

ART. XV.—*The Windermere "Four and Twenty"*. By
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THE Windermere Four and Twenty is a body of men, representing the ancient parish, which has existed for over three hundred years, and possibly for nearly four hundred years. It was originally a "select vestry", and there were similar bodies in many parishes in the North of England in former times. In Cumberland, the "Twelve Men" of Wreay still exists, though in a modified form. In Westmorland, the "Four and Twenty" of Windermere alone survives, but is deprived of all its duties.

The authorities on English parochial history, from Dr Richard Burn downwards, are uncertain about the origin of select vestries.¹ There may have been different origins in different places, but as the result of a study of the records of many parishes certain generalisations can safely be made. Sidney and Beatrice Webb, writing nearly fifty years ago, devoted a long section of their great work *English Local Government* to the "close vestry" or "select vestry" and explained how it evolved. They found that it "cropped up sporadically over the greater part of England" but was "the common form only in the cities of London, Westminster and Bristol, and in the Northern Counties."² In Tudor statutes it was assumed that "the most substantial inhabitants" were to act on behalf of the whole parish. Sometimes these were chosen at the discretion of the parish officers (the churchwardens

¹ R. Burn, *Ecclesiastical Law* (1760, 9th edition 1842) i, 377 and 415, under "Sidesmen" and "Vestry".

² Sidney & Beatrice Webb, *English Local Government, The Parish and the County* (1906), 175.

and constables), sometimes there was a public meeting. During the 16th and 17th centuries the parish often quietly absorbed some of the functions of the decaying manorial courts. The Webbs came to the conclusion that "a close body, limited in number and co-opting its successors . . . may have existed, in one or other parish, uninterrupted from the date of the beginning of legal memory, say the first year of Richard I. But as regards at any rate the great majority of these bodies the presumption is that they arose from some sort of resolution or agreement of the chief or other parishioners attending the Easter Vestry meeting, some time in the 15th or 16th century."³ In early days the vestry had purely ecclesiastical functions; later it had obligations and powers in secular matters added to it, only to lose them again with the passing of the Poor Law Act of 1834 and the Local Government Act of 1894.

The more recent researches of Mr W. E. Tate confirm the findings of Sidney and Beatrice Webb, and he thus sums up the position: "Many parishes came to be governed by 'select' vestries. These remarkable organisations consisted of bodies of one to two dozen persons—having no organic connection with the inhabitants at large—but, together with the incumbent and the usual parish officers, acting in all respects on their behalf . . . Like the ordinary vestry they administered the parish property and controlled the parish expenditure."⁴ With this general picture in mind we shall see how far the Windermere Four and Twenty, and similar bodies elsewhere in our district, conformed to the general practices and customs in other parts of the country.

The earliest mention of the Windermere Four and Twenty yet found⁵ is in a deed of arbitration, dated 1628,

³ *Ibid.*, 189.

⁴ W. E. Tate, *The Parish Chest* (1946), 18.

⁵ The President draws attention to a reference (CW2 xiv 299) to "xxiii Indiferently chosyn by ye holl parishe" in an Award of 1535, but the context suggests a jury for manorial purposes. Perhaps the parochial four-and-twenty evolved from this.

concerning a protracted parochial dispute. This deed is too long to be given verbatim but it deserves to be summarized here, as there are several interesting points in it. For some time there had been dissension because the Applethwaite and Undermillbeck churchwardens and members of the Four and Twenty (who were in a numerical majority of two to one) had levied, or tried to levy, an additional church rate without consulting the Troutbeck and Ambleside churchwardens and members of the Four and Twenty. The dispute was first referred to the bishop of Chester and then to the King's Bench but was "brought back to Chester againe" and decided in favour of Applethwaite and Undermillbeck, whereupon there was an appeal to the consistory court of "the Cathedral Church of St. Peter's at Yorke", after which both parties agreed to submit the case to arbitration. There were five arbitrators appointed—Gawen Brathwaite of Ambleside, Robert Philipson, James Wakefield, "parson of Windermere", William Colyer, vicar of Pennington, and Frances Mayson (who had been rector for a short time before Wakefield) — but only the first three served as such and signed the deed. The Four and Twenty are thus described: *the four and twenty of the most substantiall men of the said parish being elected and sworne for the benefitt and good of the said church and parish.* The assessment was made as to £12 for the reparation of the church "and for the repaireing of the Organ and the Rood loft and other ornaments and necessaryes for the good of the said parish Church", and as to £5. 13s. 4d. for a stipend "for the fyndinge of a sufficient Clerk for the said Church." It was alleged by the complainants that this was done "contrary to the Aintient Use and Custome amongst them" because general consent was required in any matter "that concerned the general good of the Church or parish."

