow the surveyors accounts. Also to appoint a collector of highway rates and church rates”. <sup>1</sup> This parish vestry was becoming much more businesslike.

From time to time nuisances of various kinds occurred in the parish. Some of the methods of dealing with them seem strange today. The surveyor was instructed in August 1841 to indict Isaac Ladbrook for a nuisance if he again allowed "five fingers or other fish to be laid on the quay to the annoyance of the parishioners." <sup>2</sup> This was a small matter considering other nuisances which existed and in 1848 there was an inspection of nuisances in the parish in connection with the filthy and unwholesome conditions of certain dwelling houses.

The strangest entry of all is this one which shows the weakness of the police and the local administration

Jan 20 1850

"Surveyors reported that the dangerous practice

- 1 Vestry Book 1841 – 46
- 2 Vestry Book 1841 – 46

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Of making slides on the public footpaths had recently much prevailed and that boys had been in the habit of pelting persons with snowballs and thereby breaking windows and that the police had requested the surveyors to interfere in the matter. Whereupon it was resolved that in the event of the frost coming again that the vestry clerk should prepare handbills and distribute printed copies thereof with a view to abatement of such practice" <sup>1</sup>

The vestry show lack of initiative here and the Law considerable weakness. Not even the most vivid imagination would conjure up such a picture today.

Although the poor relief had been handed over to the Union, in the case of Wivenhoe the London Union, Wivenhoe was still troubled by the poor relief problems. In June 1849 a memorial was sent to the Board of Guardians – praying that they would please to grant out door relief from the funds of the parish. <sup>2</sup> Conditions must have deteriorated much more for in April 1850 "A petition to the House of Commons prepared by the vestry clerk praying for the abolition of the present system of rating to the relief of the poor and also of the law of settlement and removal and the substitution of a national rate for the maintenance of the poor or that the expense thereof should be paid from and out of the consolidated fund was read and

- 1 Vestry Book
- 2 " "

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unanimously agreed and adopted and it was resolved that the overseers be requested to take the same round for signature by the ratepayers " <sup>1</sup>

The real grievance here seems to be the excessive poor rate which was one shilling in the pound as against eight pence in former years. The rate had to be levied to meet the demands of the Guardians of the Union. But the Board of Guardians did not get away with it easily for in July 1850 "An explanation was demanded from the Guardians of the Union House for the amount of £190 for the ensuing quarter for the maintenance of the poor. The parishioners considering that the above amount according to the present low price of provisions is extremely heavy and requires explanation"<sup>2</sup> Wivenhoe have a very good argument against the workhouse for under the old system the parish was financially better off. Now it appears they are paying for the upkeep of the poor of a large area and not just their own.

Their petition to parliament met with almost immediate success for within a year an Act was in force to alleviate the problem of the poor Law finance. The Act provided for a new type of rating to be introduced to increase the funds. But no mention of a national fund is made. The act was adopted in Wivenhoe on March 7<sup>th</sup> 1851. "It was resolved by a majority of 11 – 4 that the owners of tenements

1 Vestry Book

2 " "

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within the parish the yearly rateable value thereof should not exceed six pounds shall henceforth be rated and assessed to the rates for the relief of the poor of the said Parish in respect of each tenement instead of the occupiers thereof under the provisions of the statute 13 & 14 Vic : Cap 99 entitled an Act for the better assessing and collecting the Poor Rates and Highway Rates in respect of small tenements. Whereupon the vestry did declare and order that the owners of such tenements should be so rated accordingly and notice thereof was directed to be published on the Parish Board"<sup>1</sup>

This entry appears to be the last in the vestry book concerning the poor of the parish. From this time on the vestry concerns itself with matters involving public health and highways. These appear as the major problems of the day.

The first question to be solved was that of providing a new burial ground. The old burial ground was proving insufficient and dangerous to health. The new burial ground was bought in 1855 at a cost of £120 an acre. <sup>2</sup> in 1860 a Burial Board was set up to take responsibility of this part of administration.

The administrators were continually meeting nuisances.

1 Vestry book

2 " "

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The Pumping Station (Illustration missing)

In the parish and in 1855 a Nuisances Removal Committee was formed under the Act of 1855 for the Removal of the Nuisances and Prevention of Disease. This was the first step towards public health. Interest however waned and in 1860 the Nuisance Committee was discontinued and sanitation was allowed to slide. The vestry received a severe jolt in 1871 soon after the Rural Sanitary Boards had been established. The rural inspectors on their visit to Wivenhoe issued their first report, "The water at the back of the brewery we find in a stagnant state and covered with green weed and in a generally unwholesome state." <sup>1</sup> This was the water that was used for drinking purposes. Strong representations were made to the vestry and in 1872 a new water works was completed at a cost of £63.

This is not the only instance of the vestry being at loggerheads with the rural authority. The inhabitants apparently objected to losing their independence. The sanitary inspector of the rural authority requested in 1889 that a scavenger be appointed for the removal of refuse and to empty cesspools. This collection was done at night and the men were known as the "night militia".

