

THE DERBYSHIRE RECORD OFFICE

IN 1962

By JOAN SINAR

THE Derbyshire Record Office, housed in the County Offices at Matlock, is under that name a late-comer to the scene. It has however a long history. The nucleus of its holdings are the records of the County Council and of the Court of Quarter Sessions, each with a steady rate of growth. In these two sets of records lies much of the evidence for the administrative history of the county, for Quarter Sessions exercised not only judicial and licensing but also wide administrative powers for several centuries. It was shorn of its administrative powers one by one in the 19th century until at last in 1889 County Councils were set up to provide a separate administrative system for the counties.

The Derbyshire Court recognized the possible interest of its records when in 1872 it appointed a committee under the chairmanship of C. R. Colvile to enquire into their state. Ten years were spent in cleaning and sorting the records, and enquiring into the whereabouts of those missing — unfortunately in great number. In 1882 Colvile presented a report on the records up to 1869, and four years later J. C. Cox was asked to edit the more interesting papers. As a result of the interest aroused by his book, *Three Centuries of Derbyshire Annals as illustrated by the records of Quarter Sessions* (1890), Cox was next commissioned in 1898 to superintend the arrangement of the records and produce a catalogue. His *Calendar of the Records of the County of Derby* (1899) accepts and in fact is largely based on Colvile's arrangement of the papers. It is still the basic list of quarter sessions records prior to 1800 but is not easy to use. It should be used in conjunction, with the *Annals*, which are much fuller but not completely reliable. Cox is not above publishing as one document of a given date several documents drawn from a period of several years. This can be rather misleading. The *Calendar* seems to be more accurate.

The central core of the records are the order books in which are entered its formal orders, judicial and administrative. These begin in 1682, and are supported by minute books from 1704 to 1883. A 19th century run of minute books has just come to light, but there has not yet been time to examine the relationship between these three runs. Other records of the court in session are indictment books, 1711-1867, and recognizance books, 1740-1751.

Next in importance to the order books amongst the records of the court in session and far outweighing them in bulk are the sessions bundles consist-

ing of the working papers of each session: the recognizances of men and women bound over to appear before the court or to be of good behaviour, estreats, depositions of witnesses and interested parties, presentments by high and petty constables of matters amiss in their areas, certificates of conviction, petitions for help or justice, appeals from petty sessions, papers relating to the supervision of the parishes in their work of maintaining the poor and the public highways, reports and papers concerning the punishment of crime, county bridges and county buildings such as the gaol, the houses of correction, and later the county asylum, the general administrative duties of the court and certain specific ones, such as providing pensions for maimed soldiers, fixing rates for the carriage of goods and so on.

Unfortunately Colvile, who did such good work in rescuing the records from decay and arousing interest in them, was one of the 19th century methodisers. These men when sorting and listing tended to disregard the way in which the documents had been accumulated, to break up administrative groupings and office files, and force on the papers an artificial arrangement reflecting their own interests. The sessions bundles were far from surviving for every sessions, but there were a good number starting with Elizabethan fragments. Colvile and his helpers broke these up completely up to 1804 and fragmented them up to 1869. They arranged the loose papers, many of which were undated, by subject. This arrangement, accepted by Cox, makes it almost impossible to see what the court was doing at any time and separates many related papers. It will be impossible to restore the bundles completely to the order in which Colvile found them for we cannot tell what series of papers registered with the court, as opposed to its working papers, were originally in the bundles. A great deal can be done however to arrange and list the papers more reasonably on an administrative basis. A start has been made on re-assembling the working papers of each sessions, and by using the patterns of thong and pin holes it has been possible to date a large number of the undated papers, chiefly petitions from the poor or public testimonials supporting petitions. Some sections may be left separate because of special difficulties, first the sheriffs' returns of justices and officers attending sessions 1558-1870, then sessional jury lists 1648-1869, constables' lists of the mid-17th century, calendars of prisoners of the 19th century, and papers relating to the diversion of highways and footpaths from 1773 onwards.

Naturally of key importance are the records relating to the existence of the court and its composition: the commissions of the peace from 1712, justices' oaths and qualification papers from 1745, and the freeholders' and jurors' books, 1784-1869. These books are particularly useful for local and social historians for the early 19th century when the occupations of those liable for jury service are usually given.