Troutbeck and Ambleside were willing to pay their one-third "for the necessary repaireing of the church of

Windermere" but they "withstood" paying their third share of the assessments for repairing the organ and loft, and for the clerk's stipend, as these were laid without their consent. The arbitrators, "holdinge it an unkyndly and uncharitable suite to have two parts of one parish in strife or suite with the third part of the same parish", and finding that most of the inhabitants would be willing to give or pay "for the more bewtefyeyng and adorneing of the house of god (being there Mother Church) rather than to spend it in suite of lawe", decided (1) as regards the repairs, £4 was to be collected from Troutbeck and Ambleside, and (2) as regards the clerk, who was to be organist as well as clerk, he was "to be provided at the charge of the whole parish" and paid £3. 12s. on Lammas Day. This sum was to be arrived at by charging every householder threepence, so that Applethwaite would find 24/-, Undermillbeck 24/-, Troutbeck 16/- and Ambleside 8/-. The deed was dated 26 February 1628 and was signed by the three arbitrators and countersigned by two justices of the peace.

At the end of the book of Accounts of Borwicke's Charity for 1677 to 1867 there is the following:

"The 18th Day of Aprill 1682 being Easter Tuesday A noate or Account of (particulars?) of the writeings or other Goods putt & laid in ye Chist wth 3 Locks in Windermere Church by ye Consent & in ye sight of the foure & Twenty and Churchwardens & overseers (. . . etc. ?) vizt.

- Imprimis a Blackbox wth the fine etc. & Mr Thompsons Bill in it; Itm. the Lease for the Close
- Itm. the (. . . ?) Deed wth (the ?) rools pious use money
- Itm. the Release concerning the same
- Itm. the Indenture of Apprenticeship of John Birketts son (of ?) Mr Braithwte (Genft ?)
- Itm. the Register Booke
- Itm. the Communion plaite etc.
- Itm. ye Deed concerning the Clerkwage
- Itm. ye Booke of ye Churchwardens Accounts
- Itm. ye Communion Table Cloth a white one etc.
- Itm. ye Book of the Account of ffrancis Borwicke
- Itm. two flaggons for wyne at the Communion"

These are the earliest references to the Four and Twenty found in the records of the church; but in the *Browne Manuscripts* at Townend, Troutbeck, there is a document⁶ "Concerning Francis Barwick's gift", dated 30 April 1677 and signed by Christopher Philipson of Crook-hall, William Wilson, rector,⁷ and "The Twenty ffoure men Governors The Churchwardens & overseers for the poore." There are no less than 32 signatures altogether, but unfortunately it is impossible to sort out "the Twenty ffoure men" from the rest.

The next record is the following statement, written at the beginning of the book of Accounts of Borwicke's Charity:

"Whereas the ffour and Twenty are negligent in their appearance at the vestry at Windermere on Easter Tuesday, and in contradiction to a former order, Wee whose names are under subscribed do Renew and Revive the said order. And ffor Confirmation thereof do not only Confirm the same But do order that the Present and ffuture delinquents shall pay one British shilling each at the discretion of the majority of the ffour and Twenty — and upon any person not appearing and Refuseing to pay the said sum such person or persons, by the Majority of the said ffour and Twenty shall be expunged, and others by them appointed & elected in their place, and places. Dated this seventh Day of Aprill 1724.

James Longmire
 Ben: Browne
 Geo: Dixon
 (Joh: ?) Philipson
 Thos. Philipson
 William Collinson
 Miles Birkett
 Geo: Elleray
 John Longmire
 James Dixon
 Wm. Satterthwt.
 Geo: Longmire
 Geo: Cumpstone
 Wm. Tyson
 Matthew Mackereth
 James Birkett
 Thomas Knipe
 John Elleray"

⁶ Volume XIV, no. 198.

