

ON THE RECORD

Newsletter of the
Cambridgeshire Record Society



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Cambridgeshire Record Society

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Prof. Susan Oosthuizen
Ray Adams

Address: Cambridgeshire Records Society
c/o Cambridgeshire Archives
The Dock
Ely
CB7 4GS

Email: info@camsrecordsociety.co.uk

Cover picture: Map of Cambridgeshire Coloured with Latin text by Johannes Blaeu, based on Saxton (1579) and Speed (1610), published in his *Theatrum Orbis Terrarum sive Atlas Novus*, Vol 4, Amsterdam 1648. It was reprinted in 1662 as *Geographia, quae est Cosmographiiae Blavianae, quae Orbis Terrae Tabulis ante oculos ponitur, et descriptionibus illustratur*, when it appears in Volume 5. (Courtesy of the Cambridge Antiquarian Society)

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NEWS

Cambridgeshire Archives Update

We are now members of the Archive Card scheme which has superseded the CARN ticket system. The initial application is made online here <https://archivescard.com/> then applicants are asked to show two forms of identification when they visit before we issue the card which is free of charge and valid for 5 years.

Opening times:

Huntingdonshire Archives

| Day | Opening Hours |
|-----------|-----------------------------------|
| Monday | 9.30am – 12.45am and 1.45pm - 5pm |
| Tuesday | 9.30am – 12.45am and 1.45pm - 5pm |
| Wednesday | Closed |
| Thursday | Closed |
| Friday | 9.30am – 12.45am and 1.45pm - 5pm |
| Saturday | Closed |
| Sunday | Closed |

Cambridgeshire Archives

| Day | Opening Hours |
|-----------|-----------------------------------|
| Monday | Closed |
| Tuesday | 9.30am – 12.45am and 1.45pm - 5pm |
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| Thursday | 9.30am – 12.45am and 1.45pm - 5pm |
| Friday | Closed |
| Saturday | Closed |
| Sunday | Closed |

Both Huntingdonshire and Cambridgeshire Archives are **closed on public bank holidays**.

Accreditation

The service has applied for Accredited Archive status from the National Archives (TNA). Successfully winning accreditation would be the final seal of approval on our new building at Ely and on the quality of our service to the public as a whole. A team of TNA inspectors visited us at Ely in early June and, all being well, we should hear the result over the summer.

New Accessions

We have received a number of interesting new accessions. These include the diary of a Whittlesford farmer, 1771 – 1825 [R122/027] which contains an overview of weather conditions and note-worthy events over the course of 40 years. It also contains an eye witness account to the Great Meteor of 1783. Also records of the Rayner and Bysouth wheelwright businesses in Little Downham [2555] including a Commonplace book, c.1816-c.1943 and wheelwright's ledger, 1847-1861 and an early map of the Manor of Doddington (in four parts) c.1600 [2569/1]

Sue Sampson
Public Services Archivist

Forthcoming Publications

Huntingdonshire Hearth Tax

The Record Society has been working with the British Record Society on a Hearth Tax volume for Huntingdonshire. The publication of this volume was delayed by Covid but is now in production and we hope to be able to issue it to members during 2022-2023.

Agriculture in Cambridgeshire 1792 - 1815

A volume entitled **Agriculture in Cambridgeshire 1792 - 1815**, should be available to members in the Autumn. It is currently almost ready to go print. The volume considers the state of agriculture in the county of Cambridge and the Isle of Ely from the accounts of Charles Vancouver, William Gooch, Arthur Young and local correspondents writing to the Board of Agriculture between the period 1792 and 1815, a period when Britain was at war with France.

Essential items for your bookshelf

With the death, earlier this year, of John Pickles, sadly neither of the editors of the society's editions of the diaries of Joseph Romilly (1791-1864), University Registry from 1832 to 1861, are any more with us, as his collaborator, Mary Bury, widow of the CUP edition of the diaries for 1832-42, Dr Patrick Bury, died in 2018. But those classic scholarly editions, *Romilly's Cambridge Diary for 1842-1847* (xviii+270pp., 22 illustrations & map) and *Romilly's Cambridge Diary for 1848-1864* (xiv+516pp., 22 illustrations & map) are a tremendous memorial to their scholarship and interest in advancing the history of the complex relationship of town and gown, a real mine of information on early Victorian Cambridge and indeed the country more widely, enhanced by their introductions and John's extensive informative notes. In short, they are essential items for the bookshelves of anyone interested in 19th-century life in the university and town.

The society is currently offering *even to non-members* an exceptionally attractive discount on the two volumes. They are normally £12.50 each, plus postage, but during 2022 are being offered at £10 for one volume or £15 for both, *postage inclusive*.

Additionally, we are now also offering the following volumes to members at the much reduced price each of £5.00 to members and £7.50 to non-members. We will charge postage where appropriate for these at usual rate of £3.00 for first volume and £1.50 per additional volume.

The Church Book of the Independent Church (now Pound Lane Baptist), Isleham, 1693-1805, edited by Kenneth A.C. Parsons (viii+286pp.). An intimate record of the administrative and spiritual life of a dissenting church, offering insights into the social fabric of this rural area in the 18th century.

The Churchwardens' Book of Bassingbourn, Cambridgeshire 1496-c.1540, edited by David Dymond (lxxvi+327pp.). The first complete edition of a document justly famous for the light it sheds on medieval drama and the English parish church on the eve of the Reformation. With a long introduction analysing the accounts, appendixes of wills of persons mentioned and glossary and transcription of the English text that is a joy to read that make this a model edition for a text of the period .

The Topography of Medieval Ely, edited by Anne Holton-Krayenbuhl (xiv+248pp.). An edition of several bishop's surveys and priory rentals from the 13th to the 16th century, including parallel facsimile and translation of the important 1417 survey, offering an excellent aid to anyone wanting to hone their reading skills of texts of this period.

If interested in any of these please contact Philip Saunders (paksaunders@talk21.com; 01954-250421) to arrange simplest method of delivery and payment by BACS, *Paypal*, cash or cheque.

Profile:-

Dr Chris Briggs of Selwyn College. President of the Cambridgeshire Records Society

I am an historian of English rural society in the later medieval period (1200-1500). Throughout my career to date, I have always been a firm believer in the case study approach, whereby local investigations are used to illustrate wider trends or to ask bigger questions. A lot of my work involves extracting hitherto unnoticed material from unpublished archives to use as the basis for such case studies.

Many of the archives I use relate to Cambridgeshire, which is a comparatively well documented county with plenty of materials that are relatively accessible to researchers both based in the county and beyond – though there is always much more could be done, of course, to bring these riches to a wider group of users. I live in Ely and work in Cambridge, and I am very fortunate to be so physically close to my source materials.

I completed my University of Cambridge PhD back in 2003 on the subject of rural credit and debt relationships. For that project I mainly used manorial court rolls. Following a good deal of additional research the PhD later became my 2009 book, *Credit and Village Society in Fourteenth-Century England*. Most of the villages studied in the book lay in Cambridgeshire or the Isle of Ely: places such as Oakington, Cottenham, Willingham, Balsham and Littleport. The existence of such a fine body of source materials from this region is partly a reflection of the presence of powerful landlords who were careful creators and preservers of records, such as the prior and bishop of Ely.

