

REVIEWS

BUCKS SESSIONS RECORDS, medium 8vo. pp. xxiv. 622, published in Aylesbury by GUY R. CROUCH, LL.B., Clerk of the Peace, County Hall. Price 10/6.

This is Vol. I. (1678-1694) of a *Calendar to the Sessions Records*. Well printed in a good readable type on good paper and satisfactorily bound, it is good value for the price, apart from the contents, the excellence and efficient presentation of which is guaranteed by the high reputation of the Editor, Mr. William Le Hardy, than whom no one so experienced in this class of work can be found.

By 2 Hen. V., c. 4, a Court of General Quarter Sessions of the Peace must be held in every county during the weeks following Michaelmas Day, Epiphany, Easter, and Translation of S. Thomas the Martyr.

By 34 Edw. III., c. I., the jurisdiction of this court included all felonies and trespasses, but in practice the more serious have always been sent to the assizes: the lesser misdemeanours, not being felony, *viz.*, offences relating to game, highways, alehouses, poor-law, vagrants, papist recusants, sabbath-breaking and swearing, absence from church, etc.; the swearing in of certain officials, the administration of oaths of allegiance and supremacy, and receiving the presentments of the petty constables.

The Quarter Sessions appears to have been held at Aylesbury for the Christmas (Epiphany) and Easter Sessions; the Midsummer Sessions was held at Buckingham or Wendover, and the Michaelmas Sessions at Amersham, Chesham or High Wycombe.

In 1689 the Midsummer Sessions lasted from the 18th to 31st July, and were held at Aylesbury, Wendover, Newport Pagnell, Buckingham, Chepping

Wycomb, and Colebrooke. The reason for this prolonged Sessions in so many places was the coming of King William and Mary necessitating much swearing allegiance and production of 'sacrament certificates.' The Record of the business occupies 22 pages, 14 being filled with the names, addresses and occupations of people.

The Assizes were held at Buckingham and Wycombe as well as Aylesbury.

The preface to this volume is a lucid explanation of the contents by the Editor, who gives a short list of the accompanying records in the keeping of the Custos Rotulorum. The origin of the office of Custos Rotulorum is lost in antiquity, but is said to date from the 14th cent. He is the principal civil officer in the county, and the office is invariably united to that of the Lord Lieutenant, the chief military command. He nominates the Clerk of the Peace, who also acts as deputy 'Custos.'

In the past the Custos and his deputy have grossly neglected the care of the county records, with the result that early records have disappeared. Few counties possess records older than the last half of the 17th cent.

The earliest existing books from which this Calendar is compiled begin in 1678, and were kept with method and care. Obviously impossible and unnecessary to print *verb. et lit.*, this volume contains the name of every person and place mentioned, and refers to every subject.

For business reasons there is hardly an official document more than a century old needs to be kept. Preservation is required for the uses of the historian and genealogist.

Quarter Sessions records deal almost entirely with social sins, lawbreaking and human misfortunes. Nearly all small-beer chronicles which interest us as revealing the thoughts, actions and modes of feeling

of our forbears. The local historian will find particulars about roads, bridges, buildings, etc. The genealogist will not find evidence of parentage, or relationship, so much as piquant instances of misbehaviour or evidence of public service, details which enliven a personal record in a pedigree.

The Record of each Sessions is headed by the place where it was held with the date and regnal year; then follows a list of the jurors for the body of the county, signed by the sheriff. Then in the following order:—Indictments, presentments of the constables; orders of the Court; fines and recognizances forfeited; recognizances entered into; recognizances discharged.

References to national events are few. Mention is only made of the Rye-house plot (1683); the activities of the Duke of Monmouth (1685); and the coming of William and Mary.

The 17th cent. was a time of spying and prying on the individual and tale-bearing by his neighbour, as well as inquisition into his habits and opinions by the Government.

Swearing, a traditional English habit, was a subject both for presentation by the constable and indictment. Fines are recorded of 26/- and 5/-. Occasionally the unsuccessful spy seems to have been punished for being an 'eaves dropper.'

Since the 13th cent., local officials have had the keeping of the peace, *viz.*, a high constable for each hundred, who was the superior officer to the petty constable appointed to each parish in the hundred. At each Easter Sessions the recently appointed constables were sworn in: this must have been a portentous formality. The constable's oath, as set out in Dalton's *Country Justice* (1661) runs to at least 500 words and mentions most of his duties, one of which was the maintenance of archery.

Petty constables, though still appointed in many parishes, have no duties for obvious reasons. In July, 1929, the Bucks Standing Joint Committee

debated a proposed abolition of the office as out of date and unnecessary. This was opposed. The office was a tradition of law and order, it cost nothing, it was a compliment to be chosen for it. In isolated villages the constable was still occasionally useful and was a link in our continuous history. Major Disraeli asked if an Act of Parliament (Parish Constables Act, 1872) could be abolished by a five minutes conversation. The proposal was vetoed.