The court from very early days was used by the government not simply as a local court but also as a means of gathering and disseminating information, and implementing government policy. Henry VIII first used it as a local centre for registration when in 1536 conveyances by bargain and sale were required to be enrolled with the court's records in the care of its perman-

ent officer, the Clerk of the Peace. The surviving series for Derbyshire runs from 1583 to 1769. Inclosure awards were later often statutorily ordered to be deposited with the Clerk and there are 100 awards, 1731-1855. The Office actually holds more than the original 100 because some awards originally in other custody have since been deposited. Conveyances of land for turnpikes and canals were enrolled between 1760 and 1875, and there are over 700 plans and orders for turnpikes, canals, railways and other public works deposited for public inspection prior to being put before Parliament or the appropriate Minister from 1793 onwards. Related to these are the accounts of 55 turnpike trusts, 1822-1869.

A great variety of records result from the government's use of the court as a major instrument in maintaining order and the general well-being of the country in the wider sense. Until comparatively recently persons dissenting from the established Church of England were viewed with suspicion as potential traitors. The administration of the recusancy laws, prosecutions under the Conventicle Acts and the licensing of protestant dissenting meeting places under the act of 1689 were the business of the court in session. The registrations of papists' estates, 1716-1778, and the enrolled deeds and wills of papists, 1732-1783, are however separate as are several series of registrations and returns to government enquiries concerning protestant and catholic nonconformist places of worship and congregations, 1714-1853.

To ensure that persons of standing or men in public office were well affected to the government and the church, they could be required to take oaths of allegiance and make declarations against a variety of suspect beliefs and opinions. The early Derbyshire oaths are lost and the series run only from 1696 to 1898. Under the Test Act of 1673 men holding public office or positions of influence, such as school masters, were required to declare and prove conformity with the Church of England. Their declarations and sacrament certificates run from 1673 to 1828.

The Deputy Lieutenancy qualification rolls and lists, 1762-1851, and the militia officers' qualification rolls, 1773-1846, show how similar care was taken that only men of suitable standing were entrusted with responsibility in the local defence system. Militia and volunteer commission returns and lists were deposited with the Clerk from 1773 to 1872. Further checks on the embodied militia existed through the adjutants' returns of the state of militia, 1778-1796, and the militia bills for certain expenses which were met from county funds, 1762-1813. The County Treasurer was responsible for the accounts for the support of militia substitutes' families, 1741-1814.

Licensing is a useful device for limiting and controlling potentially dangerous activity or taxing the country, and many licensing duties were thrust on the court. Recognizances were demanded from licensed alehouse keepers and victuallers for the proper running of their houses and survive for 1558-1685 and 1753-1827. Badgers and swaylers made similar recognizance that they would deal honestly and legally in corn, 1746-1770. There are petitions for the licensing of theatres, 1788-1839, and gunpowder mills, 1800-1834; certificates of the fitness of applicants to keep slaughterhouses for the slaughter

of animals not intended for meat, 1787-1823; and hair powder certificates and lists, 1795-1797.

The provision of food at reasonable prices, and the ability to control communications and associations of men and women are essential to the maintenance of good order. As well as requiring badgers to be licensed the government ordered returns of corn prices to be made to quarter sessions from selected markets, so that watch could be kept on the stable food supply. The Derbyshire returns run from 1769 to 1793. In 1795-6 corn crop returns were also made as the result of a wartime government enquiry. Indeed the French wars of the late 18th and early 19th century saw a marked intensification in the use of the court, both in registration and in organizing special efforts such as recruiting for the navy, 1794-1797, and subsidizing the growth of hemp and flax, 1783-1797.

The government was chiefly afraid of the dissemination of revolutionary ideas and therefore required the registration of printing presses. Certificates from Derbyshire men that they possess a press and type located in a certain town run from 1799-1879. Barges plying on rivers and canals had to be registered, giving tonnage, crew and route, from 1795. Freemasons, a comparatively secret society, had to return annual lists of members and still do so. Only a few survive between 1799 and 1841. Registration did not begin with the French wars however and it continued long after. The Friendly Society rules deposited with the Clerk of the Peace were called in by the government, but we still hold Friendly Society lists, 1825-1854, Benefit Building Society lists, 1854-1874, Savings Banks' rules and papers, 1818-1843, cotton mill inspection returns, early 19th century, and papers relating to weights, balances and measures from 1797 onwards.