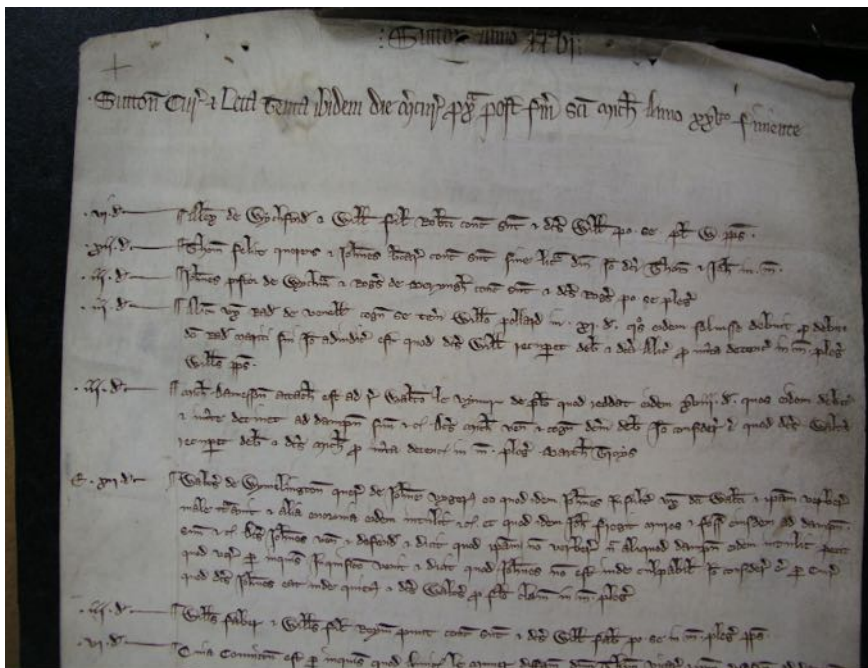
Like a lot of academics, I am currently working simultaneously on publications from several long-term projects. One of these builds on my credit work, and has the working title ‘Travelling in search of civil justice: English villagers and the courts, c.1275-c.1425’. In this book project I explore the average person’s experience of going to court, and ask how far people ventured beyond the local manor to get justice, and why they did so. Again, Cambridgeshire is the case study region, but this time I look not just at the local manorial materials, but also at the experiences of Cambridgeshire peasants as documented in the records of the king’s courts (housed in London’s National Archives).

I also have a separate project on ‘Living standards and material culture in English rural households 1300-1600’. Again the focus is on getting new information out of the archives, this time to understand changes in household possessions over the long term. The archival sources for this work are the records generated by two royal officials – the escheator and the coroner – who exercised the right to seize the goods and chattels of felons for the benefit of the crown. In this work we use the resulting lists of goods from a sample of English counties, though oddly enough Cambridgeshire is not one of them!

In my spare time I enjoy exploring the villages and historical sites and buildings of Cambridgeshire in order to understand better the places I read about in the county’s fantastic records.



Above: some escheators' records in the National Archives, London



Above: a typical medieval court roll from a Cambridgeshire manor

The New Domesday

When the Liberal government was elected in 1906 it was on a platform of social reform. In 1908 old age pensions were inaugurated, and Lloyd George's budget of 1909 aimed to tackle other social problems. These and the defence of the realm had to be paid for, and amongst other measures Lloyd George announced in his budget speech a levy on land.¹ The latter levy was close to Lloyd George's heart. Taxing land was a way to start breaking the privilege and power of the landed elite, and as the duty was to be paid on undeveloped land this included the grouse moors, parks and shooting plantations of the wealthy, as well as empty building sites. And perhaps at the back of the canny chancellor's mind was that some of this land could be put to use to feed the population in case of a future international crisis.² Needless to say that bastion of landed wealth the House of Lords rejected the Finance Bill [budget] and precipitated a general election in January 1910, which the Liberals won with a small majority. The 1909 budget received royal assent on 29th April 1910.³

The Act provided for the levying of several duties on land. Incremental Value Duty charged at a rate of 20% on any increase in the value of land accruing after 30 April 1909, for example on a transfer of land by sale, the grant of a lease for longer than 14 years, on the death of a land owner, and if the land was held by a corporate body or institution, a Cambridge college for example, duty on it was to be paid very 15 years from 1914 onwards. Exemptions from the duty were given to land owners with only a small acreage, agricultural land if its market value was less than the current market value, owner occupiers with holdings less than 50 acres, unless the value exceeded £75 per acre. Owner occupiers of houses were exempt if the value exceeded £40 in London, or £26 in a borough, rural or urban district council. Non-profit making land used for games, or recreation such as public parks, local recreation grounds or school playing fields were exempt. Owners of rented property were not exempt.⁴ This went back to the idea that land represented unearned income for many, and the owner should pay tax on it.

Once the Act was secure a valuation of the land had to take place, and like the original Domesday in 1086 every parcel of land, house and garden was to be valued in all corners of the kingdom – hence the New Domesday.

Bureaucracy Gone Mad

Organisation for this universal valuation was given to the Inland Revenue Department, which single-handedly created a mountain of bureaucratic paper work, but on the plus side provided employment for thousands.⁵ The Inland Revenue started by dividing the country into manageable portions, but the regional groupings it came up with bear no resemblance to regional groupings in the past, or today. Cambridgeshire and Huntingdonshire were placed with Bedfordshire, Buckinghamshire, Essex, Hertfordshire and Suffolk designated 'Home Counties North'.⁶

Each county was then divided into 'Income Tax Parishes' [ITP]. These were not ecclesiastical or civil parishes as we know them. Sometimes the ITP could be a single parish, but other ITPs were groups of parishes. How these divisions were arrived at

seems to have been at the whim of the valuating officer. In Cambridgeshire Isleham was a single ITP, while the larger Willingham included Over and Rampton in its ITP.⁷ One bonus of ITPs for local historians is that the parish groupings provide a ready-made group for spatial and economic analysis.

Once the local divisions were made and the personnel appointed to do the valuations, documentation was needed for them to work from, and to record their findings. This fell into seven different categories, which generated 183 forms in total.

Summary of the Documentation

1. Valuation Book- this included information about each property taken from the transcriptions of local rate books, including poor rate numbers, name of occupier, name and address of owner, extent, gross annual value, rateable value and map reference, plus calculations. **Location – County record offices including Cambridgeshire Archives.**
2. Form 4. This was the form which caused the most problems for land owners and for valuation officers. Following the census model it had to be delivered personally to the land owner and was accompanied by Form 1 giving notification that a return must be made, and Form 2 which described how this was to be done and where to send it when complete and by what date. Form 4 itself contained 20 sections asking for detailed information about property. Reaction to these questions was loud and blasphemous. Many land owners never returned the forms, for example of the first 100 entries for March in the Field Book nine note that Form 4 was never returned and one had to be returned as it had not been signed, and was never seen again.⁸ **Location – most Form 4s are lost, but stray copies can be found in County Record Offices.**
3. Field Books. All relevant information was copied from the forms into field books. These are the most complete record of the valuation survey, and the equivalent of the Norman Domesday Book. It has to be remembered that the information in the field books is a copy of information taken from Form 4 and valuation officers' work books. **Location TNA IR58/**
4. Form 38 This form is the provisional valuation sent to the land owner. Some exist in private collections, but most were probably screwed up and thrown into the nearest fire by the land owner.
5. Record Plans. These include maps and working papers. The maps used were the largest and latest OS scales for Cambridgeshire 1:1250 and 1:25000. Two sets were produced, one set is a working set and can be found in **County Record Offices including Cambridgeshire Archives**, the other set is the permanent marked up set of boundaries defined by different colours, and each property in the Field Book identified by a number **Location TNA IR 121, 124-135 for Cambridgeshire Field Books and Record Societies**

So far no record society has attempted to publish a copy of a field book. The logistics of this become apparent when the first 100 entries for March were photocopied. Each

entry in the field book covers 4 pages, so the whole set of field books for March would extend into many volumes. However, it would be possible to publish a field book for a small settlement.