The spiritual welfare of the lieges was the subject of the anxious care of Authority, not so much for the health of their souls as for political reasons. Fear of the Papacy caused the passing of the Test Act, 25 Car. II., c. I., which was also directed against the sectaries and dissenters. As a consequence, the petty constables had to present not only known Papists, but habitual absentees from church service. These presentments are very lengthy, the names often filling two or more pages. The severity of this religious inquisition is indicated by the same thing being done by the churchwardens, who presented non-church goers to the Archdeacon.

Sometimes the zeal of the constables required stimulation, *e.g.* in 1684 the Grand Jury presented the constables of Steeple Claydon and Wycombe for not presenting dissenters. There are many presentments for swearing, *e.g.*, 1680 "Thomas Sheene of Walton in Aylesbury for being a common drunkard, a profane swearer, and a disturber of the Peace." Thomas must have been quite well known to Quarter Session, for he was reported on other occasions for drinking 'strong waters on a Sunday'; for not turning out on the 'hue and cry,' etc.

As 'censor morum' the constable presented the parents of bastard children. Here again his duty overlapped with the churchwardens, who reported immoral people to the Archdeacon. The latter in a parish of a neighbouring county once returned, "the morals of this parish though not so good as they ought

to be are not worse than usual." Sabbath breaking, poaching, larceny, unlawful fishing, entertaining vagabonds were all 'presented' by the petty constable.

In 1688 the Grand Inquest informed Quarter Sessions "that the daily concourse and greate increase of rogues, vagabonds, and sturdy beggars is a great grievance and annoyance"; through the negligence of those officers who have been intrusted in this concern, they are now so insolent as to extort money and victuals by threats and menaces. The Court ordered and commanded the constables, headboroughs, etc., to enforce all laws and statutes, forthwith, against rogues, etc.

Ale-houses find frequent mention. The licence to keep one, 2/6, does not seem excessive. Quarter Sessions was the Licensing authority. Withdrawal of a licence is called 'suppression' and was usually for three years. Many licensees were women. A suppressed licensee was usually allowed a certain time to "draw off their stocks"; for instance Ann Hales of Little Horwood was given two months to draw off her stock. In 1693 it must have been a specially bad case when William Embling of Taplow was suppressed and the constables ordered to destroy his sign post, the house being "frequented by highwaymen and dangerous rogues etc to the great terrour of the inhabitantes thereabouts." Many are the presentments for keeping unlicensed ale-houses or disorderly premises, *e.g.*, 1683, Simon Godwin fined 6/8 for keeping a "disorderly strong water shop," and paid in Court.

The governmental desire (now obsolete) that the price of beer should be reasonable and the quality good is shown by the indictment of 18 licensed victuallers of Aylesbury in 1680 "for nott sellinge a full quart of strong beer for 1d"; and at other times ordering the Bayliffes of the several hundreds to be specially careful to execute the statute for keeping the true assize of beer and ale.

Provision for necessitous old soldiers is not infrequently dealt with, one old warrior "having faithfully served His Majesty 4 years att Tangier and being burst in the said service" received a pension of 40/- per ann. In 1690 Thomas Cranke was recommended by the Mayor, alderman and recorder of Wycombe for relief, "he did serve his late Majesty King Charles I in the warrs against Rebellls in England and Scotland, and that he was imprest to do so by the constables of Wycombe." Sailors are also mentioned, one was wounded in the fight on S. James's day, 1666 (see Pepys's account). Other historic occasions are mentioned which show that the old fighting men were filaments of connection between remote country villages and important national events.

Previously to 1815 voluntary enlistment never filled our regiments, the social sinner supplied the man power. Instances like the following were very common, "William Nicholls in gaol for stealing a hook and a thimble value 6d, the Court ordered if he be listed into their Majestyes (William & Mary) before the next Sessions the Gaoler shall set him at Liberty."

The County Gaol at Aylesbury receives extensive mention. As is natural, the gaoler had no easy time; his charges were turbulent and "many dangerous." They escaped without great difficulty, which was not surprising as the building always needed repair owing probably to the fault of the County. In 1683 the gaoler petitioned to be paid eight years arrears of rent at £20 per ann.

Overcrowded and insanitary, deaths were frequent, and births were not uncommon among imprisoned women. Medical treatment was provided at the County Expense. In 1693 Mr. Tilcock, a 'chirurgeon,' was paid £5 "for the cure of one Manne lately executed for felony." There is ambiguity in this statement. Most probably the real meaning is that the 'Manne' was cured of some disease previous to the ceremony of suspension.

In 1692 Mr. Benson, the gaoler, was paid £15 for repairing the gaol, attending sick prisoners and conveying prisoners to the assizes at Buckingham.

