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HISTORICAL

STUDIES

II

Essays on Local Historical Records
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Edited by
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CONTENTS

Foreword

A Feldon Manor in 1327

J. Farrant p.1

Oxenhall Church

M. Smyth p.7

Prisoners in the County Gaol, 1789-1814

I. & J.W. Wyatt p.14

A Coroner's Notebook

G. Kemp p.25

The Diary of Thomas Sutton Estcourt of
Shipton Moyne

V.C. Nielsen p.32

Over Bridge, Gloucester

J.C. Frost p.36

William Cother of Longford

L.A. Badham p.41

FOREWORD

The series of papers contributed by members of the "Records Class" at Gloucester, covers a wide range of subjects, and it is heartening to record that research this year has not been confined to the County Records Office alone. Members of the class have pursued their research in the Public Record Office in London and in the Gloucester City Library, or have undertaken related field studies and much background reading.

While some have widened their experience in this manner, three newcomers with no previous knowledge of old handwriting have attained reasonable proficiency in 18th and late 17th century hands, and others have not yet completed their research.

As in previous years I should like to thank the class for their enthusiasm and hard work, their typists for saving me so much trouble, and the staff at Bristol University for converting the varied typescripts with editorial amendments into such a neat booklet. Not least we are grateful to the Gloucestershire County Council for the privilege of holding the class in the County Records Office.

BRIAN S. SMITH

A FELDON MANOR IN 1327

Sutton-under-Brailes lies on the River Stour, some five miles upstream from Shipston. From the reign of Edward the Confessor to the Reformation, the entire village was in the hands of Westminster Abbey,¹ and, at least in the 13th and 14th centuries, assigned to the maintenance of the Abbot and his household. Although now in the County of Warwick, until 1844, it lay in a detached portion of the Gloucestershire Hundred of Westminster.

The long series of reeve's account rolls - the earliest is for 1281 - which is deposited in the Gloucestershire Records Office probably contains the material for a detailed study of the village's economic development in the 13th, 14th and 15th centuries. However this paper is intended merely to illustrate a few aspects of the manor's life at one date.

The date chosen is 1327 as an extent was drawn up in the May of that year.² On the basis of its assertion that it agrees with an extent of 1282 except for the change of rents and tenants, there appears to have been no tenant asserting nor subdivision of tenements between the two dates, but if anything some consolidation. Although an expanding structure of subtenants may be hidden from view,³ it may be that Sutton, in common with many of the Feldon vills recorded in the Warwickshire Hundred Rolls of 1279, had reached a maximum population by the second half of the 13th century, from which there was decline through emigration.⁴ The suggestion gains support from the fact that two cottage tenements remained vacant throughout 1325-6. (As the reeve's accounts for 1326-8 are missing, that for 1325-6 has been used to supplement the extent.)

The 41 tenants of the extent comprise six free tenants, 10 customary tenants and virgaters, and 26 cottagers, with one person figuring in two groups; all but one held messuages in addition to arable: Richard le Holder had only a cottage. No tenement was of outstanding size; the largest was Roger Basset's two virgates, but nine other tenants held at least a virgate each. The majority - 24 - held 14 or 16 acres or half a virgate (which we may surmise were roughly equivalent). Five of the remaining tenants held four acres each, and the rest even less. The Subsidy Roll for 1327⁵ indicates who were the most prosperous tenants; evidently the majority escaped assessment as their moveable property was valued at less than ten shillings, but twelve did not. Among them were all but one of the free tenants (Thomas Barnard held only one acre in Sutton), assessed at an average of 3s. $\frac{2}{4}$ d., but the largest contributions came from the four virgaters who were assessed - at 8s. 7d., 7s. 9 $\frac{1}{4}$ d., 4s. 9 $\frac{1}{2}$ d., and 3s. 8 $\frac{1}{2}$ d., on average 6s. 2 $\frac{1}{2}$ d.; three cotmen were liable for 2s., 1s. 6 $\frac{3}{4}$ d., and 1s. 6d. Thus the possession of goods which brought liability for the subsidy does not correlate closely either with legal status or with size of tenement.

The total of the tenements is $13\frac{1}{2}$ virgates and 321 acres, which, assuming an 'average west midland virgate' of 28 acres, is equivalent to some 700 acres. The size of the demesne, however, goes unrecorded and may most readily be estimated by taking the sown acreages when the grange accounts first give the density of sowing forty years later: 68 acres in 1378-9 and 43 acres in 1379-80. Two-crop rotation is suggested by the extent's note that a couple of tenements are 'in both fields' (which in turn implies that a 'two-field system' with one field lying fallow each year was not in operation at this date), and by 1378 rent was being paid over and above the 'customary rent' for 22 acres of demesne. On these figures the demesne arable may have been 133 acres in 1327; its leasing did not begin after that date as the extent shows 48 acres of the tenanted land to have been in demesne in 1282. Maybe this small and diminishing demesne is an indication of falling yields and of declining profits from direct exploitation, for the Abbot's primary interest was in a cash income, itinerant though he was.

Money rent was the main component of the tenants' obligations to their lord, for no week-work was owed and had presumably been commuted for the rent. Unfree tenants paid 6s. for a virgate and 3s. to 3s. 3d. for half a virgate or 14 acres; the cotmen in addition owed 16d. tallage each. The free tenants' rents varied considerably - from Roger Basset's 6s. for a messuage and two virgates to Master Laurance le Walker's 18s. 7d. for a messuage and one virgate; perhaps the latter was a way of exacting or recovering part of the value of tithes paid to the Rector. Laurance (and another free tenant holding a virgate) also owed the same occasional labour services as customary tenants, as presumably their virgates were part of the 'terra nativa'. Those services were a day's harrowing in winter and in Lent if the tenant possessed a horse or plough-beast, a day's weeding and twelve man-days' work at harvest. Cotmen owed the same harrowing and weeding services, but mowed and made hay for as long as there was work in Mitford meadow, and harvested for only four days. Most of the harvest works were without food, but otherwise food, or a cash equivalent, was given for boon works performed. In 1325-6, the 370 works were performed in full, except for, 12 sold, 12 from which the reeve was discharged and eight due from vacant tenements. Nevertheless, the lord's right to pre-empt labour beyond the boons was exercised at Harvest-time, when 14 men reaped for $2\frac{1}{2}$ days at 2d. a day and 28 men carried sheaves for half a day. All threshing was done at piece-rates.

Finally, there was a small permanent labour force to do the ploughing and routine work of the demesne. In 1325-6, a ploughman and two carters received in total 16s. 6d. and 12 quarters of rye, pulse and maslin, while a shepherd was paid at the same rate for about 32 weeks of the year. The house-maid - who no doubt acted as milk-maid - received only 1 qu. $\frac{1}{4}$ bus. of corn. The reeve's remuneration came in a discharge of the rent and harvest works, which he owed as the holder of a virgate.

The demesne economy was emphatically arable. The number of cattle in 1325-6 was limited to eight oxen - the usual size of a single demesne plough-team in the Midlands; a cow received as heriot was sold for 9s. along with a surplus oxen for 15s. 6d. The three horses must have been used for carting; the other livestock were solely farmyard animals - 29 geese, one cock, three hens and ten chickens. Sheep and pigs there were none, though the reeve paid the wages of a shepherd to guard 140 sheep which had been brought from elsewhere to the lord's fold. One wonders whether the folding was deliberately effected to alleviate the inevitable deficiency in manuring. The sole indication of the tenants' livestock is the number of harrowing works, by which reckoning 37 tenants had 28 horses and plough beasts between them. Pasture was evidently in short supply: the considerable sum of 4ls. 9½d. (some sixth of the total agrarian expenditure in that year) was spent on grass for winter fodder. However, the arable specialisation of Sutton must not be viewed in isolation, as the three Westminster manors of Sutton, Todenham and Bourton-on-the-Hill were exploited in close conjunction under one serjeant: this is shown, for instance, by the employment of the mowing and hay-making works of Sutton tenants at Todenham.