March and Field Book 1

This section indicates the details and information that can be found in a field book. The first thing to notice about the entries is that there is no discernible logic to them with regard to the location of the property, and it was not until the entries were deconstructed that it became clear that it is actually arranged by property owners' surnames, not only referring to the property they were owner occupiers of, but also the property they owned but leased out.

The nature of leased property is of great importance in the study of tenurial forms as the field book records if it was freehold, copyhold, leasehold or Lady Day or Michaelmas yearly tenancies. The valuation was taken before copyhold tenure was abolished by the Law of Property Act of 1922.⁹ Thirty-one of the 100 properties in March Field Book 1 were held by copyhold of the Manor of Doddington. Copyhold tenure was important under the Finance Act as the death of a copyhold tenant would generate duty on the property, to say nothing of any 'heriot' paid to the manor, by the 20th century usually transmuted to cash rather than the best beast. There was also an annual 'quit rent' on the copyhold property. The field book shows that in March this was 6s 8d a year, and if the property changed hands the sales agreement shows that this was paid by the new tenant or the buyer on completion.¹⁰

The field book also reveals absentee land owners. There were six owners living elsewhere than March, with a widow in Wisbech holding a considerable property portfolio in the town.¹¹ March was an undeniably a town but the entries in the field book show farms and residential property intermingled, with a total of 441 acres in the first hundred entries, as well the influence of the railways, and craftsmen, retail, and small industries.

The field books contain a great deal of information about housing, including rateable values, numbers of rooms in cottages and houses, and the condition of the houses when appraised by the valuation officer. Each officer had to make a value judgement about the condition of the property, so that descriptions such as 'Nice Little Place' or 'Not so nice as the neighbouring property' appear, comments as to whether the property was old, new or 'newish', and the state of its sanitation and water supply are included in the details.¹²

Short descriptions of the building materials used in the houses and cottages were added, with the use and condition of outbuildings, and the extent of gardens. The March valuation officer clearly saw a cottage garden as amenity and would comment on what was growing in it. The length of tenancies for rented properties was given, and annual house rents with the numbers paying in each band.

The whole adds up to an impressive social and economic picture of each Income Tax Parish before the First World War. The information in the field books can be connected with information in the 1911 census and with other information on wage rates and pensions, and outdoor poor relief. As in the original Domesday Book the valuations and

massive amount of documentation illustrate state interference into personal and local community life and the growth of bureaucracy at all levels.

After the start of the First World War no further valuations were served on land owners, and in 1920 the legislation was repealed.

The field books for Isleham and Willingham in Cambridgeshire have been analysed by Professor Brian Short,¹³ and the first 100 entries for March have been analysed by this author. A carefully chosen parish contained in one or two field books and printed as a record society publication would make a valuable addition to the history of the modern county of Cambridgeshire.

Evelyn Lord

References

1. D. Fraser, *The Evolution of the Welfare State*, Macmillan, 1973, repr. 1980; E. Hennock, 'Poverty and Social Reform' in P. Johnson ed., *20th century Great Britain*, Longman/Economic History Society, 1994, pp 82-86, 88,89; B. Short, *Land and Society in Edwardian England*, Cambridge: CUP, 1997, p. 19.
2. Short pp. 15,16: Of course change in the use of land happened in World War II when the National Farm Survey revealed uncultivated land and put it to use.
3. Short, p. 26.
4. Short, pp. 26, 27.
5. Short, pp. 48,49: Over 8000 people were employed in making and recording the valuations.
6. Short p. 42: The 'Eastern' region was Norfolk, Northamptonshire, Leicestershire, Nottinghamshire and Lincolnshire.
7. Short p. 218.
8. TNA IR 58/65746; Many cartoons appeared in the national press and magazines showing the annoyed and beleaguered land owner confronted by Form S.
9. P.D.A. Harvey, *Manorial Records*, British Record Association, Archives and the User, No. 5, p. 58
10. TNA IR 58/65746, 1,22,72,88,91
11. TNA IR 58/65746 3,4,29-34
12. TNA IR 58/65746, 32-34
13. Short, pp. 216,222.

Tithes and Tithe Records

The word tithe comes from the Saxon word *Teoda*, meaning one-tenth. As this implies, the system of requiring producers in a parish to yield up to ten per cent of what they produced for the support of the local clergyman had deep and ancient roots, originating in early Jewish society and in the Old Testament, and was adopted as a Christian obligation from the fourth century onwards. In England, tithes were paid by the end of the eighth century and specifically enforced by King Athelstan's ordinance of c. 930 AD. The idea was a simple one: each year the parishioners were to give 10 per cent of their profits or increase to God and their local church.

Most tithes were paid in small quantities, especially by poorer people, but in total, they provided the church with a considerable income. Tithes were renewed annually as the output of farms increased or decreased due to conditions such as the weather and the health of animals and people alike. They were levied in several categories, but there were essentially two types. 'Great' (or predial) tithes, were charged on those products which arose immediately from the earth, such as corn, hay, hemp, hops, or any kind of fruit, seed or herb; 'small' (or mixed) tithes were those which arose from the natural products of the earth as nurtured or preserved by the care of man, i. e. cows and sheep which grazed the land, the milk or wool they produced, the calves and lambs they brought forth. The great tithes were considerably more valuable and were the property of the Rector of a parish; the Rector would also claim the small tithes unless the parish was run by a Vicar, in which case it was normal practice for these less lucrative taxes to fall to his share. At Chesterton in 1421, the Bishop of Ely made a grant to the Abbey of St Andrew, Vercelli, allowing them to appoint a vicar at St Andrews church in Chesterton. The surviving document grants the vicar some land on which to build a vicarage house, an orchard and garden, and the small tithes, a titling of fishing and a tithe on all trees in Chesterton (figure 1).

After the reformation of the church by King Henry VIII, the tithes of a parish did not necessarily belong to either the Rector or the Vicar: the right to tithes in many areas had belonged to monasteries, and these were sold off at that time to raise money for the royal coffers. However, two-thirds of tithe income remained in clerical hands at the end of the eighteenth century, and in most areas, formed the cornerstone of the clergy's income.

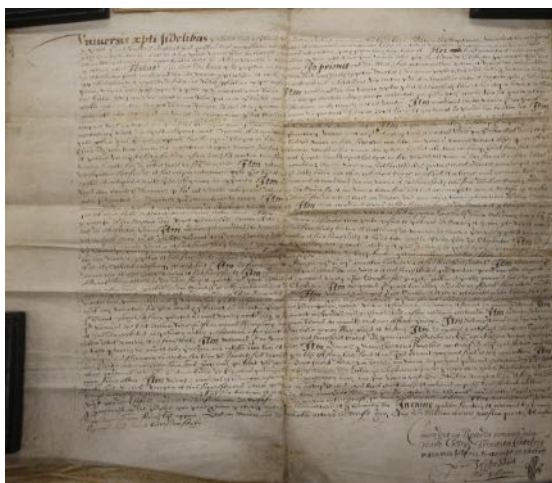


Figure 1.
The Chesterton Agreement of
1421 (Cambridgeshire Archives)

Tithes and Tithe Records

A survey of clerical incomes in Staffordshire, for example, found that one-half of all Rectors and a third of all Vicars received 75% of their total income from tithes.

