



ENGLISH LOCAL GOVERNMENT CHANGES IN FRANCHISE DURING THE 19TH CENTURY

Background

‘The Municipal Corporations, the Courts of Sewers, and the various kinds of statutory bodies, were all specialised structures, peculiar to comparatively small portions of the kingdom. Manorial courts survived as local authorities in all but a minority of districts and were everywhere rapidly falling into decay. Even the County Justices, who elsewhere exercised so dominating an influence, were jealously excluded from the towns that had secured the privilege of government by their own corporate magistracy. But throughout England and Wales the parochial organisation was practically ubiquitous. The parish officers were to be found exercising their manifold functions among and beneath all other authorities in town and country alike; within the walls of powerful chartered municipalities; ...from end to end of the most highly organised counties.’

During the 19th century, various Parliamentary Acts marked the milestones along the path from oligarchy* to democracy, but these formalised the long years of struggle against the abuse and corruption of power held by a single class – incorporating Anglican landed-gentry, those running the church and Universities, the Army, Navy and parliament itself. (*Governed by the few.)

Pre 1819 – Local affairs were on the whole managed by Parish Vestries, chaired often by the Vicar, giving all people the vote, whether man or woman, and responsible for poor relief, mending the roads, local constable, and other village concerns.

‘By custom, the right and power of the parish to provide for its inhabitants whatever services or regulative ordinances were deemed locally expedient were so vaguely extensive as to be practically without ascertained limits. But this was not all... every citizen was said to ‘belong’ to his parish. The responsible householder found himself bound to service in succession in the onerous and wholly unpaid public offices of Churchwarden, Overseer, Surveyor of Highways and the Constable. The whole parish had to turn out, when summoned, to join in the ‘hue and cry’ after suspected robbers. Once a year every one was called upon in church to send his team or go in person to labour for six days on the roads. The property-less man escaped the parish taxes and received, when destitute, the parish pay, but under the law of

settlement found himself, at the discretion of the Overseers of the Poor, legally confined to his parish for the term of his natural life.’

1816 – ‘Before the development of statistical and parliamentary inquiry, the middle and upper classes did not even know the extent of social evils. Public opinion, even the opinion of the poor, did not expect government to cure poverty. No one had the idea of public expenditure on a large scale for purposes of social betterment. Castlereagh (Foreign Secretary in 1815) described the refusal of parliament in 1816 to continue the property tax (in modern terms, the income tax) as ‘an ignorant impatience’ of taxation, but Castlereagh himself would not have spent a penny of the tax on public purposes outside the old-established functions of Government. Lord John Russell said that there could be ‘no more dreadful calamity for this country’ than the continuance of a tax, which would allow the Crown, with the help of a standing army, ‘to erase even the vestiges . . . of departing liberty’.

Income Tax – During the course of the 19th century, Peel changed the emphasis of taxation from mainly property-based to a tax on income, and the introduction of income tax. As a consequence, it was necessary to enfranchise the middle classes who did not necessarily own property, but were being taxed on income.

1818/1819 – Two Sturges Bourne Acts reflected the prevailing views held by land and property owners that those who provided the money should have the prevailing say in how it was spent. Plural voting was introduced, based on the extent to which the voter contributed to the rates, i.e. amount of land and property he owned.

1819 – Local communities to appoint a committee chaired by the incumbent and made up of churchwardens and up to 20 parishioners, the function being to administer the Poor Law functions. (*See separate Section on Poor Law*)

‘Amongst the records of a church a slip of paper was found on which was written – ‘The parishioners are desired to meet in vestry after service to appoint conductors for wagons and cattle in case of invasion’. This is undated but presumably was a reference to the scare at the time of the Napoleonic wars.’

‘In 1818 - 2 bottles of gin when settling and turning over accounts and for inventory to the poor house cost 8/-.’

1819 – Repeal of the Combination Act, which had forbidden trade unions.

1829 – Catholic Emancipation Act in Britain allowed Roman Catholics to sit in Parliament. Metropolitan Police established by Robert Peel to take the place of watchmen, previously appointed by local parish vestries.

1831 – Select Vestries Act was passed which enabled every ratepayer of one year’s standing, man or woman, to vote to elect the new Select Vestry. However, open vestries were not compelled to elect such Select Vestries – only where 1/5th or 50 ratepayers demanded a poll could the Act be adopted. Such vestries would not be restricted only to Poor Law administration, but would take on general governing

duties of the parish. However, a high property qualification was imposed on vestrymen - £40 upwards for large parishes and Metropolis and £10 or more for small parishes. Since the responsibilities were onerous in time and finance on vestrymen, the imposition was not universally popular.