Corn yields were noted in the margin of the grange accounts by the auditor in the formula not uncommon at this date:⁶ thus, 'siligo minus tertio j qr. ij bus. di.' means that the threshed rye was 1 qu. 2½ bus. less than three times the amount sown. Yields were good at four-fold for drage, three-and-a-half-fold for wheat, and three-fold for oats, pulse and rye.

A membrane attached to the account roll for 1324-5 reveals the meagre equipage at the disposal of the reeve in cultivating the demesne. The document is an indenture listing the stock which Robert Godwy handed over to his successor on relinquishing the office of reeve in December 1324;⁷ it is probably comprehensive as it includes items such as 'a tattered linen sheet'. Although only one fully-equipped plough could be used (as there was only one team of oxen) and there was a further plough with a coulter, hand tools were limited to two forks, a spade, two shovels and one small shovel. If one cart was iron-fitted, another was dilapidated and used only for clay and the third was a small dung-cart. The rest of the equipment comprised of various chests, barrels, vats, troughs, sacks, five cheese moulds, four picks, a hammer for breaking stone, a mortar and pestle, and like small items, as well as 49 planks from the ceiling of the old solar.

Taking the sub-totals given in the reeve's account, it may be summarised as below. No reason other than faulty arithmetic presents itself to account for the imbalance.

| Charge | £ | s. | d. | Discharge | £ | s. | d. |
|--|-----|-----|----|--|-----|-----|-----|
| Rent, tallage & Peter's Pence | 14. | 6. | 5½ | Quittances & defects of rent | 13. | | 4 |
| Farm of the garden | | 5. | 0 | Upkeep of ploughs | 6. | | 10 |
| Lease of pasture, sale of eggs and stubble | | 18. | 7 | " " carts | 7. | | 9¾ |
| Sale of corn | 2. | 11. | 4¼ | " " mill | | | 10 |
| Sale of livestock | 1. | 4. | 6 | " " house | 10. | 7. | 8 |
| Fines, etc. of courts & views | 5. | 6. | 1 | Mowing & hay-making | | 7. | ½ |
| Arrears paid by ex-reeves of Sutton & Todenham | 5. | 11. | 10 | Harvest expenses | | 13. | 10 |
| Sale of works | | | 9½ | Serjeant's wage | 1. | 6. | 0 |
| Miscellaneous sales | 13. | | ½ | Wages of 'famuli' | 1. | 0. | 6 |
| | | | | Threshing expenses | | 9. | 11¼ |
| | | | | Corn purchased | | | 7 |
| | | | | Mare purchased | | 14. | 0 |
| | | | | Misc. repairs, purchases, expenses of visitors | 3. | 9. | 2¾ |
| | | | | | 19. | 10. | 6 |
| | | | | Arrears brought forward | | 1. | 10 |
| | | | | Cash surplus handed over | 4. | 17. | 1 |
| | | | | | 24. | 9. | 5 |
| | | | | Arrears carried forward | 6. | 4. | 8½ |
| | | | | | 30. | 14. | 1½ |
| | 30. | 19. | 5½ | | | | |

The deliveries of cash would obviously have been much greater if the expenditure on the manor house had not been so high. But this expenditure is the especial interest of the account, as extensive repairs and rebuilding were put in hand in 1325-6. The moated manor house site is still visible today, though there is no indication that the manor was surrounded by a moat in 1326. An outline reconstruction of the building may be attempted. The work carried out seems to fall into three parts: internal fittings in the 'nova domum ad capud stabuli', structural repairs and alterations to the hall, and construction of a new kitchen, pantry and fishery, with chambers over the pantry. In the 'new house' were a cellar with an external entrance (as there was a slated porch) and a locked door (as wine was to be stored); a solar and two privies ('camerae privatae', 'wardrobae': the context of the latter term does not suggest it means wardrobes), which were presumably over the cellar; and a 'mangeria', which, since its screens were plastered, can scarcely have been a manger and must have been either a dining room connected with the solar or the high table end of the hall. The gutters of the hall needed repair and quantities of tin and lead were purchased; the lock to the door was also repaired, but above all, new windows were inserted, made from stone brought in seven carts from 'Middelton' during two days and a night; for this work Richard the Mason was paid £1. 6s. 8d. A chapel is mentioned (a step was made before the altar) with the implication that it was attached

to the hall. For the new service rooms and the chambers above, 200 cartloads of freestone and 8000 slates were quarried locally (the manor partially lies on Middle Lias Marlstone), at a total cost of 12s. 2d. The internal walls between the chambers were of timber, as was the louver in the kitchen. One may surmise that the house's lay-out was on the 'typical' H-plan, with the private and service wings separated by the ground floor hall.⁸ Other buildings which are mentioned are the stables, barn, fulling mill and water mill.

Materials comprised a small part of the total expenditure: the purchase of stone and slate was unnecessary, and the 1325 laths required for the new chambers cost only 9s., while 7000 lathnails cost 5s. 3d. (though board-nails and spikenails were more expensive) and the 5000 pegs for the slates, 5d. The major expense was thus labour. The craftsmen were itinerant and usually ate at the common table; often a woman was paid 2d. a day to wait upon them. The erection of the walls of the service rooms and chambers required about 130 man days at 1½d. a day, with up to five men working at a time. The roof took one slater eleven weeks at 8d. plus one bushel of wheat a week (or 6d. less when he ate at the lord's expense). Other craftsmen - carpenters, plasterers, a leadworker, sawyers - were remunerated at similar rates. Robert, with the payment of £1. 6s. 8d. for the hall windows, was probably in a class by himself.

The manor house was of course not permanently occupied, and if the reconstructed, but fragmentary, itinerary of Abbot Walter de Wenlock in the 1280's and 1290's is any guide,⁹ an occupancy of a month in a year by the abbot and his household would have been average, with intermittent and brief visits from officials during the rest of the year. Hence the contrast between the building account and the inventory of demesne equipment, between 'conspicuous consumption' and 'undercapi talisation' is all the more striking, but nevertheless characteristic of the 14th century.¹⁰

J. FARRANT

References

For general background see R. H. Hilton, A Medieval Society (1967)

1. That at least is the assertion of The Victoria County History of Warwickshire, vol. V p.157, but a licence was granted in 1366 to one Richard Rook of Westminster to alienate into mortmain to the abbot and convent of Westminster, two messuages and 192 acres at Sutton (Calendar of Patent Rolls, Edward III, vol. 13, p.328).
2. The documents used are: Glos. R.O., D 1099, M 49 (extent of 1327),
M31/41 (account roll for
1324-5),
M31/42 (account roll for
1325-6).

3. The works account for 1325-6 records seven harvest works received from 'subcottars'.
4. vide J. B. Harley: 'Population Trends and Agricultural Developments from the Warwickshire Hundred Rolls of 1279', Economic History Review, second series, xi, 1958-9.
5. Sir Thomas Phillipps, ed., Gloucestershire Subsidy Roll, I Edward III A.D. 1327 (Typis medio-montanis, n.d.).
6. vide, e.g. J.S. Drew: Manorial Accounts of St. Swithun's Priory, Winchester, (English Historical Review, lxii, 1947).
7. Robert Godwy was reeve again in 1325-6 and his successor of 1324, John le Brok was paying over substantial arrears: maybe John was not a success as reeve and was soon replaced.
8. On house plans, see M. Wood: The English Medieval House (1965).
9. B. F. Harvey, ed. Documents illustrating the rule of Walter de Wenlock, Abbot of Westminster, 1283-1307, (Camden Society, 1965), pp. 34-42.
10. For a study of the scale of agrarian capital investment in the middle ages, see R. H. Hilton: Rent and Capital Formation in Feudal Society, (Second International Conference of Economic History, 1962).