Tithes were originally paid in kind, and the system still prevailed in many parts of Cambridgeshire in the period of parliamentary enclosure. A good example comes from the register of the church in March where the people paid tithes to the parson of the parish of Doddington the following:

- Item, Every one that keepeth hens or ducks is to pay upon Good Friday for every henn or duck that they have two eggs and for every cock and drake three eggs.
- Item Every man is to paye at Easter for every foale he hath had foald alive the year before, one penny.
- Item Every parishioner not having a tythe calf the fallen, nor likely to have betwixt Easter and St Mark following is to pay at Easter for the milk of every cow that he hath milked the year past, and there is the wner of, three half pence, and for every calfe, not having a tithe calfe that he hath calved alive, one halfe penny, and fore every heiforth that doth or hath given milk one penny, and every heiforth calfew alive one halfe penny.
- Item Every man is to paye more in lieu of his tythe milk, the milk of all his cows that doth give milk after Whitsunday morninge, the parishioner causing it to be milked and brought to March church porch, where the parson of Doddington or his assign is to receive it.
- Item Every parishioner is to paye upon St Marks daye in lieu of his tythe calfe, if he have tenn, six shillings and eight pence, if he have under ten to seaven, to pay a tythe calfe. For the which the parson is to abate of six shillings and eight pence for every cow and calfe wanting of tenn, two pence, and for all above a tythe to paye for every cowe three half pence and every calfe a half penny.
- Item Every man having tenn lambs fallen at Mayday and then livinge, shall for every tenn lambs he hath paye a tythe lambe upon Mayday and what he hath more than a tythe for every lamb, one half penny, and if he hath more but seaven, he is to pay a tythe lambe and the parson is to pay him for every lamb wanting of tenne, one halfpenny.
- Item Every man keeping sheep is to pay for all such sheep as he sheareth at sheardaye, and was owner of, or in his possession at Candlemas before the full tythe wools in kind, and for all such sheepe that any man doth buye after Candlemas and soe to shearday - "for every sheepe" one halfpenny, and for every sheepe by him betwixt Candlemas and shearday, one halfpenny, but for such sheepe should be sould from shearday unto Candlemas, no tythe to be paid, because the parson hath a full tythe off all such sheepew bas any man doth buy before Candlemas and sheareth them.
- Item Every man is to pay the tythe hay in kinde by the cocke, every tenth cocke or thenth part when it is cocked, and no herbage to be paid for hedgerouth of after grass because the owner doth mowe and make the parsons tythe as his own.
- Item Every man is to paye tythe ? and roots when he plucketh and [minceth?] them in kind.
- Item Every man is to paye for every tenne younge geese he hath at Whitsuntide, a tythe goose at Whitsontide, and for all odd geese above tenne, not having seavene one halfpenny and if he have seavene, he is to paye a tythe and the parson is to allow him for every goose wanting of tenne one halfpenny.

According to the register twenty-five, parishioners paid tithes at these rates. This particular schedule of tithe payments does not include tithes of grain, fruit and smaller items such as butter, which are found in other documents. It is noticeable that some of these tithes have been commuted to a money payment. It will also be noted that the

schedule followed a statute of Archbishop Boniface of Canterbury, dated 1249-60, which reveals that not only is the seventh lamb given in tithe, but because of the difference from a true tenth the rector gives $1\frac{1}{2}$ d in recompense. In Doddington, the parson had to give back $\frac{1}{2}$ d for each lamb. The March schedule does not say what was paid for totals of six or fewer lambs, it is likely that the parishioner paid the parson in money only, at a rate of $\frac{1}{2}$ d per animal. It will also be noted that similar rates were applied to cattle, fowl and sheep wool.

A payment of tithe in money was preferable to the post-medieval incumbent for the Rector or Vicar who took tithes in kind and then had to store them and he then had to dispose of them, and the market value for produce was highly volatile, rendering the income to be gained from tithes highly uncertain. During the medieval period all tithes were usually given in kind and many parishes had huge 'Tithe Barns' to store produce, such as grain. The largest tithe barn known to have existed in England lay next to the parish church of St Mary in Ely (figure 2).



Figure 2. The ruins of the tithe barn, Ely, in the eighteenth century.

The tithe system was unwieldy, and it generated a good deal of ill-feeling. Incumbents guarded their right to tithes jealously and in most parishes tithe customs were written with absolute clarity about what was owed, when, and the privileges of access to be enjoyed by the tithe owner so that all parties could satisfy themselves that justice was being done. At Stretham in the Isle of Ely, there survives a detailed agreement for Tithe Milk drawn up between the incumbent and the inhabitants of that township in 1597. The agreement states that it was drawn up, "that trouble & molestacion may be avoyded", a sign that all was not well in Stetham (figure 3).



Figure 3. The 1597 agreement for tithe milk (Cambridge University Library).

Where either party felt justice was not being done the dispute was taken to court, and despite the agreement regarding milk, tithe disputes continued to occur in Stretham. The incumbent present in 1597 had made notes of the law relating to tithes. These notes include tithes of produce such as timber, where several types of wood are named, the bark of oak trees and furze, and what should happen if the incumbent died before the feast of the Conception of the Virgin Mary. However the whole erupted in the 1660s, this time not in relation to any one item, but concerning all the tithes of the hamlet of Little Thetford. An agreement between a rector and the inhabitants of Little Thetford had been made assigning all of the tithes of the hamlet to the chapel of the township (now the parish church), provided they attended the parish church in Stretham on St James's day. In the absence of a chaplain at Thetford, the new rector of Stretham now claimed the tithes to be his while the folk of both townships refused to pay the Thetford tithes to the rector. This was the rector trying to claim the tithes due to the chapel, without which there would be no money to appoint a new chaplain.

When disputes of this nature occurred, the incumbent turned to an ecclesiastical court for judgement, in this instance the Consistory Court of Ely. the case was heard in 1663-4 and not resolved as it went to the Court of Exchequer after 1664 and then back to the Consistory Court in 1678. In between the hearings of the various courts regarding the tithes, there appears to have been almost outright warfare between the rector and some parishioners, with liable suites and counter suites taking place.

Another case of an incumbent trying to claim what had not previously been his to claim occurred in the nearby town of Soham in 1692. Here the mere had been drained

and the vicar tried to claim tithes from the owners of land in the mere. Those owners took their cases to court and won. The vicar appealed to the assizes in 1693 and was again defeated. A case that was successful for the incumbent was that heard at the Court of Assizes in 1698. In this instance, the rector of Gamlingay brought a case against the owner of a close known as Parsonage Close near the parish church at Waresley. The owner of the close claimed it to be tithe free. The rector won and the defendant was ordered to pay one shilling and sixpence per year in tithe payments. Similarly, in the fens around Emneth, in the parish of Elm, three farmers planted coleseed (oilseed rape), hemp and flax and tried to claim that tithes were not payable on such crops. The rector of Elm took them to court in 1711 and the court ruled in favour of the rector. These are just a few of the many tithe cases taken before the courts. In other nearby parishes such as March, these were titheable crops.