In his address to the Society in 1905 Lord Rosebery said that the history of Bucks lay in the 17th and 18th centuries and that want of roads delayed the entry of the 19th cent. into the county. This view is supported by the presentations to Quarter Sessions of the bad condition of roads and bridges. Bridges loom largely in the county business. *Pontium reparatio* was one of the conditions of the *trinoda necessitas* to which every man's estate was subject. In 1693 the surveyors of highways made a lengthy presentment of individuals and townships from all over the county for neglecting to repair. About 30 bridges are mentioned. Sometimes there was uncertainty as to the person liable, as was the case of Barnes Pool bridge at Eton in 1687.

In 1685, Peter Lownes, of Addington, was fined £20 for not repairing the bridge on the Aylesbury-Buckingham road. In 1687 he brought a certificate that the work was done. A few months later that Thomas Prentice, the petty constable, had made several false presentments against Peter for not repairing the bridge though certified by the Justices as good and sufficient, in contempt of the said Justices and to the great vexation and charge of Peter. The presentments were discharged and the constable bound over to answer.

People were by no means ready to do their statutory duty of keeping the highways in good order. Presentations for neglect and indictments to enforce obedience were many. The condition of the roads was deplorable in 1740-50 (see *Purefoy Letters*) and was perhaps worse in 1680-90.

The Midsummer Sessions, 1689, previously noticed, requires further mention. The names of every one of any station or importance in the county must be in the

record, the landed gentry, the clergy, yeomen, husbandmen, shopkeepers and many labourers. Names of dissenters in Holy Orders, Anabaptists, and Quakers appear, all testifying their allegiance to King William and Queen Mary. A list of 66 public meeting houses for Religious Worship is annexed, all making a very valuable record for the historian and genealogist.

The general duty of the constable was to keep the King's peace in his district, but a diversity of statutes laid on him an infinite number of minute duties. Constables were consequently armed with very large powers of imprisoning, breaking open houses, etc. Considering the class of men usually appointed, Blackstone thinks that it was just as well they were ignorant of their powers.

An instance of official tyranny has already been given; another follows. In 1685 complaint was made that John Law, petty constable of Great Marlow, has been "very malicious and vexatious in troubling his neighbours - - - under pretence of his office." He "did lately seiz and take into his custody out of the Crowne Inne one John Oxlade" and set him in the stocks. This action was a device to discredit Oxlade because he had brought an action for trespass against Law.

Sample items of Quarter Sessions business are as follows:—1685, William Martyn of Weston Turville licensed to keep an ale-house.

The demand for good ale in Weston Turville was then—as now—more than one licensed house could supply. Consequently in the next year Henry Eggleton was presented for keeping an unlicensed house, and a few years later Daniel Parish was presented for allowing tippling on Sunday in Weston Turville.

There are several presentations for "living idly out of service," and one case of abuse of the 'dole.' In 1692 at Radnage the inhabitants allege that the wife

of Thomas Quainton can maintain herself, that "since this allowance has wholly given herself to an idle life."

In 1687, Stafford Morgan and Henry Purefoy, gentlemen, and John Samon, yeoman, all of Shaulston, indicted for a riot and a rescue. This Henry was uncle to the Henry Purefoy, of *Purefoy Letters*.

In 1685, Robert Johnson, of St. Andrew, Holborn, indicted for extortion in his office as a woolconner. He failed to appear and forfeited his recognizance £500 and his two sureties each £200.

In 1679, Richard Flutt, of Taplow, having sustained great loss by fire, the Court certified the loss to the Lord Chancellor and asked for a 'brief' in so many counties as to his Honor shall "seeme meete."

In 1687, Mrs. Grace Bennett was ordered to pay her poor's rate 19/8 to the Calverton overseers. A few months later she suffered distraint for non-payment, and also failed to pay £6-13-4 to the surveyors of the highways. Nor would she give up books, papers and memoranda belonging to the parish, and in 1689 was fined £20 for forcible entry on the tenements of three neighbours. These and other offences were in keeping with her character. She was the widow of Symon Bennett, of Calverton Manor, and locally notorious for her eccentric character and miserable miserly habit of living. She is said to have been murdered by one Barnes, a butcher, of Stony Stratford.

Packed closely with facts and every page full of names and details, this book would be of limited value if the student had to toil through the pages to sort out the information he required. Such labour is obviated by the excellent index, as near perfection as makes no matter, which is also a classification of contents.

The labour of making this record must have been immense. It fills 110 pages of two columns a page,

and contains by the writer's estimation not less than 30,000 references. Buckinghamshire is deeply indebted to Mr. Le Hardy for this valuable contribution to the county history.

WILLIAM BRADBROOKE.

BUCKINGHAMSHIRE TRADE TOKENS ISSUED IN THE
SEVENTEENTH CENTURY

By J. O. MANTON and E. HOLLIS. Published by The Society.

This most useful hand-list catalogues 236 tokens, or 57 more than were known to Williamson. Besides the full description of each token, which should make identification easy for any collector, there is a series of admirable plates at the end which most clearly delineate every token. As all tokeners' names are indexed, the book should be of value to the genealogist, as well as to the numismatist.