OXENHALL CHURCH

The early history of St. Anne's Church, Oxenhall, is scanty. That there was a Church in 1186 is evidenced by records that the advowson then passed to the Knights Hospitallers of Dinmore. Of the earliest building nothing remains. The lead font, of the same mould as five others in Gloucestershire, dates from the end of the 12th century or early part of the 13th. In S. R. Glynne's description of the Church in 1857 he refers to the font being a circular bowl of marble, surrounded by semicircular arches upon an outward swelling stem. Where this font came from, or during what period the lead font was missing, is not known. The west tower, with its octagonal ribbed spire, is early 14th century. By 1397 a Visitation Return reports that "the Chancel is in disrepair in walls and glazing".

In the 16th century several sums of money were left "to the High altar" in the wills of those who had died. In the Churchwardens' Presentment of 1548 all was reported well, but in 1572 the churchyard needed repair and they lacked the Paraphrases of Erasmus. The pulpit, still in the church, has carved oak with the initials WP:W 1632. It may be that these are the initials of William Pippett and William Wetherlock. There is similar carved oak in the Vestry. A Terrier of 1680 records the following items:-

| | |
|--|---------------------------|
| 1 Great Bible | 1 Register of Parchment |
| 2 Books of Common Prayer | 2 other books of accounts |
| 1 chest and 1 coffer | |
| A bier, a font and a Communion Table | |
| 1 silver Chalice, a pewter flagon and plate for the Communion. | |

In 1688 a "Survey of Railes and Walls of the Churchyard" was made. The Church wall was measured with the names of 38 owners of land recorded each being responsible for repairing his portion of the wall.

In a Terrier of 1698 reference is made to the acre of Glebe on which the Vicarage, burnt down in 1664, had stood, and also to "1 dwelling house, garden with small orchard of yearly value 10/-.... which was given long since for the buying of bread and wine at Easter.... which is annually dispensed of to that purpose....". This may refer to the wills of members of the Hill family who died in 1544/45 and who left provision for the High Altar. Further reference is made to this in a Terrier of 1704 - "To the Church 10/- payable to the Churchwardens.... to buy bread and wine for Communion, being the gift of one John Hill long since deceased".

The suggestion has been made that the Church became very dilapidated and was rebuilt in the 17th century. There would not appear to be any conclusive evidence of this, though a major restoration may have taken place. Glynne refers to the south porch as containing "a Norman doorway

with transom and tympanum, very plain", so that whatever rebuilding did take place, the south door was then evidently left untouched.

By 1703 the Churchwardens' presentment found "our Church is in good and decent order and repair". Forty years later a Gallery was erected at the west end on which was painted "Erected in the year 1743, Thomas Pitt Churchwarden and Clerk of this parish 30 years to the date hereof". Subsequently the following words were added: "This Church adorned in the year 1760, James Dowell and Thomas Warr (Churchwardens)". In 1755 at the Archdeacons' Visitation the seats and Communion plate needed repair. The present Church plate dates from the Victorian restoration with the year 1863 engraved, with the possible exception of the flagon.

In a Terrier of 1807 reference is made to a small estate called Haines Oak, of arable and pasture land, with a barn upon it, the purchase being made with £200 of Queen Anne's Bounty. Throughout the 19th century various sums were expended in maintaining the structure of the Church and Churchyard wall. In 1841 the Church House was pulled down and the stone used for making good the wall, and in 1886 Lady Monson's offer to defray the cost of rebuilding the wall was "gratefully accepted". From the accounts of Mr. Spring, builder of Painswick, who was called in to repair the tower during the 1865 rebuilding, we learn something of the cost.

| | | | |
|------------------------------|-----|-----|----|
| Taking down top of spire | £5. | 0. | 0. |
| Preparing sand stone | 6. | 15. | 0. |
| Stone for top of spire | 3. | 0. | 0. |
| Rebuilding buttress & quoins | 6. | 5. | 0. |
| Fixing lead | 4. | 0. | 0. |
| Working stone | 15. | 0. | 0. |

In 1865 Mr. Spring records that "in digging for the buttress of tower came upon the skeleton of a full grown person about 4' below the surface". The pulpit was evidently altered at a cost of £4. 1. 6d. and "a wagon load of old oak from the Church removed". It is believed that surplus stone from the rebuilding was used in repairing the farm wall at Line House Farm.

The Clergy and their Income.

In 1186 John d'Everens gave the patronage and Church to the Knights Hospitallers at Dinmore, Herefordshire, and it was subsequently alienated to various persons. The first reference we have to the clergy at Oxenhall is in 1347 when the Lord of the Manor, Peter de Grandison, founded a Chantry there, endowed with rent and lands, and appointed a Chaplain to "celebrate Divine Service daily for his good estate and on his death for his soul". Fourteen years later it is recorded that Robert, Chaplain at Oxenhall, appeared in Court for assaulting the bailiff of the Prior of Newent and stealing a peacock. Again, three years later, the same Robert appeared for assaulting, beating and wounding one, Richard Coy.

In 1446 a Carmelite Friar of Gloucester, Chaplain at Oxenhall, was accused of adultery. He failed to appear in answer to the charge and was excommunicated. In 1544 and 1545 several members of the Hill family died leaving sums of money for the High Altar and for Masses for their souls after death. William Adys, the Curate witnessed one such Will, and the same William, at a visitation of 1551 was found to be "extraordinarily ignorant for he can answer nothing directly".

From 1577 until the early 17th century there are frequent references to many persons being presented for non-attendance at Church and for being married without banns or licence, which might well be an indication of the beginnings of Puritanism. By the end of the 16th century the parish was unsettled for there was a dispute over the admittance of John Hutchins, but for the next sixty years or thereabouts there are no records of the appointment of Curates.

In 1663 Robert Kerfoot, Vicar, who had been appointed by the Crown, brought a petition to the Court of Chancery, for the establishment of an income for the benefice. The presentation had lapsed, and the tithes, great and small, had been impropriated by the Patrons. A full enquiry was held. Witnesses were heard and though "some of them were very aged" it was established that there had not been a Vicar for at least 60 years. The Bishop of Gloucester to whom the matter was referred, submitted that a dwelling house should be built and 1 acre of Glebe land belonging to the Impropriators allotted to it, to be completed before Easter 1664. The Vicar should receive £13. 6. 8d. yearly together with Church dues for marriages and churchings. The Court accepted and confirmed the Bishop's submission. The Vicarage was apparently built, but later in 1664 disaster overtook it and it was burnt down, the Vicar losing most of his goods together with the Registers. The site of this building was on the west side of Kempley Road, near Hillcroft, and it was subsequently known as Burnt Cinder Field. A new Vicarage was not provided until the restoration of 1865, when one was erected at Three Ashes.

In 1781 Thomas Davies was appointed perpetual Curate to the three Churches of Pauntley, Oxenhall and Upleadon, and in 1795 he was instituted to the Vicarage of Oxenhall. Early in the 19th century a dispute arose between Davies and the parishioners over the Easter offerings. The Chancery Decree of 1663 was referred to, but the parishioners maintained that no stipend had been paid in living memory. The Judge considered that the offerings must "formerly have been of considerable value, the parish being then populous on account of the ironworks". The Vicar was granted "2d. a head over the age of 16, based on right not custom". According to the Judge the incumbency was that of perpetual Curate appointed by the Bishop "the profits of the living being so small as to hold no inducement to anyone to be at the expense of institution".

From 1811 onwards, there being no parsonage, the Curates lived out of the parish, no doubt supplementing their meagre stipend with other work.

One resided in Gloucester, being employed in a School, though he officiated regularly at Oxenhall. Others subsequently lived in Churcham and Newent. In 1839 Thomas M. Sherwood was appointed perpetual Curate, holding Oxenhall in plurality with Pauntley after 1841. The value of Oxenhall was then £53. 5. 8d. with a population of 306 and Pauntley was £67. 17. 8d. with a population of 263. In 1842 Mr. Sherwood appointed a stipendary Curate, William Joy, at a stipend of £80 p.a. and in 1845 Mr. Joy was succeeded by W. Beckingham Ottley. In 1848 the Rev. Thomas Paling Little was appointed perpetual Curate and it was later on, during his incumbency, that the work of rebuilding the Church and building a Vicarage was undertaken.