How jealously guarded the tithe income was to incumbents can be seen in some of the surviving tithe account books. Soham has five such books each covering one year from 1796 to 1801. In each are the details of what each person paid to the incumbent. Usually, the entry only gives the name of the person and the amount they were to pay. On the first page of book one (1796) are the entries for the produce of the orchards, the incumbent received £5. 13s. 9d. While from another page we see that in 1801 the incumbent received £227. 9s 0d., in tithe payments. This excluded the income from glebe land, meant to support the clergy, and offerings and other ecclesiastical dues. It is clear from the surviving tithe books of the mid and later 18th century that tithes had been commuted to a money payment, paid for cottages, gardens, mills, land and other items.

Commutation of Tithes through Enclosure

Whether in kind or as a money payment tithes represented a major disincentive to agricultural improvement and an unfair tax on just about every person in a parish. By the early eighteenth century, there was a widespread movement in the Midland counties (including Huntingdonshire) to extinguish tithes by an act of parliament. Simply abolishing tithes was not an option: tithes were property, protected by the law as any other property would be. It was possible, however, for the parish to buy out the tithe owner and thus set up a system in which all land was left effectively free of the charge. It has been calculated that a provision for the exoneration of tithes was included in 70% of enclosure Acts passed between 1757 and 1830: in thousands of parishes across the country, therefore, and particularly in the English midlands, tithes were simply bought out.

In this period tithe owners were as we have seen, the church and the descendants of those who purchased inappropriate rectories from the crown during the reformation. How the church in particular benefitted from this can be seen if we explore the process of enclosure and tithe exoneration. The initiative to enclose land came from the local level. It was a decision taken purely on the grounds of the likely profit that would accrue to the owners of land in that parish. The owner of tithes was one of the stakeholders whose support the would-be-encloser had to secure. While no tithe owner could be forced to accept commutation, the huge profits that were anticipated from the enclosure of the common fields meant that very few were inclined to resist.

The expectation of great profits from enclosure was key to the way the exoneration of tithes played out. In almost all cases, the promoters of an enclosure were willing to offer extremely generous terms to bring the tithe owners on side. This was especially the case where the tithes remained in lay hands because it quickly became known that any enclosure bill which appeared to threaten the value of a living might expect severe

opposition from the Episcopal bench and its supporters in the House of Lords. The bishops were 'admirably placed to act as watchdogs of the clerical interest': others, notably the poor, had no such guardians and their interests might suffer accordingly.

In most cases the redemption of tithe was effected by a grant of the land being enclosed to the tithe owner in lieu of the right to levy the tax: as such, one form of property was exchanged for another. The really contentious issue was, how much land should be given in lieu of tithe, not least because tithe was a tax on the gross rather than net yield which meant that tithe-owners gained a largely invisible benefit notably the costs associated with growing and harvesting a crop, which was borne by the farmer. Since this invisible benefit was factored into the arrangement, it had to be compensated. This was one element that drove up the scale of compensation that those seeking to extinguish tithes had to pay. In addition, there was the attitude of the clergy themselves. Many wished to avoid damaging their relationship with their parishioners, and many of these had not taken the full value of their tithes before enclosure and were therefore unlikely to surrender to terms that denied them and their successors a fully equivalent sum at enclosure. In many cases, they also sought to build into their settlement a calculation of the increased value that might be anticipated after enclosure.

After 1765, there was a greater degree of regularity entering arrangements regarding tithes and enclosure. It became much more common for an act to specify that tithes would be exonerated in exchange for land, expressed either in the form of a proportion of the whole area to be enclosed or as fixed proportions of land according to use – normally $1/9^{\text{th}}$ of pasture land and $1/5^{\text{th}}$ of arable. The surviving calculation sheet for the enclosure of Alconbury cum Weston in Huntingdonshire shows that these fixed proportions were used by the Commissioners enclosing that parish in 1791. Between 1765 and 1801, while there was never complete uniformity, the Church interest pressed the case of tithe owners hard and ensured that the highest estimate was placed on the value of what was being given up. It says a lot for the belief in the inherent profitability of agriculture in the late eighteenth century that those effecting the enclosure believed they would still be in pocket despite giving away such large quantities of land.

The benefits to the tithe-owner did not end there, however. As important as the quantity of land exchanged were the terms on which it was given. Tithe-owners were invariably excused from bearing any share in the considerable payments associated with the enclosure. These expenses, arising from piloting the Act through parliament, employing commissioners to survey and divide the land under its provisions, and the considerable cost of laying the new hedges and roads so that their plans could be carried into effect, could be considerable. It has been estimated that the costs associated with enclosure rose steadily throughout the period, from about £1 an acre in the 1760s to something approaching £3 in the 1790s. In addition, the tithe-owner was invariably allowed to nominate one of the Commissioners overseeing the enclosure, thereby ensuring that his claims were championed throughout the process of division and that the land he was allotted occupied a prime position within the parish. The commissioners appointed on behalf of clerical tithe-owners were often themselves clergymen. The Revd Henry Homer and the Revd Henry Jephcott were two of the most prominent clergymen involved in enclosure and acted both on behalf of several Oxford Colleges in parishes where their interests required protection. The Revd Henry Homer also wrote a book of guidance on the process of enclosure in 1766, in which he proposes that the compensation for loss of tithe should be equal to one-seventh of everything, a figure he believed would be acceptable to both the tithe owners and the legislators.

Enclosure greatly increased the value of agricultural land in many areas. Gooch in his survey of the county of Cambridge gives several examples of such increases, for

example, in Barrington (enclosed 1796) rents rose from 5s to 20s, and at Weston Colville (enclosed 1777) arable rents more than doubled after enclosure and commutation of tithes – a scale of increase typical according to a major recent study of agricultural rents in England. Clerical incomes, now tied ever more closely to the rental market for land, rose accordingly. Thomas Knowles, a land surveyor of the period, remarked, that the principle that enclosure greatly increased the value of tithes and hence the value of the living, was well known to contemporaries.

The commutation of tithes for land transformed the position of the incumbent in many areas. Naturally, many had let out their glebe land before enclosure – few clergy were themselves, farmers. However, once the tithes had been commuted, many rectors often found themselves in possession of a small estate which required letting out.

The Tithe Commutation Act 1836

In 1801, the General Enclosure Act caused the whole process of enclosure to be overhauled and one result of this was the almost total cessation of commutation of tithes through enclosure. Tithes remained a contentious issue and it was not until the passing of the Tithe Commutation Act in 1836 that the issue was resolved. The Commutation Act set up the Tithe Commission, which over the following twenty years supervised the transformation of all remaining tithes into a lump sum charge independent of the fertility of the land or future course of cultivation. The lump-sum was indexed to agricultural prices in general. By the law, the tithe payment for each parish was fixed as the average of the amounts paid in tithe payments during the seven years 1829-1835. That total payment was then apportioned among the various fields of the parish or township.

Benefits to the Clergy of Tithe Commutation

The Church of England and its clergy were winners in the rearrangement and redistribution of property that accompanied the process of parliamentary enclosure between 1750 and 1801. After 1801 tithes were rarely commuted as part of the enclosure process. The clergy were enriched by exchanging their tithes for blocks of prime agricultural land and by the transformation their relationship with their parishioners. The collection of tithe payments put the clergy at odds with their parishioners. Having land that could be let out was much more preferable to collecting tithes not least because it provided a more regular level of income, and because taking receipt of a regular cash payment was so much simpler than chasing up a parish full of tithe payments in kind or otherwise. Enclosure transformed incumbents into relatively substantial property holders, on a par with smaller squires, a rise in their social status. New social opportunities came their way, and with that, the opportunity to take on new social responsibilities. Many clergy began to assume a role in activities that had formerly been the exclusive preserve of the landowning class, notably by serving on the bench of magistrates. In many counties, the ranks of the magistracy quickly came to be dominated by the clergy. By 1831, 45 per cent of Cambridgeshire magistrates were members of the clergy. As well as serving as Magistrates, many were involved in the local associations set up to prosecute the theft of everything from animals to crops and chattels which sprang up in the later eighteenth century. This was work which benefitted the whole community, not just the rich.

