

Cheshire County Records

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RECORDS, or archives, to many people mean nothing, and even if shown and explained to them are mentally consigned to the dust-bin or bonfire. Too often does one hear of some contemporary notes of happenings in bygone years, found in an attic, a cellar or in a bricked-up hole in a ruinous wall, being summarily consigned to the flames or sent to salvage. By this action, perhaps, the only true account of some event is lost for ever. This unwitting destruction has occurred not only in mansions but also in cottages and barns. Many a priceless document of the past has come to light in a sack in an outhouse.

In spite of ignorant or wanton destruction of records, it is to surviving records that one must have recourse when desirous of finding out "what really happened," as opposed to fanciful or pleasant legends. Records are not necessarily as dry as dust, for in many cases they are enlivened by quaint and humorous expressions; sometimes one comes across the impish opinion of an old-time clerk written in the margin of the document. Instances are to be found where the clerk has drawn unflattering sketches of men's faces against the entries.

Throughout the centuries prior to the establishment of County Councils, the Justices of the Peace, when assembled for Quarter Sessions, administered the counties in addition to their judicial functions, and during this time the records of their administration were incorporated with those of the bench. Since February 1889, the records of the administration of the County Palatine of Chester by its County Council have been kept apart from the records of the Quarter Sessions, still presided over by the Justices.

The records of the County administration, as well as those of the Sessions, are kept in the muniment room of the Cheshire Record Office, The Castle, Chester, under the immediate charge of the County Archivist. The latter works under the orders of the Records Advisory Sub-Committee of the Standing Joint Committee, as conveyed by the Clerk of the Peace. Lord Leverhulme, the Lord Lieutenant, is the Custos Rotulorum and is also Chairman of the Committee and Sub-Committee. In addition to these records there are the plans, deposited with the Clerk of the Peace under Acts of Parliament, of public utility undertakings, e.g. gas, electricity, turnpike roads, canals, etc. The Enclosure Awards of many manors and townships are kept with the official records. The judicial records of the Quarter Sessions which may be consulted by research workers, date from 1558 to a year one hundred years prior to the current year, the administrative records up to 1889, and other non-confidential documents as desired.

Besides the official records in the keeping of the County Council there are what are generally called unofficial records, i.e. those which have not arisen from the functions of the Justices or of the County Council but which have been deposited for preservation and for the enlightenment of posterity. Into this category fall such items as Minutes of defunct Local Authorities, the books and accounts of the River Weaver Navigation, and the collections of estate and private documents belonging to private persons no longer requiring them.

The Cheshire Record Office has been approved by the Master of the Rolls as an approved repository for manorial records, and the County Council has been similarly authorised by him to accept such records. As the Office is the only one in the County so approved, it is hoped that persons no longer requiring their collections of old documents and plans will deposit them at the Record Office, rather than destroy them or send them away from the County. The County Council is very willing to accept for preservation any collection, large or small. As an aid to the study of the past there is nothing so valuable as the combination of official and unofficial records.

Before passing on to give details of the records at the Cheshire Record Office, perhaps I may be allowed to give some hints on the preservation of documents which will be within the capacity of any holder of documents, but of which they may not be aware.

- (i) Store away in parcels or boxes in a room free from damp, fire or vermin. If damp, dry before storing or everything in the parcel will be affected. Inspect regularly.
- (ii) To dry wet or damp documents, whether of parchment or paper, proceed as follows:—
 - (a) Separate the documents carefully and open them out.
 - (b) Scatter small paper balls on a dry flat surface and lay the documents on them. This will ensure sufficient ventilation.
 - (c) Documents of two or more pages or membranes of parchment should be treated as in (b) above with small paper balls between the pages or membranes.
 - (d) Books can be dried as in (c) above.
 - (e) The natural warmth of any well-ventilated room is quite sufficient to dry any document.
 - (f) NEVER dry documents of any kind in front of a fire or upon radiators or warm pipes, nor iron them with a flat-iron.

- (iii) If in any doubt as to the disposal of documents, plans, engravings, etc., or before deciding to dispose of any of them (however unimportant they may seem), it is hoped that an owner or custodian will communicate with the Clerk of the County Council, St. John's House, Chester, or with the County Archivist, either of whom will give every assistance.

QUARTER SESSIONS RECORDS.

The largest mass of official records is that of the Quarter Sessions Records. There are 123 Quarter Sessions Books covering the period 1559 to 1938, which contain Indictments, Orders, Presentments, Recognizances and Minutes. The series is complete except for the years 1643 and 1644. Along with these books are the Quarter Sessions Files and, like them, have reference to the judicial and administrative transactions of the Justices of the Peace. This series is complete for the period 1559 to 1888 and average four files for each year, namely for the Epiphany, Easter, Trinity and Michaelmas Sessions. Included in the Files are Bonds to keep the Peace, Informations, Lists of Constables and of Juries, Presentments, etc. Since the formation of the County Council, the judicial side of these records has been kept separately, i.e., one series containing the records of the Justices and another series the records of the County Council.