In 1876 the living, held in plurality with Pauntley, was valued at £90 p.a. with the Vicarage and 19 acres of Glebe. By 1931 some of the Glebe land had been sold, but the value of the living had risen to £380 p.a. In 1955 Oxenhall was united with the parish of Kempley.

Parish Officials and their Records.

The Church Register and records having been burnt in the fire of 1664 the earliest extant Churchwardens' accounts date from 1700. They give some idea of the cost of the maintenance of the Church and show something of the diversity of the Officers' responsibilities.

| | | | |
|--|-----|-----|-----|
| 1700 Steeple climber for pointing tower | £4. | 1. | 6. |
| 1703 Washing cerplos (surplice) | | 1. | 0. |
| Mending Church windows | | 2. | 6. |
| 1708 Church work and repairs | | 7. | 7. |
| Bellrope | | 2. | 11. |
| 1711 Thatching Church House | | 5. | 6. |
| The Minister & our dinners, drink & horses | | 4. | 7. |
| 1715 Repairing Church | | 2. | 6. |
| Soldiery, passengers and travelling women | | 3. | 6. |
| 1717 Washing surplice | | 1. | 6. |
| 1727 Mending Church | | 17. | 0. |
| Paid myself & 2 horses to removing Sarah Cook | | 4. | 6. |
| Hoops (bullfinches) heads 2/2d., fox heads 2/6d. | | 4. | 8. |
| 1727 Paid for alteration to Prayers | | 1. | 0. |
| Bread and wine | | 1. | 4. |

The Overseers' accounts date from 1783 and are concerned with poor relief and the maintenance of parish roads and bridges. The following are a few extracts:-

| | | | |
|--|-----|-----|-----|
| Mending Shynnor's boy's shoes | | | 4d. |
| 2 shirts for Shynnor's boy | | 5. | 4. |
| Breeches & stockings for John Smith | | 5. | 2. |
| Shynnor's son, 15 weeks | | 15. | 0. |
| Waist coat for John Smith | | 4. | 6. |
| To Justice Durbin, Bridge Money and expenses | £2. | 7. | 6. |

| | | |
|--|-----|------|
| 5lbs. flax | 2. | 11d. |
| Spinning ditto | 3. | 0. |
| Dinah Jones for her lame leg | 1. | 0. |
| George Williams child for small pox | 2. | 0. |
| Paid for Walter Noble's coffin | 8. | 0. |
| Paid for 2 shrouds for J. Steward & Ann Noble | 14. | 0. |
| Paid William Jones for curing Mary Collier's leg | 7. | 0. |
| Loaf of bread for Thomas Turner's burial | 1. | 0. |
| Coffin & shroud for Thomas Turner | 11. | 6. |

In the year 1783 the monthly disbursements varied between £7. 16. 4d. and £13. 9. 10d. and the total for the year amounted to £137. 11s.

From the Vestry Books dating from 1840 to 1912 we have a record of some of the Churchwardens, the Overseers of the Poor and the Surveyor of the Highways (becoming the Waywarden in 1863). There is a reference in 1841 to an iron chest in the Church for the safe deposit of documents, and frequent references to the repair of the Church itself. The Church Rate was fixed at the Annual Vestry meeting, varying from 1d. to 7d. a year, and in 1869 it could be recorded that there was "sufficient surplus of Church Rate from last year that no further Church rate be necessary".

In 1847 the salary of the Parish Clerk was raised from 30/- to £3 p.a. with 5/- extra for Lent Services. In 1851 Mr. William Loveridge celebrated 42 years continuous service as Churchwarden, Overseer and Surveyor at various times. The Choir is mentioned for the first time in the same year, when it was agreed that "£4 be allowed out of Church rates for benefit of the Choir, to be divided among them at the discretion of the Incumbent, on the understanding that he add £1 himself". In 1858 a Collector of the Poor Rate was appointed at a salary of £5 p.a. Two years later it was agreed to sell the 'cello belonging to the Parish, the proceeds to be handed to the Incumbent towards the cost of a Harmonium. In 1865 the decision was taken "that the Tower and Spire of the Church be at once repaired and a rate of 9d. be granted for the purpose". And at the same meeting the Vestry "agreed their consent to the rebuilding of the Nave and Chancel of the Church according to the plan furnished by Mr. Middleton (of Cheltenham) as soon as sufficient funds from any private source be obtained". The next year the plans submitted for the rebuilding were approved and the Churchwardens were authorised to apply for a Faculty for demolition and rebuilding.

The Vestry were concerned with the Parish valuation List and in 1882 agreed that the rateable value of property in the parish should be reduced by 15%. In 1885 the Churchwardens' accounts showed a deficiency of £3. 10. 9½d.

The Jubilee did not pass unnoticed for in 1887 new bell ropes were ordered and the celebration of the Queen's Jubilee was to be "Noticed" - this to consist of a Service of Thanksgiving, a dinner for the men and tea for the women and children.

In 1893 we learn from the Parochial Register that £26 was spent on Suspended Lamps, Altar candlesticks, coconut matting and carpeting, and £11. 4s. on cassocks, surplices and hymn books. In 1894 the Vestry recorded their opposition to the Waterworks scheme and in the last year of the 19th century the cost of heating and cleaning is of interest:- oil for lighting 7/-; wood for firing 2/9d.; coke for firing 12/-; washing surplices 7/6d.; Verger's salary £1. 10.; cleaning £1. 10.; while the Church Offertories amounted to £3. 15. 4d. The same year the first reference to a Bellringer appears. In 1905 the organist, mentioned for the first time, asked for a "rise", but the Vestry reaction was short and to the point; "refused, not enough money". In 1909 the Church insurance was increased to £2,000 and insurance cover taken out for paid Church officials. Two years later the Tower needed further repair and the Vestry had £15 in the Savings Bank available to defray the cost. In 1912 they recorded their protest against the Welsh Disestablishment Bill.

The Restored Church of 1867.

Of the old Nave and Chancel nothing now appears to remain. The Victorian Gothic restoration, in red and light sandstone, was total. The tower, with stair in the S.E. corner was left untouched, apart from a door being put on the south side, where, according to S. R. Glynne's account there had been an ogee-shaped recess. A window was put at ground level at the west end, the buttresses were renewed and other repairs undertaken which were referred to in the accounts of Mr. Spring, builder.

In the Chancel and Nave floors are flat tomb stones dated 1685 and 1681. There is a large memorial of an unusual kind to an infant, Charles F. Ashworth of Bolton, Lancs. A female figure is carved in alabaster, standing on a jutting rock. The head is surrounded by angel heads, and beneath the rock is a wheel bell.

In 1898 there were "extensive repairs to the Chancel" amounting to £9. 18. 6d., the cost of which was borne by the Impropiator. The following year the burial ground wall was again repaired at a cost of £6. 15. 2d. In 1912 the Spire received further restoration and the bells were renovated. At the same time a Faculty was sought to place in the Church Priest and Choir Stalls, an organ (instead of a harmonium), new heating apparatus and a fourth bell. Of these the organ and the bell are still awaited. In 1914 the Rural Dean reported that the Church was kept locked "on account of suffragettes" - rather a far cry from the railings of Whitehall. By the next Visitation in 1917 two standard candlesticks had been presented by the Duke of Newcastle, and the War Calvary in the Churchyard was dedicated. At the same time the Rural Dean referred to the window in the coal hole under the Vestry as "the only part of the former Church now left". It is possible that this is an old window, thrown out at the rebuilding and subsequently used to illuminate the cellar and form a chute for the coke.

Of the Church bells not much is known. In 1719 a fourth bell was nearly added. The Chapel at Kilcot being ruinous and unused one of the Oxenhall Churchwardens took steps to buy the bell which was in good condition. He was accompanied by a bellfounder to assess the value. The latter, seeing that the metal alone was worth more than the price asked, and pretending to sound the bell, took a hammer and smashed it, and kept the metal for himself. Of the three bells, only two are inscribed. The first is "In Honore Sancti Nicholai" the second is blank, and the third has the letters MDCV RI RHVG RI.