‘In 1831 unemployment was rife in Lingfield and on October 19 that year 30 labourers were out of work. A special vestry was called to consider means of employing surplus labourers and a special rate was made for their relief for 14 weeks, commencing on Monday, November 28. A letter dated June 18, 1832 was circulated by the then Vestry Clerk, Chas. Head, to owners of property ‘with the hope of maintaining the tranquillity of the parish endangered by excess of population and lessening the poor rate now becoming very burdensome’. An appeal made thereby for £261 for the emigration of 34 men, women and children to U.S. and Upper Canada to better their condition’

‘The wealthy classes in town or country could buy exemption from, or commute for money, the innumerable personal obligations imposed by the parish, and thought of it therefore only as a taxing authority. To the historian of England between the revolution and the Municipal Corporations Act of 1835, if he is not to leave out of account the lives of five-sixths of the population, the constitutional development of the parish and the manifold activities of its officers will loom at least as large as dynastic intrigues, the alternations of Parliamentary factions, or the complications of foreign politics.’

‘The position of Churchwarden was one of dignity and importance without onerous duties and was therefore little objected to. Those of Surveyor of Highways, Overseer of the poor involved unpleasant relations with one’s neighbours, besides considerable work and responsibility, and they were accordingly avoided. But the post most objected to was that of the Petty Constable which was either abandoned to humble folks attracted by its perquisites or else invariably filled by a substitute to get it done; the main feature that all these duties could be performed by a deputy.’

Where such Select Vestries were elected, specific areas of statutory responsibility were in turn given to Committees – including Poor Laws (1819), Lighting & Watching Acts (1830 & 1833), Baths & Washhouses (1846), Burials (1852 & 1853), Public Libraries (1855), Highways (1862) – who were appointed by the Vestry, rendered annual accounts to the Vestry, but were otherwise independent.

1832 Reform Act Bill passed on 7th June. Passed by the Whig government under Earl Grey and realigned parliamentary boroughs so most English counties then returned 4 Members of Parliament. In counties, owners of land at £2 (40/-) a year retained their right to vote and an amendment in the House of Lords gave the vote to tenants who occupied land worth £50 a year.

‘In 1832 the year of the passing of the Reform Bill there were 34 Parliamentary voters in Lingfield.’

1833 Royal Commission on Poor Law recommended amongst others things the establishment of central control over local authorities.

‘ “I well recollect” said the assistant Parish Law Commissioner in 1833 “the case of a farmer who some years since was appointed as Overseer of a small parish in the country who, not being conversant with the rules of arithmetic, kept his accounts **IN A PAIR OF BOOTS**, putting into one the money he has received and into the other the acknowledgements for sums which he expended. When he appeared before the bench at the end of his year of office he stated how he had kept it and why he was satisfied it was correct; and the Bench passed and allowed his account accordingly” ’

1834 Poor Law Amendment Act – tightening up of relief in Britain.

1835 Municipal Corporations Act emphasised the role of borough councils to be trustees of public funds, rather than to provide local services.

‘Measured by the amount of its taxation alone, the parish outweighed all other local governing authorities. **By 1835** it was spending not only more than all the other local bodies put together, but not far short of one-fifth of the budget of the national government itself. In the number and variety of regulative and administrative functions, the 19th century parish simply bewilders the modern student, accustomed to authorities having strictly limited spheres of action...’

1848 Public Health Act - formation of Central Board of Health – and previously a variety of statutes - had eroded and strangled life from the old parish vestries, removing their responsibility for local affairs. Following this, fear of centralisation gave way to growing demand for local independence.

Population – The growth of the population in Lingfield is shown in the following figures taken from the old census lists.

In 1811 there were only 1,490 persons in the parish – 772 males and 718 females.

By 1851 the population had grown to 2,148.

1852 The issue of electoral reform was coming to the front. Palmerston considered the franchise ‘a trust reposed in the elector for the public good, not a right which every citizen might claim.....’ He told his constituents at Tiverton in 1852 that ‘to go sneaking to the ballot-box, and poking in a piece of paper, looking round to see that no one could read it, is a course which is unconstitutional and unworthy of the character of straightforward and honest Englishmen.’

He did not object on principle to a wider franchise, though he believed that the demand came from ‘those who cannot sway the intelligent and the possessor of property, and who think that they could wield for their own advantage the lower classes whom they want to . . let in to vote.’

‘**1865** – The adult male population of England and Wales was over 5 millions; the number of voters was under 1 million. The distribution of the population had changed since 1832 but there had been no change in the distribution of seats. Cornwall returned as many members and Middlesex and the metropolitan boroughs north of the Thames. One half of the borough population of England and Wales had 34 and the other half 300 seats.’