⁷ 1657-1705.

In the Browne Manuscripts there is a list⁸ of "The 24 men" of Windermere dated 12 April 1737.

In the book of the Churchwardens' Accounts for 1748 to 1859 there is the following list with the names arranged by townships:

Easter Tuesday April the 9th 1751

Then the Names of the Twenty four of the Parish of Windermere
In Applethwaite

Christopher Willson Borrans

Thomas Elleray de Common

Jno. Braithwaite de Heathwaite

George Wilson de Borrans

James Dixon de Orrest

fletcher fleming Esq. de Rayrigg Electd. April the 17. 1750

Mr. Philipson de Ashes Electd. at the same Time

Wm. Braithwaite de Drowmr. Steal Electd. April ye 9th 1751

In Undermillbeck

John Elleray de Storrs

Anthony Garnett de Mill Electd. Apl. 12th 1748

Robert Collinson de fallbarrow

Thomas Birkett de Matsons Ground

John Chamley de Lickbarrow

Thomas Dixon de Bellmanground

Wm. Collinson Haggend

James Collinson de Blackwell Electd. Apl. 9th 1751

In Troutbeck

Mr Geo. Browne Electd. May 28th 1749

Wm. Birkett de Wood Electd. April ye 12th 1748

(James Birkett crossed out) Thomas Hoggart

James Braithwaite

Geo. Birkett Carpenter

In Ambleside

Mr Geo. Cumpstone

Anthony Mackereth

Thomas Partridge Waterhead Electd. Apl. 12th 1748

(Other names have been added later in place of some of the above). After this there are irregular references in the book of the Churchwardens' Accounts, as follows:

1750-51 "To Ale when New Lead was wey'd by the 24 of
Windermere 9 10"

1754 Minutes of "the Four and Twenty or Sidesmen", with
signatures of the rector and 15 others, Easter Tuesday.

⁸ Volume X, no. 53.

- 1754-55 "To expenses when the Twenty ffour met 9 4"
 1756-57 "To Expenses of ye Twenty ffour at several meetings
 I 5 0"
 1759 List of names.
 1766-67 "To Mr Richardson when he Survey'd the Work at
 Church 7 6"
 "To Expenses then wth. Ditto, part of the 24 being
 present 3 8"
 1766-67 "To Thomas Ullock Expenses at a meeting of the 24
 at the Church (about Pewing) 8 0"
 1783 Minutes of "the Twenty four Vestry men", with
 signatures of the rector and 12 others, Easter Tuesday.
 1785 Minutes, with signatures of the rector and 17 others.
 1790 List of names.
 1791 Minutes of a "Vestry meeting", with signatures of the
 rector and 13 others.
 1793 Minutes, with signatures of the rector and 13 others.
 1795, 1801, 1802 Minutes.
 1806 List.
 1811 Minutes.
 1818 In the book of the Churchwardens' Accounts there is
 a Memorandum:

"It has been agreed on in the Vestry at the meeting
 of the Twenty four on Easter Tuesday, 1818, that the
 Churchwardens of the two Townships viz: Under-
 milbeck and Appelthwaite, shall have each of them
 three shillings allowed in future, to attend their coming
 into office and going out of the same. And it is
 further agreed at the same time that the Clerk shall
 not ring the Bells on the 5th of November⁹ for the
 future, and that he be requested to forbear the same,
 as Witness our Hands."

Signed by the rector and 14 others.

- 1823 This year there is another Memorandum:

"It was agreed in the Vestry on Easter Tuesday
 1823 by the twenty four sidesmen then present that
 all repairs that is necessary to be done at the Parish
 Church of Windermere: notice thereof to be given at
 Troutbeck and Ambleside to the intent the same may
 be done in as frugal a manner as possible; and further,
 that no man have his bills paid till after the Accts.
 are passed on Easter Tuesday."

Signed by 12 sidesmen.