Tithe Records

The records of tithe income and tithe disputes from the medieval and early post-medieval period are useful as indicators of the types of produce grown in parishes, but

unfortunately, such records are relatively scarce. The most beneficial tithe records available to the local and landscape historian are those created by the tithe commission after the passing of the Tithe Commutation Act of 1836. The commission sent out surveyors to every parish where tithes had not been fully commuted and produced for each a map and apportionment. In some instances, the maps are the only maps of a parish to exist before the first series of ordnance survey maps of the 1880s. These highly accurate maps record the boundaries of a parish and take a snapshot of the agriculture of the parish. Frequently they are an excellent source for those studying field and topographical names, especially for those parishes unenclosed at the time of the survey. Similarly, they are a good source of data for those studying land use, especially when compared with the land use maps produced by the government in the 1930s.

The apportionments which accompany the maps (or vice versa) give valuable information about land ownership and landholding and have in recent times been found to be of particular use to genealogists. Like the maps, they can be used for comparative analysis with other sources such as land tax records.

For those wishing to study tithe records it must be noted that tithe commutation records do not exist for every parish. Parishes enclosed by Act of Parliament in the period 1700 to 1801 frequently commuted tithes, the church being awarded land in compensation. Changes made by the General Enclosure Act of 1801 resulted in the cessation of tithe commutation by enclosure. Additionally, there are a few places which were extra parochial and therefore free from tithes and as such did not come under the gaze of the tithe commutation commissioners.

For the old counties of Cambridgeshire and the Isle of Ely tithe commutation records exist for 93 of the c.173 parishes existing in 1836 (Map 1), for Huntingdonshire records exist for 62 of the c.116 parishes (Map 2), and for the former Soke of Peterborough 7 of the 29 parishes (Map 3).

Apportionments and plans are the most sought after documents as they provide much information, however, for those interested in the detail of tithe commutation itself, there are in the National Archives other papers such as the commissioners working documents. Documents held by the National Archives relating to the tithe commutation act are for Cambridgeshire and the Isle of Ely to be found in IR29 and IR30/4/1-93, for Huntingdonshire, IR29 and IR30/16/1-62, and for the Soke of Peterborough IR29 and IR30/24/1-144. Most of the National Archive's copies of apportionments and plans are available through The Genealogist website for a fee.

Both Cambridgeshire and Huntingdonshire Archives have excellent collections of apportionments and plans, but copies for some parishes may also be found in the archives of surrounding counties. Northamptonshire Archives hold some tithe records for the former Soke of Peterborough, for the most part these records relate to Peterborough and surrounding parishes, but does include some former Huntingdonshire parishes. Lincolnshire Archives hold copies of records of the Diocese of Lincoln, Norfolk Archives have copies of records affecting some parishes either in the Diocese of Norwich, bordering that county, for example Outwell of which part lies in Norfolk and Part in Cambridgeshire, as well as some other parishes, e.g. Fordham and Wentworth.. The Cambridge University Library, holds the Ely Diocesan records and some tithe records within those and other College Libraries may hold copies if tithe records for those parishes where they held land. Additionally, museums such as the Wisbech and Fenland Museum and the Norris Museum hold collections including some

tithe records. A number of record societies have produced specific volumes on tithes, which include transcripts of tithe material. Examples include:

S.E. Doree ed, *The Parish and Tithing book of Thomas Hassall of Amwell*, Herts Record Society, Vol. 5 1989

J. Walker ed. *Datchworth Tithe Accounts*, Herts Record Society Vol. 25, 2009

J. Bettey ed., '*The Tithe Book of Minety 1663-1670*' in *Wiltshire Farming in the Seventeenth Century*, Wiltshire Record Society Vol. 57, 2005