Prolonged debate was taking place in parliament about amending the basis for voting and many proposals were being considered.

...An amendment was carried that the rateable value and not the annual rent of a house should be taken as the basis of the borough franchise... As the rateable value was generally lower than the rent, the change would have lessened the number of new voters.

...Meanwhile the meetings held by the reformers and the debates in the House had produced a good deal of excitement. The attack on the legal position of trade unions made the leaders of the working class realize the importance of direct representation in parliament, and the economic crisis of 1866 revived the almost forgotten agitation against aristocratic mis-government.’

1867 – Disraeli’s Reform Act – gave the vote to the labouring classes, and education for every citizen was seen as necessary to extend understanding of local democracy, and thus national politics also. A compromise between those who advocated universal franchise was found in the vote being given for local authorities to all ratepayers.

‘This Act added 938,000 voters to an electorate of 1,057,000 in England and Wales. In towns working-class voters were in a majority, but most of the new county voters came from the middle class, and the general result was slight. The county occupation franchise was lowered so males who owned or held on long leases (60 years or more) property worth £5 a year, or occupied land worth £12 a year could vote; the redistribution clauses were expanded to meet the situation created by the increase in the number of voters. One Parliamentary member was taken from boroughs of less than 10,000 inhabitants; 45 seats were thus at the disposal of parliament.’

‘**In 1881** the population in Lingfield had grown to 2,884, although part of this increase is accounted for by the inclusion of 178 navvies and their families imported in connexion with the construction of the railway’.

1884 – Gladstone’s Reform Act (the third of these franchise acts) - gave the Parliamentary vote to all labourers. This ended the different qualifications to vote in borough and county seats. The qualification was now set at that agreed for English and Welsh boroughs in 1867. Those who owned land or, in towns, tenements worth £10 a year could vote.

1888 – Local Government Act inaugurated elected County Councils to replace Justices in Quarter Sessions.

1889 – Gladstone advocated the need for district councils and the possible need for even more local government in order to educate people (peasants and labourers) in the ‘principles and obligations, and to secure fully to them, the benefits of local government’. He foresaw the need for the old open parish vestries to regain the responsibilities for local affairs.

1894 – Local Government Act formation of district and rural councils, to take over the duties of sanitary authorities and other special bodies which had arisen during the 19th century. Parish Councils were inaugurated, which would take on the civil functions from the previous parish vestries. Most importantly, it ended altogether plural voting (i.e. whereby those who by status or wealth could have more than 1 vote). *The first meeting of Lingfield Parish Council was held on 8 December 1894 when they voted for 12 councillors.*

However, the Parish Councils could only raise a 3d rate – 6d with the approval of a parish meeting – and this was much lower than Vestries had previously raised, thus severely limiting the actual powers of the parishes to supply services.

Due to rural poverty and the move away of the working classes to the towns and urban areas, although Parish Councils had new powers, their inability to raise sufficient funds further reduced their importance. Only in recent times have Parish Councils begun to play a greater part in local government, with more responsibilities and more consultation about protecting the needs of rural and village life.

1894 - The inaugural meeting of the LINGFIELD PARISH COUNCIL took place in the Lingfield School Room on 4th December 1894 to elect its first Parish Councillors.

It was proposed by Mr Burgess, Overseer and seconded by Mr T F Stanford the other Overseer, that Col. A Margary take the Chair, this being put to the meeting was carried unanimously. A total of 37 nomination papers were received. On being examined it was found 24 persons were duly nominated, the remainder of papers being duplicates. The Chairman then put the names of each Candidate to the Meeting, stating any Elector could ask questions of them if they so desired; this no elector ventured to do.

The Chairman then asked for a show of hands and the 12 names obtaining the highest number of votes is shown on the copy of the original minutes on display.

The Chairman gave notice unless a poll was demanded by any parochial elector within 10 minutes from giving this Notice, the 12 whose names had been read as having obtained the highest number of votes would be declared duly elected.

The Chairman was asked to give the number of votes recorded for each candidate, that it might be known in the order they stood. This he declined to do giving his opinion it was not required in accordance with the ‘Act’.

Mr Isley then demanded a poll.

(NB. There is nothing in these Minutes recording this poll).

The Chairman gave notice that the First Parish Council Meeting would be held on Tuesday Jany. 8th, 1895 at 7 o'clock pm.

Rev. Wilson proposed, seconded by Mr Isley, that a vote of thanks be given to Col. Margary as Chairman, and for the able and impartial way he had conducted this First Parish Meeting. *Carried unanimously.*

*These Minutes were signed by F H Birley
at the meeting of 26th March 1895.*

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Sources:

Extracts from *English Local Government, The Parish & the County* by S & B Webb;
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Lingfield Parish Council Records