⁹ In the earliest accounts extant, for 1748-49, there is an item "For Ale on
 the 5th of November 6d.", obviously for the ringers.

1857 The Rev. E. P. Stock became rector, and henceforward vacancies in the Four and Twenty were entirely filled from Undermillbeck.

1870 In the book of the Churchwardens' Accounts for 1860 to 1873 there is a *List of Sidesmen* at Easter Tuesday 1870, comprising 23 names — two from Appletwhaite and 21 from Undermillbeck — with their dates of appointment.

1874 A meeting of the Sidesmen demanded an examination of the accounts for church expenses. Counsel's Opinion was taken on the necessity of submitting the church accounts to the 24 Sidesmen. This opinion is of interest because counsel related in it the history (so far as he had ascertained it) of the Four and Twenty and their part in the affairs of the church. It appeared that they had met annually (1) to elect two churchwardens, (2) to decide the amount of the church rate¹⁰ for the ensuing year, and (3) to examine and pass the churchwardens' accounts for the previous year. They were "a select vestry which by custom has regulated the affairs of (the) parish in place of the parishioners at large in vestry assembled" and once a year the churchwardens were required to lay before the vestry the accounts and estimates. When the church rate was no longer levied the procedure, in counsel's opinion, became inapplicable. After this decision the churchwardens seem to have submitted their accounts to the Easter Vestry meeting, not as an obligation but as an act of courtesy. Henceforward the Sidesmen were not legally concerned with the churchwardens' accounts but they were still concerned with some of the charity accounts and therefore they still continued to attend the Easter Vestry meetings.

By 1879 neither Troutbeck nor Ambleside was represented on the Four and Twenty, but thereafter appointments began to be made on the old lines, so that by 1899 each township had its original number of representatives. In that year (by an order of the Charity Commissioners, amended in 1936) the administration of the parochial charities was vested in trustees mainly appointed by the local authorities, so the Sidesmen lost another of their

¹⁰ Last levied for the financial year 1869-70: no rate was levied for 1870-71: from 1871 onwards voluntary collections were taken in church.

functions, but they still attended the Easter Vestry meeting. Under the Parochial Church Councils Measure of 1921 it became the duty of the Vestry and Parochial Church Meeting, sitting together, jointly to elect the people's wardens. At Windermere this meeting was still held on Easter Tuesday, and the Four and Twenty were invited to it during the time of the Rev. Canon E. J. Nurse, who was rector until his death in 1945. The Four and Twenty were last invited to the Easter Vestry and Parochial Church Meeting shortly after Easter in 1946. The meeting was delayed so that the new rector, the Rev. H. Ewbank, could be present. There was no Easter Vestry in 1947 because the people's wardens had already been elected at a Parochial Church Meeting held earlier in the year and therefore the only remaining business for an Easter Vestry had evaporated. Mr. Ewbank, however, filled vacancies in the body of the Four and Twenty until his death in 1948.

In addition to Windermere there are records of select vestries at many parishes in all parts of the district covered by our Society, and a good deal of information about them has been published here and there in articles in these *Transactions*, in transcripts of parish registers, and in parish histories. For the sake of comparison, and as a guide for future work, this information is summarized below, but the list cannot pretend to be anything like complete, as even the printed references are most elusive, especially in any book that lacks an index. It is greatly to be hoped that a more detailed paper will some day be prepared on this interesting, and formerly dominant, feature of life in the ancient parishes.

Cumberland

Parish	Number	First Mention	References
Arthuret	16	1699	Parochial Records, Cumberland Record Office. ¹¹
Bromfield	16	1752	Parochial Records, C.R.O.
Caldbeck	12	1666	Parochial Records, C.R.O.
Carlisle, St. Cuthbert	16	1759	Parochial Records, C.R.O.
Crosthwaite	18	1571	CW2 xlv 40.

The eighteen men were elected annually on Ascension Day and were sworn on the following Sunday, they were not to serve two successive years, and their duties were carefully specified. They existed until 1874.

Dalston	16	1663	Parochial Records, C.R.O.
Greystoke	?	1648	<i>The Registers of the Parish of Greystoke</i> , (1911), 226, and 255.