M. SMYTH

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PRISONERS IN THE COUNTY GAOL, 1789-1814

The Gaol Calendars are printed documents which were issued four times a year immediately before each Quarter Sessions. Of the hundred calendars issued in the period, 29 are missing, including all those for the years 1796, 1799 and 1802, and three each for the years 1794 and 1800.

The Contents of the Calendars.

The calendars vary slightly in form and content but contain the following information:

1. A list of the prisoners awaiting trial at the ensuing Quarter Sessions, giving the name and age of each prisoner, the date when committed for trial, the names of the committing magistrates, and a short account of the alleged crime. The later calendars usually state where the alleged offence was committed but this information is rarely given in the earlier ones. It is, however, possible to find where the prisoner was apprehended by ascertaining the residence of the committing magistrate, and most of the prisoners - though not all - were apprehended in the district where the crime was committed. The calendars do not state where the accused lived.

2. A list of the prisoners awaiting trial at the next Assizes, giving the same particulars.

3. A list of prisoners sentenced and awaiting Transportation giving name, age, crime, date of conviction, and sentence i.e. whether for seven years, or for life.

4. A list of the prisoners confined to hard - labour in the Penitentiary, giving the same particulars.

5. From Epiphany, 1806, onwards the calendars include a list of the prisoners in the Houses of Correction at Littledean, Northleach, Horsley and Lawford's Gate. This list, too, gives the name and age of the prisoner, the offence, date of conviction and the sentence, which sometimes includes whipping.

6. A list of the prisoners condemned to death at previous Assizes whose sentence had been respited or who had been reprieved and were awaiting further sentence. No mention is made of prisoners who had been executed or died in the gaol, though the Calendar for Easter, 1790, names 4 men sentenced at the Lent Assizes to be hanged on 10th April: the Calendar for Easter 1801, lists 6 to be hanged on 18th April; and that for Easter 1812, names 2 to be hanged on 11th April.

In the interests of accuracy it is necessary to understand the limitations of the Calendars as a source of evidence. They do not give a complete list of all the prisoners committed for trial. Occasionally a prisoner was committed for trial at Quarter Sessions after the Calendar had

been completed. Sometimes the Clerk of the Peace added the names of such prisoners in handwriting. Such omissions are so rare as to make no appreciable difference to the statistics which follow. The lists of prisoners awaiting trial at the Lent Assizes, however, must be regarded with greater reserve. The Calendars were issued just before the Quarter Sessions, not just before the Assizes. A period of ten or more weeks elapsed between the compilation of the Calendar for Epiphany Sessions in early January and the opening of the Lent Assizes towards the end of March. During those weeks many prisoners were committed for trial at the Assizes and consequently their names do not appear in the lists of prisoners awaiting trial. To a lesser extent, the same is true of the shorter period of time between the compilation of the Trinity Calendar and the opening of the Summer Assizes.

The Calendars do not state the verdicts given at the trials or the sentences passed, though on some of them this information has been written in the margin by the Clerk of the Peace. The sentence can be discovered if the accused was still in the County Gaol when the next Calendar was issued; but if he was acquitted, sentenced to less than three month's imprisonment, removed from the gaol for transportation, or hanged before the compilation of the next calendar, no information is obtainable from the Calendars. Thus a prisoner could be committed to gaol in February, tried at the Assizes in March and sent to the hulks for transportation a week later without his name appearing in the Calendars at all.

Transportation

The calendars give particulars of the convicts who were in gaol awaiting transportation but do not state whether or not they were actually transported. Before 1772, when convicts were transported to the American colonies or the West Indies, they were handed over to contractors and from 1719 to 1772 a bounty of £5 was paid to the contractors for each convict transported. On arrival in the colony the contractors "sold" the convicts to the highest bidders as indentured labourers for the period for which they had been sentenced. A wealthy transportee could then buy his freedom but could not return to Britain. The payment of the £5 bounty from the County Stock was, of course, recorded in the Treasurer's Accounts and the names of the convicts and the date when they were sentenced were also recorded. In 1772 the Government decided to discontinue payment of the bounty because the contractors were getting such high prices for transportees. Consequently no further entries relating to transportation were made in the Treasurer's Accounts.

After the loss of the American colonies transportation almost ceased and convicts were, instead, sent to the hulks - disused transportation ships moored in the Thames. The hulks were established in 1776 as a temporary measure for two years; they lasted for eighty-two. Later on hulks were moored in the naval dockyards and prisoners set to hard labour there.

Even after the beginning of transportation to Australia, most males sentenced to transportation were sent from gaol to the hulks and the majority of them got no further. The Quarter Sessions Order Book for Easter, 1790, authorises the payment to Mr. Giles, the Gaoler, of "his Bill for Fifty Three Pounds One Shilling and Six Pence for Expenses incurred in Conveying Three Transport Convicts from Gloucester to Plymouth (including therein his Allowance of Six Pounds for each Convict pursuant to Act of Parliament)". Similar entries in that and the following year show that "Transports" were taken from Gloucester to the hulks at Gravesend and at Langstone, in Portsmouth Harbour. At Easter, 1791, the magistrates at Quarter Sessions appointed a committee to settle the accounts at the Keepers of the Gaol, Penitentiary, and Houses of Correction before they were presented to Quarter Sessions. Another source of information had ended.

To discover which convicts were actually transported to Australia recourse has been made to the Convict Transportation Registers in The Public Record Office, London. These manuscript documents record the names of the ships; the year, month - and sometimes the day - of sailing; the names of convicts embarked; the place and date of conviction and the length of sentence imposed - life, 14 years or 7 years. No other information is given.

The First Fleet under Governor Phillip, carrying 757 convicts, sailed for Botany Bay in 1787 and on arrival the following year established the first colony in Australia. It carried no convicts from this county.

The first convict from Gloucestershire to be sent to Australia was William Skinner, condemned to death at Lent Assizes 1789, for stealing a sheep valued at 10/-, the property of Ben Minett, but reprieved and sent to the hulks. In the latter half of 1789 Governor Phillip asked the Government to send out farmers as free settlers to provide food for the convicts, and to send carpenters and bricklayers to act as overseers of the convicts employed on public works. The Government demurred but sent out 25 artificers, chosen from convicts in the hulks, on the naval store-ship GUARDIAN which sailed in July, 1789. William Skinner was one of these. The GUARDIAN struck an iceberg off the Cape of Good Hope and five of the convicts were lost. Fourteen of the survivors were pardoned in December, 1791, though not allowed to leave the colony. If William Skinner was among the survivors he was the first Gloucestershire settler in Australia.

The Second Fleet of three vessels, NEPTUNE, SCARBOROUGH and SURPRIZE, sailed in December, 1789, and carried 43 men sentenced from Gloucestershire. It also carried the first convict sentenced from the City of Gloucester - a woman, Kezia Brown, sentenced to transportation for seven years at the City Quarter Sessions, October, 1789. It is extremely unlikely that all those from Gloucestershire reached Australia: of the 1095 convicts who embarked, 267 died on the voyage. 450 of the survivors required medical attention on arrival.

Captain Hill of the New South Wales Corps - a regiment formed to guard the convicts - travelled out on the SURFRIZE and wrote, "The slave trade is merciful compared with what I have seen in this fleet." The ships were overcrowded; the convicts heavily ironed, rarely allowed on deck, and inadequately fed. Captain Traill of the NEPTUNE was charged on his return to England with the wilful murder of three men but left the country before he could be brought to trial. Shipment of the convicts was still entrusted to merchants who contracted to carry them for approximately £23 a head. The contractors who had transported convicts to America had an incentive to land them alive and healthy, for they then fetched a price of £10 to £25 a head. The contractors for the Second Fleet, Camden, Calvert and King, had no such incentive; in fact there was a definite disincentive, for any rations saved on the voyage could readily be sold at a good profit in Botany Bay. Captain Traill had, indeed, been ordered by the contractors to be very careful with the provisions and to sell any surplus "to the best advantage for our account."

