

Recent Journals

Transactions of the London and Middlesex Archaeological Society. Volume 23 Part 2 (1972). Editor: Lawrence Snell. (Issued to members).

THIS PART has 120 pages and contains eight articles. Harvey Sheldon reports his 1971 excavations in the Roman settlement at Old Ford, with a description of the pottery by Mike Hammerson. Similarly, the rescue excavation in 1970 at the road side Roman site on Brockley Hill are recorded by Stephen Castle. Other archaeological articles include Tony Brown's report on an Iron Age enclos-

ure on Staines Moor and Caroline Neuburg's reconsideration of the Roman coin hoard, found in 1928 at Muswell Hill, in the light of more recent Highgate finds.

The historical studies included, discuss the poor in New Brentford between 1720 and 1834, the activities of the London Merchant, Mathias Springham (1561-1620) and print the inventories of Thomas Hobbs (died 1698), surgeon and doctor. This is the thickest L.A.M.A.S. journal I have ever received, but the postman actually succeeded in bending it nearly double to push it through the letter box!

JOHN ASHDOWN

Letters

FOUNDATION CEREMONY AT MUSEUM OF LONDON

THE NEWSPAPERS, wireless and television, carried the news of Queen Elizabeth, the Queen Mother, laying the Foundation Stone of the new Museum of London.

It was typical to see that the Lord Mayor, the City Fathers, agents of the developers, the builders and contractors, were in the forefront at both this ceremony and at the subsequent Luncheon in Ironmongers' Hall.

Surely the past record of the City's attitude towards archaeology is evidence enough of the fact that these people are far from concerned over the antiquities of London. But, if they feign sympathy for half-an-hour, they are rewarded with a Luncheon on top of their profits!

It would have been a nice gesture, if only in deference to the interests of her grandson, if Her Majesty had met one or two real people, representing the many archaeological societies that the capital boasts. However, it would appear that officialdom will not acknowledge those who voluntarily give of their time, labour, and money to save *everybody's* past.

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STEPHEN P. SMITH

TREASURE HUNTING AND PUBLIC GROUND

I WISH TO question the accuracy of the following passages in the Commentary section of the Spring 1973 issue of *The London Archaeologist*.

"Archaeology has been much troubled these past two or three years by the growth in electronic treasure hunting, which has been highlighted by certain acts of wanton pillage. However in the main, the addicts of treasure hunting have been concentrating their activities on public ground, be it commons, beaches or river foreshores. When doing this they break no laws and should they find items of interest, then it is basically a matter of accident which could happen to anyone — the detector is but an aid to the scuffling boot or probing stick."

I submit that there is no such thing as public ground which can be used by members of the public in any way they choose. Public ground is vested in a variety

of legally constituted bodies such as Government departments, local authorities, the National Trust, and the rights of the public over such land are restricted by the purposes for which the land is held and by the regulations laid down by the legal owners. Thus, a recreation ground belongs in a general sense to the public, but in legal fact there is a local authority which owns the ground on behalf of the public and prescribes byelaws stating what the members of the public can and cannot do on it. Another example is the vast area which the public owns through the National Trust. The public is not allowed to dig up this land, cut down the trees and dump rubbish on it simply because it is, in a general way, public land: it does not, even, have complete access to all of it, since much Trust land is used for agriculture.

Even commons have owners. Nowadays many belong to local authorities or the National Trust, which regulate the use of them, but many still belong to private persons as lords of manors: even they, and the commoners with rights over the land, cannot do exactly as they please with the land — and that certainly applies to the public. As for beaches and foreshores, I think it will be found that these belong to neighbouring landowners, river authorities, the Crown and other bodies.

To sum up, the public does not possess unrestricted rights over public land and those who dig it up without permission from the body owning the land on behalf of the public (assuming that it has power to grant permission, which is not necessarily the case) are breaking the law.

I must also observe — and I think this is a key point in the legal objections to electronic treasure hunting — that finds made in this way are very far from accidental. They are the result of a deliberate attempt, planned in advance and requiring the acquisition of equipment, to find objects concealed under the ground. They also involve digging up the ground if the instrument gives a favourable reaction: this digging, if it is without lawful consent, is alone illegal, whether or not anything is found. Electronic treasure hunting is therefore totally different from the accidental uncovering of an object by boot or stick in the course of a country walk.

Middlesex.

Ruisli),

See *Gromaticus* p.50