Greystoke had "Sidemen", but evidently only a small number, mentioned in the registers in 1648 and 1664; they may have been sidesmen as laid down in Canon 90, i.e. assistants to the churchwardens, and not a select vestry at all, though a select vestry might be expected here.

Hesket-in-the-Forest	16	—	Parochial Records, C.R.O.
High Head or Ivegill	12	—	Parochial Records, C.R.O.
Holme Cultram	16	1568	CW2 iii 172-213.

The sixteen men were apparently manorial in origin. In a long paper Mr Francis Grainger suggested that at the dissolution of Holme Cultram Abbey in 1538 the inhabitants, when petitioning for part of the building as their parish church, may have been represented by the sixteen men, but see CW2 i 213, where John Chambers is quoted as saying in evidence in 1640 "There was a 16 men chosen by the parish for to sett down a tax in the 10th year of Queen Elizabeth". They were elected (four from each quarter) by the tenants of the manor at the manor court, they generally served for three years, and they undertook many duties both civil and ecclesiastical. They existed until 1884.

¹¹ This note, and similar ones following, means that a summary of the evidence can be found among the lists of parochial records at the County Record Office in Carlisle.

Hutton-in-the-Forest	16	1653	CW1 xiii 199.
Kirkbride	16	—	Parochial Records, C.R.O.
Kirklington	16	—	Parochial Records, C.R.O.
Millom	12	1605	CW1 iii 316, and <i>The Registers of Millom</i> (1925) 253 and 256.

The records shew that in 1605 there were "The xii men" and four churchwardens and four "Sydmen" in addition. Another twelve men were appointed 24th February 1606, and there are several later references and lists of names. In 1659 occurs "the Church jury or twelve men". The page of the registers for 1605 was more legible when Canon Knowles wrote (in 1877) than when Dr Haswell was working (in 1925). The former quotes this interesting sentence: "According to the canons laity sett down, 4 sydmen are to be appointed every year, one of whose duties is to keeke the dogges out of the chirche". Canon Knowles equated Sydmen and synodsmen but it seems probable the twelve men were synodsmen and the sydmen were sidesmen in the modern sense (cf. Greystoke).

St Bees	24	c. 1714	Bishop Gastrell's <i>Notitia</i> quoted by Bouch, <i>Prelates and People of the Lake Counties</i> (1948), 334-5.
Sebergham	16	1712	CW1 ix 53.
Torpenhow	16	1672	CW1 iii 37.

The sixteen men were elected from the householders of the four quarters into which the parish is divided, down to about 1807.

Wetheral	12	1734	Parochial Records, C.R.O.
Wigton	16	—	Carrick, <i>History of Wigton</i> (1949), 18.
Wreay	12	1664	Hall, <i>Wreay</i> (1929), 30-40.

The twelve men still meet annually on Candlemas Day, as described in detail by Canon Hall, but it should be noted that the constitution was made more democratic in 1896, when the parish meeting was asked to nominate to each alternate vacancy, and this has been the subsequent practice.

Before we leave Cumberland we should add that Eskdale had twenty-four men and the Twenty Four Book is extant, but this body was entirely manorial (Miss M. C. Fair in CW2 xxii 73).

Westmorland

Appleby St Lawrence	16	1705	CW2 li 150.
Askham	12	1586	Churchwardens' Accounts.
Grasmere	18	1661	Armitt, <i>The Church of Grasmere</i> (1912), 38-9 and 121.

Six men represented each of the three townships, making eighteen for the whole parish. Miss Armitt says they "appear to have been freely elected, and they kept office for an indefinite period", they were responsible for the upkeep of the church and laid a rate on the landowners to cover the yearly expenses, and "it is almost certain that the appointment of a clerk and schoolmaster lay with them and the wardens, though the parson no doubt sat at the conclave".

Heversham	24	1621	CW2 xxv 49 n. and 77. Mr J. F. Curwen gives an abstract of the will of Jasper Buskell who in 1621 left £10 to the poor "at the discretion of the then Vicar and Churchwardens and four and twenty sworn men of the sayed parish".
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Kendal

This great parish has had very little published about it, but a select vestry is exactly what one would expect to find here. Nicolson & Burn (i 65) state in 1777 that the parish "is very extensive and comprehends twenty-four townships or constablewicks . . . and 15 chapelries". No doubt the 12 churchwardens at the parish church today are a relic, in a changed form, of the old system by which the churchwardens were appointed from the whole of the ancient parish. Research would almost certainly shew that formerly there were sidesmen.