After this disastrous voyage the contractors were paid about £18 for every convict embarked and an extra £4. 10s. for every convict landed. Conditions on the ships were gradually improved but there was a heavy death roll in several ships carrying Gloucestershire convicts: HILLSBOROUGH (1796), ROYAL ADMIRAL (1800), GENERAL HEWETT (1813).

The Registers of Convicts show that 185 convicts sentenced from Gloucestershire before Michaelmas 1814 - when the series of calendars studied ends - were actually transported to Australia. A further 18, sentenced at the City Quarter Sessions or Assizes, were also transported. Of those from the county, 49 had been sentenced before the period covered by the calendars so no particulars about them have so far been discovered. It is hoped that a search of the Gloucester Journal will supply the missing information and that eventually a complete list of "transports" will be compiled covering the whole period until transportation finally ended in 1861.

The documents studied so far give the names of 271 persons (230 men, 41 women) sentenced to transportation in the 25 years covered by these Calendars. For reasons given earlier in this article, this list is almost certainly incomplete and should probably total about 300. Again, the Gloucester Journal will probably provide the missing names. Of those sentenced in the period, 136 (101 men, 35 women) were actually transported. It will be noted that most women so sentenced were actually transported; less than half the men were. During the war, convict labour from the hulks was required in the naval dockyards. Apparently there were no hulks for women. A table giving particulars of the crimes committed is appended.

Some very severe sentences were passed but prisoners subjected to them were, in fact, seldom actually transported. The harshest sentence was on Mary Willett, aged 37, sentenced at Quarter Sessions, 1806, to 14

years transportation for receiving sixpenny-worth of bacon and sixpenny-worth of salt from Elizabeth James, servant of Charles Vernon of Great Rissington, knowing that Elizabeth James had stolen it from her master. She was not transported. Neither were Joseph Attwood, 42, convicted at Quarter Sessions, 1807, for stealing a linen shirt from a clothes line at Cheltenham, and sentenced to 7 years transportation, or Thomas Holyoak, 34, sentenced to 7 years transportation at Quarter Sessions, 1800, for stealing a board valued at 10d. It is noticeable that these severe sentences were passed at the Quarter Sessions, not the Assizes.

Edward Cottle, 16, was condemned to death at the Assizes, 1806, but reprieved and sentenced to transportation for life for robbing John Vick of 3s. on the highway in the suburbs of Bristol. He too, never embarked for Australia.

Hannah Knight, however, convicted by Quarter Sessions, 1809, for stealing wearing apparel valued at 3s. near Bristol was transported on the ship CANADA for 7 years.

One of the most interesting prisoners was Thomas Gardner, aged 15, of the Stroud area, sentenced to 7 years transportation for "having written and sent a letter by post to Mr. John Lewis his employer, threatening to destroy his mill by fire unless he raised the wages of persons employed in his machinery." He was not transported.

Judged by the value of the property stolen, the worst offender was Elizabeth Pearce who was transported for 7 years for picking the pocket of John Dubber of about £130 in the Stroud area.

SENTENCED TO TRANSPORTATION

Michaelmas 1789 to Michaelmas 1814

| <u>Crime</u> | <u>Sentenced</u> | | | <u>Transported</u> | | |
|---|------------------|--------------|--------------|--------------------|--------------|--------------|
| | <u>Men</u> | <u>Women</u> | <u>Total</u> | <u>Men</u> | <u>Women</u> | <u>Total</u> |
| Unkown (as yet)... | 46 | 4 | 50 | 40 | 4 | 44 |
| Burglary ... | 6 | 1 | 7 | 2 | 1 | 3 |
| Housebreaking ... | 19 | 5 | 24 | 12 | 5 | 17 |
| Breaking open Warehouse ... | 1 | - | 1 | - | - | - |
| Stealing from dwelling or outhouse ... | 7 | 4 | 11 | 1 | 3 | 4 |
| Stealing from shop ... | 5 | 2 | 7 | - | 2 | 2 |
| Stealing horses ... | 11 | - | 11 | 8 | - | 8 |
| " sheep or lambs ... | 11 | 1 | 12 | 7 | 1 | 8 |
| " oxen, heifers ... | 2 | - | 2 | 1 | - | 1 |
| " pigs, fowls ... | 6 | - | 6 | - | - | - |
| " an ass ... | 1 | - | 1 | 1 | - | 1 |
| Stealing food (including wheat, barley, peas, etc.).. | 21 | - | 21 | 2 | - | 2 |
| Rioting & stealing wheat ... | 2 | - | 2 | 1 | - | 1 |
| Stealing wearing apparel ... | 10 | 9 | 19 | 1 | 9 | 10 |
| Stealing wool, cloth, fleeces ... | 16 | 4 | 20 | 4 | 2 | 6 |
| Cutting cloth on rack ... | - | 1 | 1 | - | - | - |
| Stealing money or silver ... | 14 | 2 | 16 | 3 | 1 | 4 |
| Stealing timber, tools, hoops, tallow, metal, sheet ... | 25 | 2 | 27 | 4 | 2 | 6 |
| Robbery ... | 1 | - | 1 | - | - | - |
| Receiving stolen wheat, food money, etc. ... | 4 | 2 | 6 | 1 | 1 | 2 |
| Pickpockets ... | 1 | 1 | 2 | 1 | 1 | 2 |
| Embezzlement (iron, proceeds of sale of master's horse).. | 2 | - | 2 | - | - | - |
| Forgery, fraud ... | 4 | 2 | 6 | 2 | 2 | 4 |
| Possessing forged bills, base coin ... | - | 1 | 1 | - | 1 | 1 |
| High treason (forged 6d) ... | 1 | - | 1 | 1 | - | 1 |
| Highway robbery ... | 8 | - | 8 | 5 | - | 5 |
| Deserting wife & children (second offence) ... | 1 | - | 1 | 1 | - | 1 |
| Bigamy ... | 1 | - | 1 | - | - | - |
| Sacrilege ... | 1 | - | 1 | 1 | - | 1 |
| Shooting to kill ... | 1 | - | 1 | 1 | - | 1 |
| Arson ... | 1 | - | 1 | 1 | - | 1 |
| Writing threatening letter.. | 1 | - | 1 | - | - | - |
| | 230 | 41 | 271 | 101 | 35 | 136 |

Some Prisoners in the Penitentiary

No analysis has been made of the lists of prisoners sentenced to hard labour in the Penitentiary, but the following were the most interesting prisoners.

Kid Wake, a journeyman printer, married and aged 27 was convicted by the Court of King's Bench on 7th May, 1796 "for a high misdemeanour against His Majesty." The Gloucester Journal of 16th May, 1796 gave a report of his trial for offences which occurred on 29th October, 1795, when George III on his way to open Parliament was hooted and jeered at by a crowd in the Mall, some sections of which had Jacobin sympathies and were opposed to the War against France. Stones were thrown at the royal coach as it approached Old Palace Yard and one of the windows was broken by a shot from an air-gun.

In pronouncing sentence Justice Ashurst said that Wake, "with a great number of others, being persons of violent and seditious minds.... did unlawfully and riotously meet together to disturb the peace of our Lord the King and assemble round his coach and made a very great riot, tumult and disturbance, by hissing, hooting, groaning, and used divers indecent, contemptuous and disorderly gestures; and did riotously, tumultuously and seditiously use and proclaim aloud the following scandalous words - No War - Down with George - No George - and did for a long time continue thus riotously assembled." Humour occurs in unexpected places. The Judge continued: "You endeavoured to show that the contemptuous gestures.... were due to your short-sightedness and that your eagerness to gratify your curiosity in seeing his Majesty occasioned those involuntary distortions of countenance, which might be construed into contemptuous gestures. This does not seem to be very natural."

Wake was sentenced to 5 years hard labour in "the Penitentiary House in Gloucester", and "to stand in and upon the pillory for one hour between the hours of eleven and two in the afternoon in some public street in Gloucester, on a market day." He was also to find sureties for £1,000 to be of good behaviour for 10 years after that and to remain in prison till the sureties were found.