The Clerk of the Peace holds other records to assist him in his work as Returning Officer at parliamentary elections. The earliest series are the enrolled grants of annuities for electoral franchise, 1764-1842. These were supplemented by copies of the land tax assessments for each parish, 1779-1832. Both were replaced eventually by the modern series of electoral registers which begins in 1832. Associated with these in subject but quite distinct from them administratively are the odd sets of poll books drawn from a variety of sources covering the period 1768-1835.

As well as Quarter Sessions' own records there are debtors' schedules, 1743-1781, and court of request papers, 1843-1846, coroners' accounts, 1754-1869, and coroners' inquisitions, mid-20th century. These accounts and the odd series of bills are all that remain of the mass of accounts of the County Treasurer and other officers of the court. In fact no accounts other than those in current use survive for either Quarter Sessions or the County Council. There are papers relating to the mid and late 19th century police force when it was first run by Quarter Sessions, and then by the Standing Joint Committee of the court and the County Council.

Other associated records are the sheriffs' county court minute books, 1826-1844. Together with the Cavendish and Harrington Bridge Trust minute books and related papers, 1758-1898, is the Sawley Ferry Trust minute book,

1788-1882. There are records of three turnpike trusts: Derby and Mansfield, 1764-1875; Derby and Ashbourne, 1821-1875; Thornsett, 19th century.

The records of the County Council have not yet been examined in any detail. In addition to minutes of the Council and its committees, there are reports of county officers, legal papers, and correspondence of the Clerk's department. The bulk of this is closed to the public and will be for some years. There are also records of the Boards of Guardians set up in 1834 whose functions were transferred to the Council in 1929. Minute and account books but almost no other papers survive for Ashbourne, Bakewell, Belper, Chesterfield and Shardlow Unions. There are log-books and other records for 18 closed schools for the late 19th and 20th century. There should be material for many more closed schools but as yet it cannot be traced. It has probably been destroyed. There are a very few School Board minute and account books of the 19th century and early 20th century but there is nothing like what there should be. These records are probably still in the hands of Clerks to School Managers, and it is earnestly hoped that they will not throw them away but rather get in touch with this Office.

The other records in the Derbyshire Record Office are the papers of other authorities and private people which have been deposited in the Office for safe keeping, or in a few cases presented. These records fall into several different types.

First are the records of private families and large estates. The Beresford archives consist of deeds and papers relating to properties in Ashbourne, Fenny Bentley, Mapleton and elsewhere in East Derbyshire and Staffordshire, 14th-19th centuries, with mid-18th century household and family trust accounts, and historical and pedigree notes and transcripts, 18th-20th centuries. The papers of Burdett of Foremark are mainly deeds and estate papers for properties in Foremark, Ingleby, Repton, Ticknall and elsewhere in South Derbyshire, 15th-19th centuries. Those of Cantrell of King's Newton include, in addition to deeds and estate papers, good runs of letters concerning the family and its property in Melbourne, 1720-1860; but those of Egerton of Tatton Park are deeds only for farms in Glossop, New Mills and Mellor, 1660-1820.

The records of Gresley of Castle Gresley are a large accumulation consisting of deeds for properties in Castle Gresley, Netherseal, Lullington, Drakelowe, Cauldwell, Stapenhill and elsewhere in Derbyshire, Leicestershire, Lancashire, London and Northamptonshire, 12th-19th centuries, together with a good run of Netherseal manor court rolls, 1400-mid-19th centuries and a few others, and legal and estate papers, 16th-20th century. There are good runs of household and estate bills and accounts, 17th-19th centuries, including Bott family accounts for late 17th-18th centuries and 18th century apothecary's accounts; general correspondence, 18th-20th centuries; and family photographs, 19th-20th centuries. One interesting group are the papers relating to the attainder of Lord Paget, 1585.

A smaller but interesting group are the papers of Hallowes of Glapwell. These fall into three lots: the deeds for Nedham family properties in and

around the Peak district, 1339-1548; deeds and papers relating to the acquisition and running of the former Babington property of Dethick manor and lands in Ashover and Matlock, 17th-18th centuries; and deeds for an estate at Clowne beginning in the 18th century and including 19th and 20th century mining leases, an estreat of the first payment for Scarsdale hundred of the 1587 subsidy, and an estate plan probably of Wanstead, 1612.