Many people still have vivid memories of the night cart rattling round the parish with its hurricane lamps aglow and the skips banging together. At Christmas it was customary to put some beer out for the "militia". One year one of them took

1 vestry Book

more than he could carry, so the story runs. The foreman had to pick the man up and sit him on the cart. When the horse started off the inevitable happened and the man fell into the tank. All their efforts to get him out were unavailing. There was nothing for it but to tip him out when they emptied the cart at Vine Farm.

The Rural Sanitary Authority sent a sharp letter in 1895 complaining of the entry of sewage into the Rive Colne and the effect of the oyster beds. The reply tabled by the new council was short and to the point. "in the opinion of the council, the outfall of sewage into the Colne from the village of Wivenhoe is so small as to be innocuous and in no way affects the oyster fisheries or creates a nuisance or pollutes the stream" <sup>1</sup>

Quarrels were not confined to the Rural Sanitary authority and the Highways Committee of the Lexden and Winstree R.D. came in for full measure. Much discussion was caused by the Highway Board set up in 1868. A petition was drawn up in 1867 to protest against the highway divisions of Essex of 1862 as it would not benefit the parish. But was of no avail.

It is with some bitterness that the vestry in 1869 resolved that the new Highway Board had not acted satisfactorily and were informed of the same <sup>2</sup>

Another protest was sent in 1895 when it was

1 Council Minutes

2 Vestry Book

found that Wivenhoe had no representatives on the Highways committee. It was thought unfair that Wivenhoe with a population equal to an area with six representatives on the committee should have no representatives. There seems little co-operation during this period on these matters and road deterioration. Such a state existed that in 1865 the Railway Co. proposed making a road from the High Street to the station provided the parish would pay expenses.

Little has been said so far of law and order in the parish. This was an important feature of administration especially in the nineteenth century. Some public spirited people in 1817 formed themselves into "the Wivenhoe Association for Apprehending and Prosecuting Felons of all Denominations." The last three words of the title prove the impartiality of the dozen gentlemen who headed by Nicholas Corsellis and Frances Slater Rebow banded themselves together for the peace of Wivenhoe. <sup>1</sup>

Punishment was sometimes severe, even so short a time ago as 1837 the year of Queen Victoria's accession. This entry dated 17<sup>th</sup> February 1837 is pathetic. Susannah Brewer, a young married woman with an infant in her arms, was convicted of stealing a quantity of turnips from a field, the property of William Brummel ESQ. of Wivenhoe. The charge was proved by the housekeeper, Mary Jane Clapham who saw her commit the theft. The prisoner pleaded extenuation

1 Ipswich Journal

three small children, an afflicted husband. She was fined 2/3d, the value of the turnips plus 8s expenses, in default to be committed to the house of correction for fourteen days. Ten shillings and threepence was an enormous sum for a destitute woman to face – as impossible as a fortune which indeed it would have been to a woman whose husband's weeks wages would have been no more than that. <sup>1</sup>

8<sup>th</sup> September 1887. Three boys robbed an orchard belonging to Captain Piggott of Wivenhoe. They were fined 6s 8d each or a month on the treadmill <sup>2</sup>

One can hardly believe that it in this comparatively civilised times that such inhuman methods were used to punish offenders. It is better to hope that these were exceptions for older folk still talk of the good old days.

Wivenhoe had its cage and constable like most other parishes. The cage existed until 1898 when it was pulled down because of its dilapidated state. It stood on Anchor Hill alongside the whipping post. Tradition has it that when a drunken sailor was incarcerated in the cage he was always found just as intoxicated in the morning as when he was put there overnight. Tis puzzled the parish constable until he made the discovery that liquor was always supplied by the sailor's mates by means of a churchwarden pipe through the small window, after the constable had gone to bed.



## 1 Police Records

2 “ “

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By 1856 the constable had ceased to exist as a parish officer. Instead he had become a paid member of the County Police Force. Wivenhoe had a policeman since at least 1847 as the following recommendation shows.

1855 “Resolved to memorialise Capt. McHardy Chief Constable of Essex on behalf of policeman John Moffatt stationed in this parish with a view to promotion on the constabulary force the Mess. John Moffat having during his residence of 8 years therein uniformly conducted himself with vigilance, activity, propriety and zeal”<sup>1</sup> But it seems that for the most part little crime existed in Wivenhoe and the policeman’s life was pleasantly peaceful.

The end of the vestry administration came in 1894 when the parish Council was instituted. By Gladstone’s Local Government Act 1894 the functions of the vestry were transferred to new parish councils. The vote was given to all county and parliamentary electors on the principle of one man one vote. The first parish council was returned on 17 Dec. 1894. This saw the end of the vestry system and opened the way for centralisation.

In 1898 Wivenhoe was constituted an Urban district and remains the same today although many of its responsibilities are now delegated to the county council. At this time it was a question of whether larger powers could be added to these local bodies.

## 1 Vestry Book

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This was very successfully carried out in the last 50 years. In conclusion the following quotation of Lord Roseberry seems apt, “Who shall say that people of this country are wrong if they divide some part of their interest which used to be given to Imperial politics and give it to the politics of their own city or their own town?”