The Journal reports that he arrived in Gloucester on 20th May and that on Saturday, July 23rd, he "stood in the pillory opposite the Market Place in the Eastgate-street." No comment is made about his reception by the populace but it is unlikely to have been sympathetic for at a meeting of the citizens of Gloucester in the Booth Hall on 29th November, 1795, the Rev. Thomas Stock had moved an address of congratulation to His Majesty which was unanimously approved.

Presumably Wake was able to find sureties for £1,000, for he disappears from the prison calendars after Easter, 1801.

Wake may have been amongst those members of the crowd singled out for prosecution because he was a printer. Much anti-war, Jacobin and other

"seditious" literature was printed and circulated at this time by The London Corresponding Society and others.

On 6th July, 1808, another printer, John Harriott Hart, aged 31 was brought to Gloucester by order of King's Bench to be imprisoned for 18 months for printing and publishing "scandalous libels" concerning certain trials and verdicts and the conduct of the Hon. Simon Le Blanc, one of the Justices of King's Bench; and for a further term of 18 months for "scandalous libels" concerning certain other trials and verdicts and the conduct of Lord Ellenborough, Chief Justice of King's Bench.

Hart was the printer and publisher of "The Independant Whig" and the libels he published concerned the trials of William Chapman, Captain of the Liverpool slave ship APOLLO. The Gloucester Journal of 16th November, 1807 reported that Chapman was charged at Thames Police Office with the murder at sea of his second mate. According to the evidence of the ship's surgeon the mate had a fever but was ordered by the Captain to carry out duties beyond his strength. When he failed to execute them Chapman lashed him with the cat-o'-nine-tails and beat him with the handle. He then "put fire" on the mate's legs, thighs and other parts of his body and threw buckets of water over him. The mate died a few hours later. The trial does not appear to have been reported in the Gloucester Journal but this must have been the trial before Lord Ellenborough which Hart criticised, and the verdict was Not Guilty.

In a further trial before the Hon. Simon Le Blanc reported in the Journal of 18th January, 1805, Captain Chapman was accused of the murder of the ship's boy, Robert Dunn "by exposing him naked to the weather, by starving him, and by repeated acts of cruelty. The evidence of the surgeon of the ship seemed to corroborate the charge; but some doubts arising respecting the credibility to be attached to his evidence, and witnesses having proved that the crew was in a mutinous state which rendered severity necessary, the jury after six hours deliberation, found the prisoner Not Guilty."

Hart criticised the verdict and also Simon Le Blanc's charge to the jury. This is hardly surprising. Neither is it surprising that, at the end of Hart's trial for libel before Justice Grose and a special jury, when a verdict of Guilty was announced, "a general but perhaps involuntary hiss induced the learned Judge to direct that any persons thus disturbing the peace should be brought before him; whereupon silence was restored."

At Michaelmas Quarter Sessions, 1801, Hannah Lintern was sentenced to three month's imprisonment for "cruelly beating Sarah Pollard, James Mitchell, James Downent and other poor children put under her care by the Guardians of the Poor at Bristol, by neglecting or refusing to give them sufficient food to the great damage of their lives."

At Lent Assizes, 1792, John Brown, 41, and William Burgess, 56, were convicted of a combination and conspiracy to raise the price of

brickmaking. This reminds us that laws to prevent the formation of Trade Unions existed long before the notorious Combination Acts of 1799-1800, the main effect of which was to make offenders under the previous acts against combination subject to summary conviction by two magistrates.

At Lent Assizes, 1800, a twelve year old boy, Thomas Hinton, was sentenced to two years imprisonment with hard labour for stealing bacon, cheese and money. He was ordered, also to be privately whipped at the end of the first fortnight and at the end of every succeeding three months of his term of imprisonment - nine whippings in all.

Prisoners in the Houses of Correction.

The following is an analysis of the information given concerning the prisoners in the Houses of Correction from Epiphany 1807 to Michaelmas 1810. During these four years 38 were confined for varying periods at Northleach, 10⁴ at Horsley, 4³ at Lawford's Gate and 12 - a surprisingly low number - at Littledean. Of the total of 197 prisoners, 16⁴ were men and 33 women.

Offences against employer.

| | |
|---|----------|
| Leaving master's service | 56 |
| Misdemeanour in master's service | 4 |
| Neglecting master's business | 17 |
| Cruelly beating master's oxen | <u>1</u> |

78

Poaching offences (Game or fish)

23

Lewd women... ..

20

Offences under Vagrancy or Settlement Laws.

| | |
|--|-----------|
| Leaving family chargeable to parish... .. | 5 |
| Returning to place from which removed | 1 |
| Idle & Disorderly, Rogues & Vagabonds | <u>13</u> |

19

Offences under Bastardy Laws.

| | |
|---|----------|
| Father of bastard | 1 |
| Refusing to obey bastardy order | 3 |
| Refusing to name father of child | <u>2</u> |

6

Embezzling or destroying wool

9

Felony (Stealing etc.)

9

Debt

8

Cutting down trees

6

Deserters from H.M. Forces

4

Breaking out of prison

2

Forging and uttering base coin... ..

3

Pulling down posts

2

Refusing to find sureties... ..

2

Disorderly behaviour in Workhouse

2

Divers misdemeanours... ..

3

Assault

1

197

Prisoners condemned to death but reprieved or sentence respited.

As previously stated, the number of prisoners condemned to death and executed cannot be ascertained from the calendars. It is hoped that a future study of the Gloucester Journal will supply the missing information.

During the period 142 people, including 12 women were condemned to death but reprieved or had their sentence respited. Of these, 21 were under 18 years of age. They include one boy aged 12 and one aged 13; four boys and one girl aged 14; two boys of 15; one girl and six boys aged 16; and three boys and two girls aged 17.

The table appended gives further information.

| <u>Crime</u> | <u>Condemned but Reprieved</u> | <u>Sentenced instead to Transportation</u> | <u>Actually Transported</u> |
|--|--|--|---------------------------------|
| Unknown | 24 | 11 | 11 |
| Housebreaking... .. | 27 | 14 | 10 |
| Sheep stealing | 26 | 11 | 9 |
| Horse stealing | 21 | 11 | 8 |
| Cattle stealing | 3 | 3 | 2 |
| Stealing above value of 40s. in dwelling house | 9 | 5 | 1 |
| Highway robbery | 5 | 4 | 3 |
| Burglary & 1 accessory before fact | 4 | 2 | 1 |
| Robbery | 3 | 1 | - |
| Stealing cloth | 3 | - | - |
| " Bank notes | 3 | - | - |
| " Silver | 1 | - | - |
| " Money | 2 | 1 | - |
| " Handkerchiefs etc. ... | 1 | - | - |
| " Linen from shop ... | 1 | 1 | 1 |
| " in a dwelling house... | 2 | 2 | 1 |
| Forgery | 2 | 1 | 1 |
| High Treason (Forged 6d.) ... | 1 | 1 | 1 |
| Shoplifting | 1 | 1 | - |
| Murder | 1 | - | - |
| Shooting with intent to kill... | 1 | 1 | 1 |
| Rape | 1 | - | - |
| | <hr/> 142 | <hr/> 70 | <hr/> 50 |

Undertones of War.

Young male prisoners were sometimes released on condition that they joined the armed forces. Thomas Parsons, aged 24, and William Webb, aged 19, were convicted of felonies at Trinity Quarter Sessions 1792, and sentenced to 2 years hard labour unless in the meantime they enlisted in His Majesty's Service.

At the Summer Assizes, 1798, Giles Boulton, aged 12 and Charles King, 15, were condemned to death for housebreaking but reprieved and sent to the Penitentiary. At Easter 1807 they were pardoned on condition that they joined the Royal Navy.

The Houses of Correction frequently held deserters from the forces awaiting collection by their units, and also prisoners who had been sentenced by Courts Martial for "Breach of the Articles of War." Amongst them were William Edwards, aged 13, and Edward Dugmen, 16 - evidently drummer boys - imprisoned at Lawford's Gate at Trinity, 1813. At Michaelmas, 1813, there were seven such prisoners at Lawford's Gate serving sentences of from 14 days to 3 months.