Names of the Justices are given in a series of Commissions of the Peace from 1681 to the present time, 22 documents. By the Test Act of 25 Charles II any person who wished to hold any office under the Crown had to attend a Parish Church and receive Holy Communion, after which he had to subscribe to a declaration against Transubstantiation. The Minister of the Church and at least one Churchwarden signed a Sacramental Certificate to the effect that the person had partaken according to the usage of the Church of England. To this Certificate was added another, subscribed by two persons of substance, to the effect that all had been carried out properly and that the declaration had been made. This latter certificate was sworn to at the Sessions. Though the main bulk of these Certificates, i.e., from 1673 to 1768, are at the Public Record Office in London, we have here 11 files of them covering the period 1741 to 1827. The Test Act was repealed in 1828.

Allied to the Sacramental Certificates are the Rolls of names of subscribers to the Oaths of Abjuration, Allegiance and Anti-Transubstantiation. Of these Rolls there are some 35, covering the period 1673 to 1835.

On the other side of the house we have Nonconformists and Papists. In regard to the Nonconformists the records seldom make any distinction between the Protestant Dissenters; only in one or two cases are any persons designated as Quakers or as belonging

to the Society of Friends. In this group are: (1) Register of Places certified for Religious Worship, 1689 to 1853; (2) Declaration of Persons in Holy Orders or Pretended Holy Orders as to Articles of Religion — 2 Rolls, 1704-1732; (3) List of Dissenters, 1706-7; (4) Names and Addresses of persons who had taken the Oath of Allegiance, 1723 — 4 books. (5) Register of Persons proving at General Quarter Sessions of their reception of the Sacrament and subscription to the Oaths of Allegiance and Abjuration, 1782-1817.

In respect of the Papists the records are: (1) Register of Papists' Estates, 1717-23, giving names of owners and localities, together with miscellaneous papers and rough notes for compiling the Register 1714-1718; (2) Deeds enrolled. These relate to conveyances and leases of lands belonging to Papists and were enrolled under the Act of 3.Geo.1. There are 8 Rolls covering the period 1715 to 1759; (3) Letters of Attorney and Rentals connected with the Register [See (1) above], 1717 to 1743; (4) Enrolments of Letters of Attorney and Rentals — 3 rolls, 1717-1743; (5) List of Wirral Papists summoned to take the Oath of Allegiance, with four certificates, 1743-4; (6) List of Papists and Non-Jurors in Wirral, 13. Mar., 1743; (7) Certificate of refusal of Papists (names given) to take the Oath of Allegiance, 2. Apr., 1744; (8) Bundle of various papers, including some lists of recusants, 1714-1723. In the Register of Places certified for Religious Worship, mentioned in the previous paragraph, there are a few Papist Places named. In addition to the above there are four books containing the names and addresses of persons subscribing to the Oath of Allegiance, 1723, but no indication is given as to their religion.

ALE HOUSES.

One of the matters which concerned the Justices was the licensing of Ale-houses and the licensees. The records of this are: Licences, 1630-1650, 1 file; Register of Licences, 1747-1758; Lists of Ale-house keepers' recognizances, giving their names and sureties, under the headings of the County Hundreds, 1749-1844 (not all years are represented); Bundles of Ale-sellers' Recognizances, arranged as above, 1754-1828.

BADGERS.

These were registered travelling provision merchants who were licensed to buy corn or other victuals in one place and to sell them in another. Register, 1759-1772, 1 book.

BRIDGES.

By the Act of 1. Anne, supplementing that of 22. Henry VIII, the Justices were empowered to raise money by taxation to repair and amend bridges in cases where no person responsible therefor could be ascertained. The records chiefly consist of contracts for this purpose and consist of bundles covering the period 1708 to 1881.

NAVIGATION.

The records concern the Rivers Dee, Irwell and Mersey, and Weaver. They concern minutes of meetings, appointment of Surveyor of Navigation, maps and agreements for land reclamation and appointment of Commissioners. Register of Vessels entering and leaving the Dee, 1740-1760. Accounts, Minute and Tonnage Books of the Weaver, 1733-1899. Register of Vessels using the navigable rivers, 1795-1812. Certificates of Registration of Vessels, 1795-1802.

GAMEKEEPERS.

By the Act of 9 Anne, to improve preservation of game, one gamekeeper for each manor was allowed. He was allowed to kill game and his name was recorded with the Clerk of the Peace. Register, 1711-1825.

DEPOSITED PLANS.

These are plans deposited with the Clerk of the Peace and begin in 1792 and continue onwards to the present. They are in respect of Electricity, Gas, Waterworks, Canals, Railways and Roads, and with most there is a book of reference. A charge of One shilling per hour for perusal of each document, or Two shillings per hour for making extracts or tracings, is made in respect of each document.

MAPS.

Speed, Teasdale, Kitchin, Carey, Greenwood: 1673-1830.

ENCLOSURE AWARDS.

The Record Office contains 74 Awards with their plans, either in originals or in copies, 1767-1898. (Note: There are no Tithe Awards in the Office).

POLL BOOKS.