The Melland Thompson deeds and papers for properties in Derby, Hognaston and Matlock run from the 17th to the late 19th century, as do the Olivier settlement estate papers for their Barlborough property. The Pole-Gell deposit consists of deeds and estate papers for Hopton, Wirksworth and district, 1549-1892. The Roumieu papers are more mixed. They deal with the acquisition and sale by the Roumieu family of former Babington and Dixie lands in Normanton by Derby and include deeds and estate papers for the manor of Normanton, the advowson of St. Peter's, Derby, and properties elsewhere in Derbyshire, 1554-1919. They also include the diaries of John F. Roumieu living in the London area, 1830-1832. There are a few papers for Turbutt of Ogston: deeds and papers of properties in Arnold, Nottinghamshire, 1782-1910, and plans and particulars for properties in the Clay Cross and Stretton district, 1857-1907.

Another large deposit is that of Stanton of Snelston. The oldest papers are deeds for Hounsfeld and Barton on Irwell, Lancashire, 14-16th centuries, but there are good runs of deeds for properties in Snelston, Hilton, Parwich and elsewhere in Derbyshire, in Uttoxeter, Staffordshire, and London, 16th-19th centuries, and a run of Snelston manor court rolls, 1710-1814. There are estate accounts, maps and plans, 19th and early 20th centuries, and an interesting group of deeds and accounts for a gunpowder mill at Thelwall in Cheshire, 1759-1811.

Deposited manorial records in separate groups are Ilkeston court rolls, 1721-1817; Dale Abbey and Stanton by Dale court rolls and papers, 1702-1871; Alderwasley and Ashleyhay, Bonsall, and Brassington court rolls and papers, 16th-20th centuries. There are also steward's draft papers for the soke of Wirksworth and Wirksworth barmote, 19th-20th centuries. These steward's drafts may be called in by the Duchy of Lancaster. From another source comes a barmaster's memorandum book on freeing veins and founders of lead in the Cromford area, 1698-1714. As yet there are no other lead-mining records and very few for coalmining: mineral right plans in the Heanor and Shipley areas, 19th-20th centuries; a plan of workings in Nether-seal Colliery, 1900; and leases and agreements for Marehay Colliery, Ripley, together with Woolley family papers, 19th century.

There are three large solicitors' deposits. One by Messrs. Brooke-Taylor of Bakewell consists of land tax assessments for North Derbyshire, mid-19th-mid-20th centuries; Matlock Bridge Gas Company papers, late 19th century; and Liberal Party organization papers for North and West Derbyshire, mid and late 19th century. Messrs. A. J. Cash and Sons of Wirksworth have deposited practice papers of the former firm of Messrs. Stone and Symonds, including office journals, mid-19th century, clients' papers including material

relating to small businesses and local clubs and societies, 19th-early 20th centuries, and Conservative party organization papers, late 19th century. The third but earliest in date is the deposit by Messrs. Taylor, Simpson and Moseley of Derby. This is large, rich in medieval deeds, and complicated. It is as yet unexamined in detail but apparently consists of clients' deeds and papers from the early 13th century onwards, and the land tax commissioners' minutes and papers for the divisions of Appletree, and Repton and Gresley, 20th century. The examination of the collection is the next major office job.

There are as yet very few parish records. The Ashover civil parish records, 1779-1947, and the Bonsall civil parish records, 18th-19th centuries, are the only official parish records. There is however a detailed set of Brimington Coronation Celebrations Committee accounts and papers, 1952-1953; and the register and minute book of Ripley Baptist Carol Singers, 1913-1919. These two deposits throw much light on accepted social conventions in the areas at the time.

A large number of miscellaneous small collections include deeds for small properties throughout Derbyshire, but chiefly concentrated in the south and east, 16th-20th centuries. *The Shelde of the Realme* is a manuscript manual written by Nicholas Kempe to instruct Lord Compton in the duties of a justice in the mid-16th century. There is a bailiff's copy in very bad condition of a High Peak compotus roll, 1638, and a photostat copy of the sheriff's tourn for Derbyshire, 1606-7. One extremely interesting volume opens with the Chesterfield constables' accounts, 1648-1649, continues with a 1662 assessment of Scarsdale hundred for trained soldiers based on an economic valuation by townships made in 1652, and ends with a lead-dealer's accounts, 1672-1679. Another book of more than local interest is the Wirksworth classis minute book, 1652-1658. There are a few private papers of Bernard Lucas, attorney, of Chesterfield, 1797-1830, and isolated practice papers, 1760-1847; a little group of sheriffs' papers, 1810-1813; and a volume of correspondence of Thomas Norris Ince chiefly on Derbyshire family history but including letters of current gossip, 1829-1853; a run of registers of wills proved in Derby Probate Registry, 1858-1928; and a coal merchants' sales account book for the Bakewell area, c. 1911-1936. There is also a collection of topographical and genealogical notes made by Daniel Dakeyne, junior, about 1800, together with his literary works and miscellaneous correspondence with other antiquarians. The collection includes an earlier volume of notes said to be by Thomas Brailsford in the 17th century and to it has been added a 19th century volume of pedigrees by J. H. Cannan.