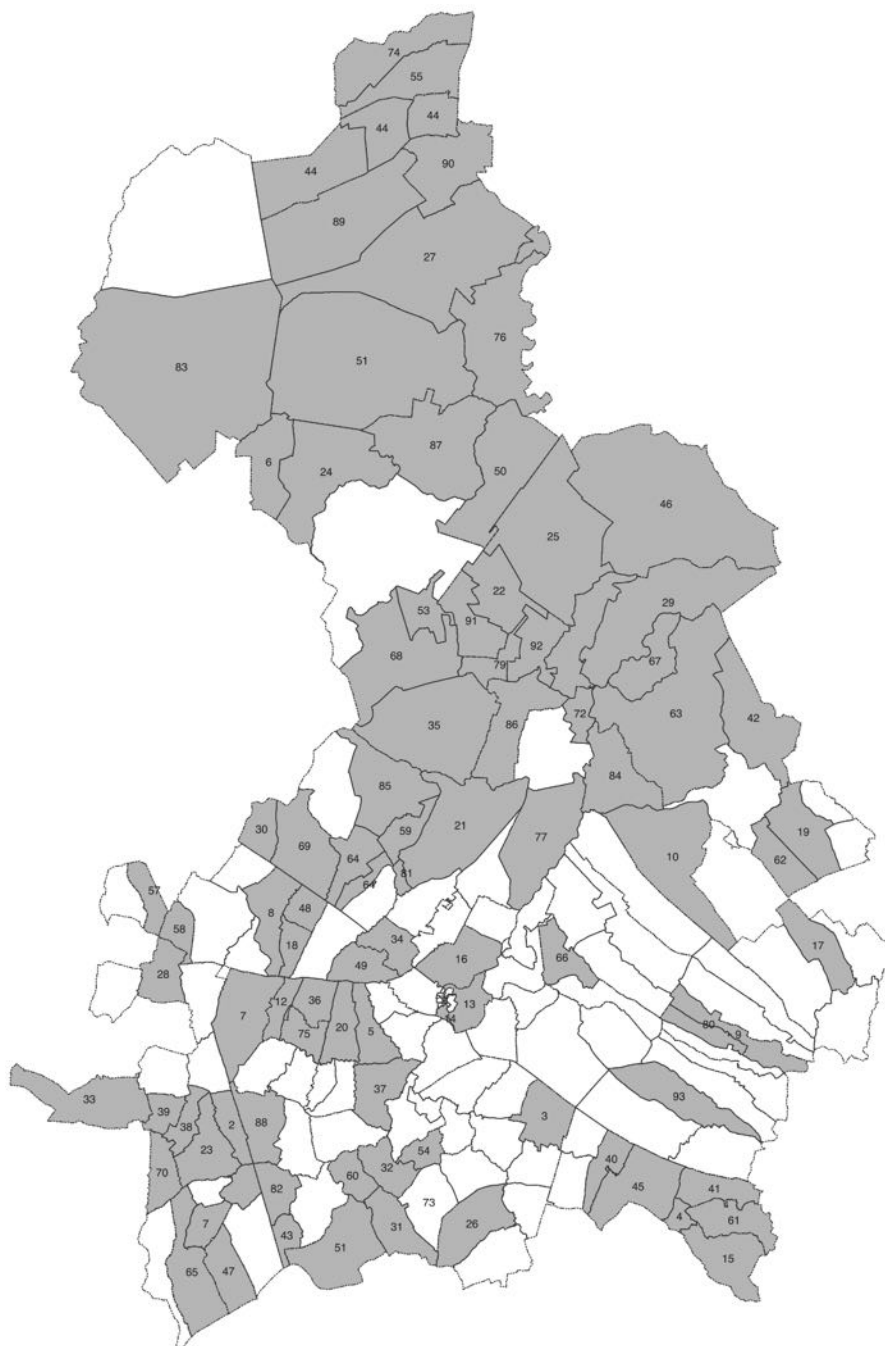
William Franklin

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18. CRO P142/3/1-5.
19. See CRO P142/3/1-5. (Soham) and HA HP 82/3/1 (Great Staughton) Tithe Books.
20. Knowles, *Considerations on the tithe-bill*, 13. Defenders of tithe denied this charge arguing that tithes had self-evidently had not retarded agricultural improvement, Evans, *Contentious Tithe*, 67-72, 86-8.
21. Evans, *Contentious Tithe*, 95.
22. For differing views on the significance of this: Shaw-Taylor, "Labourers, Cows, Common Rights"; Neeson, *Commoners*; Steve Hindle, *On the Parish? The Micro-*

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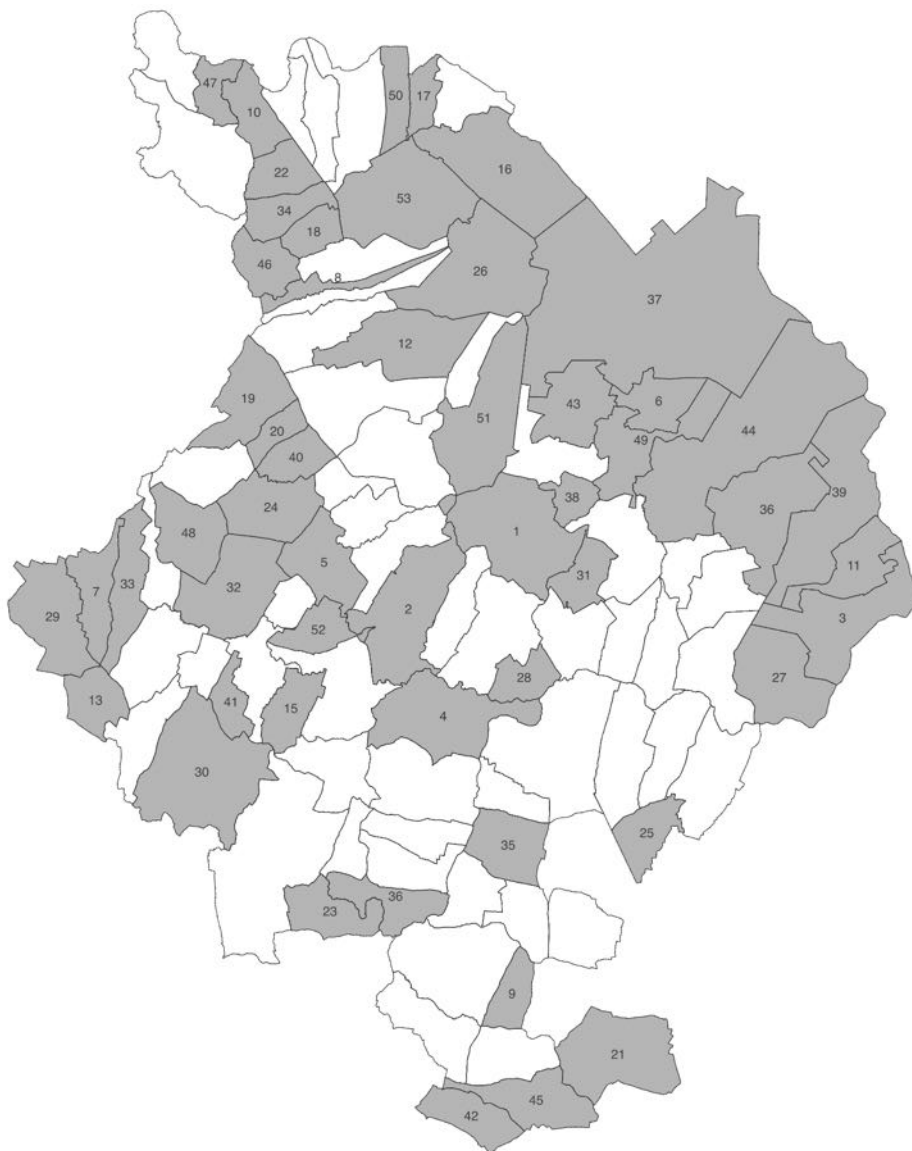
Map 1. Cambridgeshire & Isle of Ely Parishes surveyed by the Tithe Commission



Tithes and Tithe Records

| No on Map | Parish (survey year in brackets) | No on Map | Parish (survey year in brackets) |
|-----------|--|-----------|--|
| 1 | Abington Pigotts (1837) | 49 | Madingley (1842) |
| 2 | Arrington (1837) | 50 | Manea (1844) |
| 3 | Babraham (1845) | 51 | March in Doddington (1839) |
| 4 | Bartlow (1845) | 52 | Melbourn (1839) |
| 5 | Barton (1841) | 53 | Mepal (1838) |
| 6 | Benwick (1839) | 54 | Newton (1841) |
| 7 | Bourn (1842) | 55 | Newton in the Isle (1841) |
| 8 | Boxworth (1838) | 56 | Outwell (1840) |
| 9 | Burrough Green (1837) | 57 | Papworth St Agnes (1839) |
| 10 | Burwell (1841) | 58 | Papworth Everard (1841) |
| 12 | Caldecote (1844) | 59 | Rampton (1842) |
| 13 | Cambridge, St Andrew the Less or Barnwell (1847) | 60 | Shepreth (1840) |
| 15 | Castle Camps (1840) | 61 | Shudy Camps (1841) |
| 16 | Chesterton (1839) | 62 | Snailwell (1839) |
| 17 | Cheveley (1839) | 63 | Soiham (1837) |
| 18 | Childerley (1849) | 64 | Longstanton St Michael & Longstanton All Saints (1847) |
| 19 | Chippenham (1839) | 65 | Steeple Morden (1839) |
| 20 | Comberton (1838) | 66 | Stow cum Quy (1838) |
| 21 | Cottenham (1838) | 67 | Stuntney in parish of Ely Trinity (1838) |
| 22 | Coveney (1842) | 68 | Sutton (1838) |
| 23 | Croydon cum Clopton (1839) | 69 | Swavesey (1838) |
| 24 | Doddington (1839) | 70 | Tadlow (1842) |
| 25 | Downham (1838) | 72 | Little Thetford (1838) |
| 26 | Duxford (1840) | 73 | Thriplow (1840) |
| 27 | Elm and part of Outwell (1840) | 74 | Tydd St Giles (1843) |
| 28 | Eltisley (1841) | 75 | Toft (1844) |
| 29 | Ely (1843) | 76 | Upwell cum Welney (1842) |
| 30 | Fen Drayton (1840) | 77 | Waterbeach (1838) |
| 31 | Foulmere (1845) | 78 | Wendy (1850) |
| 32 | Foxton (1837) | 79 | Wentworth (1840) |
| 33 | Gamlingay (1849) | 80 | Westley Waterless (1838) |
| 34 | Girton (1841) | 81 | Westwick (1838) |
| 35 | Haddenham (1844) | 82 | Whaddon (1842) |
| 36 | Hardwick (1836) | 83 | Whittlesey (1841) |
| 37 | Haslingfield (1842) | 84 | Wicken (1842) |
| 38 | East Hatley (1842) | 85 | Willingham (1837) |
| 39 | Hatley St George (1838) | 86 | Wilburton (1838) |
| 40 | Hildersham (1837) | 87 | Wimblington in Doddington (1839) |
| 41 | Horseheath (1839) | 88 | Wimpole (1837) |
| 42 | Isleham (1847) | 89 | Wisbech St Mary (1838) |
| 43 | Kneesworth (1839) | 90 | Wisbech St Peter (1841) |
| 44 | Leverington (1842) | 91 | Witcham (1840) |
| 45 | Linton (1839) | 92 | Witchford (1839) |
| 46 | Littleport (1839) | 93 | West Wrating (1848) |
| 47 | Litlington (1841) | | |
| 48 | Lolworth (1841) | | |