Kirkby Lonsdale	24	1664	Pearson, <i>The Ancient Church of St Mary the Virgin, Kirkby Lonsdale</i> (1940), 30.
Lowther	16	1655	<i>The Registers of Lowther</i> (1933), 184-5.

The sidesmen seem to have been called "the 16" at first and "the 12" later; various lists of names appear in the registers.

Orton 12 1596 CWI xi 252-3.

At Orton there is a most interesting original description of the duties of the "sworn men" and a list of their names in 1596. There are fourteen names in the list (and Canon King, the present vicar, confirms that this was the usual number) but they are called "ye xii", which suggests that twelve was the figure at first. The parish included seven manors (one quite small) but only six townships.

Ravenstonedale 24 1667 Nicholls, *History and Traditions of Ravenstonedale* (1877), 51-60. The four-and-twenty was more manorial than parochial.

Lancashire

Cartmel 24 1597 Stockdale, *Annals of Cartmel* (1872), 34 and 49-50.

The first list, for 1597, comprises 28 names, and although they were called "the twenty four sidemen", 28 seems to have been a usual number — 4 from each of the seven townships. Stockdale supposed that after the dissolution of Cartmel Priory "it soon became needful to appoint Wardens and Guardians and Overseers to manage parochial matters . . . the care of the poor and parochial affairs generally was entrusted to twenty-four persons, the most considerable landowners in the parish". The oath taken by the sidesmen of Cartmel in 1618 is recorded, and many lists of names have survived. Often they are referred to as "the twenty-fortie". It is of interest to find that when the gatehouse (formerly the grammar school) was sold in 1791¹² the sidesmen signed the deed on behalf of the parish and were described as "The Vestry of Cartmel". The 24 held their last meeting in 1927.

Dalton-in-Furness 24 1573 CW2 xxix 231-2.

Mr Paul V. Kelly believed that after the dispersal of the monks of Furness the authority of the abbot in secular affairs passed into the hands of a self-elected body of twenty-four men, six from each of the four "Bierleys" into which the parish of Dalton was divided. "This semi-medieval oligarchy, although shorn of most of its civil authority, continued to administer the affairs of the church until 1923, when it was superseded by the present Parochial Church Council".

¹² Release dated 25 April, 1791, now in the possession of The National Trust.

Hawkshead 24 1694 Cowper, *Hawkshead Parish Register* (1897), lvi-lix; *Hawkshead* (1899), 112-113.

"The sidesmen were chosen from amongst the most responsible men, gentle and simple, within the parish, and were portioned out six to each quarter. Their duties were manifold". They fined themselves for non-attendance at their meetings. The general parish meetings were held on St Stephen's Day and the Tuesday in Easter week.

Lowick 12 — Bardsley, *The Registers of Ulverston Parish Church* (1886), xii, n.

Lowick was a chapelry, not an ancient parish.

Ulverston 24 — Bardsley, *op. cit.*, xii.

Mr Bardsley says "The 'twenty-four' were the vestry or sidesmen of the parish: an oligarchy, to whose mystic number the documents in the chest make endless allusions. Town stock, public endowments, church lays, and cesses of all kinds came under their cognisance. They enquired into ecclesiastical and even social abuses, and made presentments to the ordinary. I find that the most respected and responsible men in the town were always of this number".

Finally, although it is outside our Society's district, we are able to add for comparison a note about Lancaster. The Sidesmen of the parish of Lancaster were made up of one from each of twelve townships, two from each of three townships, and five and the mayor from the township of Lancaster, making a total of twenty-four. The records begin in 1671. There were twenty-four also in the Lancashire parishes of Garstang, Goosnargh and Preston, and no less than thirty in the parish of Kirkham.¹³

¹³ Information kindly supplied by Mr G. M. Bland, F.S.A.