These are manuscript books and were used to record the votes of the electors at elections for Knights of the Shire. 1714, 16. Feb., 7 books; 1722, 4. Apr., 7 books; 1722, 4. Apr., names of Wirral electors, 1 book. These are most interesting as they show how each elector voted, i.e., before the secret ballot was established.

EXTRACTS OF FINES.

These are extracts of Fines, etc. imposed or forfeited at the Sessions. There are many files and cover the period from 1560 to 1890.

MILITIA AND YEOMANRY.

There are only a few bundles of papers relating to these and are of the 18th and 19th centuries. These have not been arranged as yet.

ROADS.

These records are of contracts, etc., for maintenance of the approaches to and of the roads over bridges. They were made with private contractors, Highway Boards, Turnpike Trustees, etc. The Bundles cover the period 1833 to 1886, each contract covering a period of two to seven years.

TURNPIKE ROAD TRUSTS.

There are twenty four books, chiefly consisting of accounts for the Chester to Tarvin, Chester to Frodsham, and Chester to Northop roads, and cover the period 1769 to 1883. One box contains the Mortgages on the Tolls of these roads, and others, covering the period 1767 to 1832. The Returns of Income and Expenditure on roads cover the years 1822 to 1886.

VAGRANTS.

Certificates of Vagrants, Constables' Accounts and awards for apprehending vagrants, are contained in three files, 1701, 1773, 1783.

CHARTISTS.

Correspondence relating to their trial and to a possible attempt to release them from Chester Castle, which latter caused the calling up of the Militia, 1839.

UNOFFICIAL ACCESSIONS.

These accessions are so called because the records concerned do not arise from the judicial or administrative functions of the Justices or of the County Council. Some are deposited either as a gift or on loan by authorities and some by private persons. Naturally these accessions get the same care and attention as the official records.

CHESTER WILLS.

The collection of Wills, Letters of Administration and Inventories is at present the largest unofficial accession. It consists of some 50,000 documents and covers the period 1545 to 1858. These documents concern people who were described as of a place in Cheshire only. As the Chester Probate Court covered a much larger area, the Wills, etc., when transferred from the Probate authority, were divided into counties. Those of places in Lancashire are kept at Preston, where the sorting out took place: those for Wales are kept at the National Library of Wales at Aberystwyth. Indexes have been published by the Lancashire & Cheshire Record Society for the period 1545 to 1820, and they can be obtained from the Lancashire Record Office, County Hall, Preston. A card-index has been started for 1821 onwards at the Cheshire Record Office for the Wills, etc., of Cheshire persons, kept there. Details in regard to fees chargeable in respect of the Wills, etc., can be obtained from the "County Archivist, Cheshire Record

Office, The Castle, Chester," on request. To avoid delay in producing documents, it would be of great help if persons so requiring them for inspection would kindly write or telephone their requirements beforehand. (Chester 20121).

PRIVATE DEPOSITS.

These are collections of documents deposited with the County Council and the Standing Joint Committee by private persons and by custodians of documents.

Concerning the larger collections mention may be made of that of the Lord Vernon, D.L., of Sudbury, Derbyshire, concerning the Middlewich area; Major-General T. N. F. Wilson, C.B., D.S.O., the Sandbach area; I.C.I., the Alderley Park Estate; the Earl of Shrewsbury, estates in Cheshire; British Records Association, estates in Cheshire; Brigadier E. C. W. D. Walthall, C.M.G., D.S.O., Wistaston estate. The depositing of the Cholmondeley Castle estate documents by the Earl of Rocksavage, M.C., has been started; this is a very large collection, and for the present only the documents calendared will be available to research students.

Of the smaller collections mention may be made of those of Major H. P. Oldfield, of Harrow-on-the-Hill, documents of the Kelsall and Oldfield families in regard to estates all over the county; Mr. T. G. Lilley of Bournemouth, Moreton Hall correspondence 1774-1825; Captain M. K. Mainwaring of Oteley, Salop, the Mainwaring estate at Bromborough; the Victoria & Albert Museum, a collection of 19 water-colours of well known Cheshire places by contemporary artists from "The 'Recording Britain Collection';" Sir E. B. Royden, Bart., estates in Frankby area; Salop County Council, Coppenhall area.

Most of all the above-mentioned collections consist of conveyances of land, estate management, rentals, etc., interspersed with the occasional household accounts, marriage settlements, etc., and are of great interest to students of the countryside and its economics.

In addition to the above the County has acquired the collection of the late Lady Annabel Crewe. This contains a fine copy of Glover's Visitation of Cheshire with many beautifully executed coats of arms by him, the long lost Cowper papers (as noted recently by Miss Tunstall in "Cheshire Life"), and a pedigree of the family of Warihull or Warrall of Newton-by-Middlewich from temp. Henry III to 1632. A few old engravings of places of interest in the County have also been acquired.

It is hoped that this article will give readers a good, general picture of the records in the care of the County. In such a short space it is impossible to give more than the bare outlines, but the County Archivist will be glad to give students any help in their researches.