The holdings, both official and deposited, of the Office touch on many aspects of Derbyshire life but fall very far short of producing the evidence necessary for a true picture. Even the quarter sessions records are sadly incomplete. This makes all the more important that those records which still survive in public or private hands should be preserved. There is a national effort afoot to locate and list (if owners permit) the papers which are the source material for the history of the country. This Office is taking part in the attempt, and it is hoped to build the Record Office into a centre to which Derbyshire

men and women, whether owners or searchers, will turn naturally for help with problems concerning records.

Our first job is to locate the papers. Here we are almost entirely dependent on the help of those who own or have custody of papers, and of their friends. The Lord Bishop of Derby has kindly agreed that I should make a joint survey of the ecclesiastical and civil parish records in the care of incumbents. Two parishes have been visited. Parish records, although very important, are however only one section of the records to be listed, and for the most part the very whereabouts of these are known only to those who hold them. Many owners do not suspect the possible historical interest of their papers.

Derbyshire is a county with a long tradition of a mixed economy, agricultural and industrial. To get anything like a picture of its contribution to English life we need evidence of all aspects of its own life: farming, mining, quarrying, manufacturing, trading, housekeeping, at church, or at play, running affairs and struggling for causes dear to the hearts of enthusiasts. Farms, estates, works, businesses, homes, courts, clubs and societies of all kinds from sports clubs to friendly societies and trade unions have all produced records. It is from their accounts, letters, notes, minutes, maps and plans that we can learn what life was like. The records of a village shop or craftsmen, or a carrier's daybook reveal not simply the story of that business but tell a great deal about the way of life and the standard of living of the neighbourhood. Most of the country's records have already gone, perished through neglect or accident or thrown away in salvage or spring cleaning drives. Much is still concealed, largely unappreciated, in cupboards, attics, outhouses and empty wings, and much of this is in danger, not simply of being thrown away but of rotting gently to dust. Paper and parchment are hygroscopic and soak in damp from the air. Once papers are damp, rot sets in, mould attacks, and if the process is not checked the documents moulder away.

Anyone who holds papers is asked to get in touch with the County Archivist. Confidential advice is given on whether papers should be kept for their historical interest. Roughly speaking nothing over 100 years old should be thrown away no matter how decayed it is. Archive repairers can do a great deal to make papers usable. But age is not necessarily a criterion for fairly recent papers can be of interest. Important changes have taken place in the last 60 years which should be reflected in the records. Early motor-car and garage papers for instance are already of importance to the social and economic historian.

Confidential advice can be given to any owner, who wants to look after his papers himself, on how he can best do it within the limits of his resources. Rough lists can be made for him. If he prefers, he can deposit his papers in the Derbyshire Record Office. They remain his property and can be withdrawn at any time on reasonable notice. He receives not only a receipt but also copies of all lists made. Documents less than 100 years old are not shown to searchers without the depositor's written permission. Other papers can be

similarly withheld at the depositor's request. The services of survey and deposit are both free.

Each deposit is entered in an accession register, and receives an accession number which goes on the receipt, on each document in the deposit, on the boxes in which it is stored, and on the list eventually made of it. Sixty-nine smaller deposits were listed in 1962 and work is in progress at different stages on larger ones. Copies of all lists made will be sent to the owners, to the National Register of Archives, and to interested libraries in and around Derbyshire. Copies are of course held in the office where they provide a guide for searchers. A further help for searchers are the manuscript indexes of persons, places, and subjects mentioned in the lists. The Strutt collection, supplemented by the Sheldon and Cockburn collections, provides a useful local reference collection of printed books. These like the manuscripts can only be used in the office. Searchers are asked in their own interests to make an appointment for I am often out, and my absence may coincide with that of the Records Clerk.