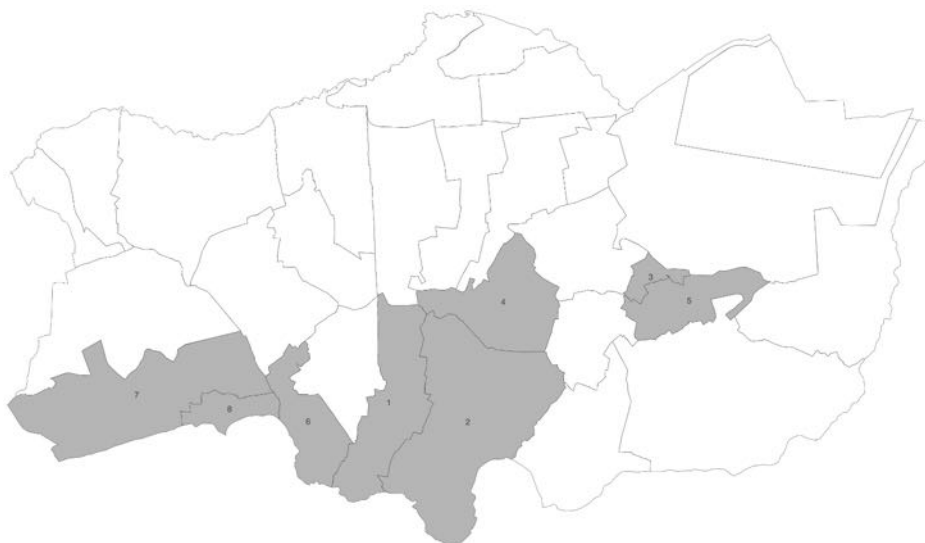
Map 2. Huntingdonshire Parishes surveyed by the Tithe Commission



Tithes and Tithe Records

| No on Map | Parish (survey year in brackets) | No on Map | Parish (survey year in brackets) |
|------------------|---|------------------|---|
| 1 | Abbots Ripton (1841) | 28 | Keyston (1838) |
| 2 | Alconbury cum Weston (1849) | 29 | Kimbolton (1847) |
| 3 | Bluntisham cum Earith (1843) | 30 | Kings Ripton (1850) |
| 4 | Brampton (1839) | 31 | Leighton Bromswold (1851) |
| 5 | Buckworth (1839) | 32 | Molesworth (1839) |
| 6 | Bury (1845) | 33 | Morborne (1839) |
| 7 | Bythorn (1839) | 34 | Offord Darcy (1841) |
| 8 | Caldecott (1847) | 35 | Little Paxton (1850) |
| 9 | Caldecot in parish of Eynesbury (1839) | 36 | Pidley cum Fenton (1839) |
| | Weald in parish of Eynesbury (1837) | 37 | Ramsey (1838) |
| | Lansbury in parish of Eynesbury (1843) | 38 | Little Raveley (1848) |
| 10 | Chesterton (1837) | 39 | Somersham (1838) |
| 11 | Colne (1838) | 40 | Steeple Gidding (1841) |
| 12 | Conington (1841) | 41 | Stow Longa |
| 13 | Covington (1846) | 42 | Tetworth |
| 14 | Easton (1842) | 43 | Upwood (1837) |
| 15 | Farcet (1839) | 44 | Warboys (1838) |
| 16 | Fletton (1849) | 45 | Waresley (1841) |
| 17 | Folksworth (1847) | 46 | Washingley (1848) |
| 18 | Great Gidding (1843) | 47 | Water Newton (1837) |
| 19 | Little Gidding (1847) | 48 | Old Weston (1840) |
| 20 | Great Gransden (1843) | 49 | Wistow (1862) |
| 21 | Haddon (1837) | 50 | Woodston (1881) |
| 22 | Hail Weston (1837) | 51 | Wood Walton (1839) |
| 23 | Hamerton (1838) | 52 | Woolley (1851) |
| 24 | Hilton (1839) | 53 | Yaxley (1849) |
| 25 | Home Fen (1840) | | |
| 26 | Holywell cum Needingworth (1851) | | |
| 27 | Huntingdon, All Saints, St Benedict, St John and St Mary (1848) | | |

Map 3. Soke of Peterborough Parishes surveyed by the Tithe Commission



| No on Map | Parish |
|-----------|------------|
| 1 | Ailsworth |
| 2 | Castor |
| 3 | Gunthorpe |
| 4 | Marholm |
| 5 | Paston |
| 6 | Sutton |
| 7 | Thornhaugh |
| 8 | Wansford |

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Cambridgeshire Record Society

Background

In 1840 the Cambridge Antiquarian Society was founded to promote the study of the local history and antiquities of the university, town and county of Cambridge. From early in its existence historical records on Cambridge and Cambridgeshire were part of the society's interest, with the first three reports of its Annual General Meetings containing lists of manuscript sources available on the town and county, and several series of substantial transcripts of primary sources were published in the Society's Octavo series. Shorter documentary texts and indexes had also been published in the Society's *Proceedings*, as also (particularly for Huntingdonshire) in the *Transactions* of the Cambridgeshire and Huntingdonshire Archaeological Society that had merged with CAS in 1952.

In 1969 CAS appointed a committee to investigate setting up separate branch for publishing historical records that led to the foundation of an independent Cambridge Antiquarian Records Society three years' later. The society changed its name to Cambridgeshire Records Society in 1987, the merger of Cambridgeshire and Isle of Ely with Huntingdon and Peterborough into the modern county of Cambridgeshire that had occurred in 1974 having made it possible to understand in this short name the inclusion of records of Huntingdonshire.

Source: M.W. Thompson, *The Cambridge Antiquarian Society 1840-1990*, CAS, 1990.

The Cambridgeshire Records Society

The Cambridgeshire Records Society exists to promote the history of the modern county of Cambridgeshire through its historical records in local and national archival collections, held in private hands or scattered through the rest of the country or abroad. Its aim is to print and published complete records or a collection of records transcribed from the original and translated from Latin or other non-English language, with the object of making these accessible to the general readership interested in local history, and to provide a source for future analysis and research. In producing printed volumes, and facsimile copies of maps the society aspires to protect the more perishable elements of the county's past for the future.