At Michaelmas Sessions, 1800, Richard Curry, aged 28, was in gaol convicted of assisting a prisoner of war to escape and sentenced to be fined 1s. and imprisoned for six months and until the fine was paid.

Conclusion.

So far only the entries concerning Transportation have been analysed and examined in detail over the whole period covered by the calendars, so to draw conclusions about other aspects of crime would be unwise.

On the evidence so far gathered the incidence of crime against the person appears to have been remarkably low. Of those people transported whose crimes we know, only one was guilty of such a crime and likewise only one of the prisoners in the Houses of Correction. Analysis of the crimes of prisoners in the Penitentiary might, however, show a different picture.

Much of the crime appears to have been opportunist and due to poverty and harsh conditions. To coin a phrase, most of it might be termed "subsistence crime". The incidence of crime and the prevalence of poverty seem to be closely related. This is particularly noticeable in years when a poor harvest resulted in a high price for corn. Such a year was 1801. That year there was an unusually high number of people for trial at the Quarter Session and the Assizes. At the Summer Assizes, of 64 prisoners for trial, 44 were accused of stealing some form of food: 9 persons were tried for riotously assembling with others and stealing corn at Westbury, Longhope, English Bicknor, Oxenhall, Dymock and Tirley; 19 were tried for sheep-stealing; 6 for stealing corn; 9 for stealing bacon, flour or cheese; 1 for stealing a pig. That year 28 people were sentenced to death and 6 actually hanged; 35 were sentenced to transportation and 16 of these were eventually transported.

I. & J.W. WYATT

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A CORONER'S NOTEBOOK

On February 10th, 1790, William Joyner of Berkeley was "elected Coroner for the County of Gloucestershire". The part of the county with which he was concerned was the southern half, being bounded in the north by a line passing roughly through Tetbury, Nailsworth, Bisley, Rodborough, Stonehouse (but not Stroud?), Arlingham, across the Severn and westward to the River Wye, at least as far north as Brockwear. It included the northern parishes of Bristol.

Joyner kept an account book⁽¹⁾, in which he recorded three sorts of activity. Most of these related to his coroner's duties, others to tax sessions and some more personal domestic and private business transactions.

So far as Joyner the coroner is concerned, the entries are a record of his inquests which he had to keep to substantiate quarterly repayment of his expenses by the Chairman of the Quarter Sessions. The accounts cover the period from his election in 1790 until the end of January 1823.

The record is embellished by some marginal notes, mostly noting the deodands which he levied and the results of the Assize Court trial where an inquest had committed a person to stand trial for murder or manslaughter. There are also some press cuttings and manuscript extracts of professional interest or because Joyner was personally involved (Appendix A, B, C).

Originally the book belonged to an earlier member of the family; both back and front covers are inscribed "Reuben Joyner - His summing book, August 13, 1769," but there are no entries prior to William Joyner taking over the book and inscribing - "William Joyner, Memorandum Book, 1781". The earliest pages contain a record of Land and other taxes. assessed at Newport Sessions.

The details of each inquest are necessarily brief, although in all but a few instances, Joyner (or his clerk sometimes?) recorded the following information:- date of inquest, place where it was held, name age and status of deceased, day and time of death, cause of death, verdict of the jury, distance travelled to the inquest, the fee claimed. Despite the lack of rapid communications at the time the inquests were always held very soon after the death; quite frequently on the day following the death. But there were some deaths which escaped the coroner's eye altogether, sufficient for a public warning to be issued. In recording the place of the inquest, he normally named the building - very frequently a public house - as well as the parish and village.

In 1790, Joyner held 37 inquests. The number increased steadily year by year, with a few pauses and recessions, to 92 in 1822, the last full year recorded. They reached a peak in 1820, when there were 119. The increase in the number of deaths no doubt reflects the growth of the

population; there is no evidence of any significant change in the proportion of deaths from any one cause.

The year 1820 was an exception to the general rule: there was a considerable heat wave in late June and early July. There were eight inquests in this period, in which the cause of death or the recorded verdict stated explicitly or implicitly, unusually hot weather. The deaths all occurred out of doors - several in hay fields - and were caused "by excessive heat of the weather", or by drowning whilst bathing in millponds or rivers.

Apart from the unusual summer weather, the deaths in 1820, despite their greater number, were in very much the same pattern (of cause, age, sex) as in the 'lean' years at the start of Joyner's office. That is, about four times as many men as women (no women died of excessive heat incidentally!).

Throughout the years, there were many accidents in which the deceased was run over by a horse-drawn waggon. This suggests that it was not uncommon for the driver to fall asleep and fall off in the track of the wheels. This is supported by Jacob(2) who in defining Deodand says "...There are several Examples of Forfeitures in Cases of Deodands, as if a Man in driving a cart, falls so as the Cartwheel runs over him, and presseth him to Death, the Cartwheel, Cart and Horses are forfeited to the Lord of Liberty: for Omnia quae movent ad mortem sunt Deodanda".

There were comparatively few suicides - three to five a year, throat-cutting, drowning or hanging being the most popular methods. Almost without exception, a suicide attracted a verdict of Lunacy. This verdict was a charitable interpretation of the circumstances by the jury. The implication of insanity preserved the deceased's property for the benefit of his or her dependents. Otherwise, a verdict of *felo de se* led to forfeiture of personal property to the Crown (Appendix C)

Accidents of all sorts - in industry, in the home or elsewhere, were numerically the greatest cause of death. Though not particularly numerous, fatal accidents to children frequently happened "in the absence of parents" and were caused by clothes catching fire or by scalding with a pan of boiling water. Apart from accidents, the great majority of deaths were due to unexplained "sudden death" or being "found dead". Probably only the presence of a witness made a significant difference between the two. But frequently, and especially in the case of sudden death in the presence of witnesses, it is recorded that the deceased literally dropped dead without warning and "without previous illness". Perhaps the modern equivalent would be coronary thrombosis. But there was one case of an infant who was "found dead on his mother's lap". Wherever a person died suddenly or was found dead without evidence of disease or violence, the jury invariably returned a verdict of "death by visitation of God" (Appendix E).

Though the details of inquests are brief and by their brevity somewhat stylized in phraseology, aided by marginal notes and other insertions, there are some clear pointers to the character of William Joyner, and more

by inference, the attitudes of the public of the day. Joyner was a deeply humane man endowed with a warmth of feeling towards less fortunate persons with whom he had to deal (Appendices A & B).

As might be expected inquests on men exceeded those on women by about four to one. Deaths by accident predominated, - they accounted for about half the total - and of these, coal mining and transport either on land or water, accounted for about half in more or less equal numbers (one coal miner was twelve years old).

The social problem of illegitimacy was as evident in Joyner's Gloucestershire as it is today. There are many instances of inquests on newly-born infants - some never identified, others where the mother was named. Verdicts varied according to circumstances which are not recorded, but in many cases it seems that the jury (possibly under direction of the Coroner?) gave the benefit of the doubt to the mother, by returning a verdict of "natural causes" or "still-born". Some mothers who were committed for trial, were found not guilty of murder at the assizes or guilty of a lesser charge, attracting a modest penalty (Appendix F). Despite the charitable attitudes to the mothers mentioned above, it is clear that illegitimate children were not looked upon in the same way. Usually, the deceased child is described as for instance, "the body of a male bastard child born of the body of, singlewoman". Where the mother was known, she was invariably a woman of the lower and usually servant class. More well-to-do infants did not die in circumstances which required an inquest. There were also some unsuccessful attempts to procure abortions by the use of poisons administered to the mother (Appendix G).

In July 1790, a twenty year old forgerman of 'Lidney' "was drowned in attempting to save the life of a hunted Deer belonging to Thos. Bathurst Esq." A founder anti-blood sport society member?

For a number of years in the early 19th century, there were French prisoners-of-war held in Stapleton jail in Bristol - presumably from the Napoleonic wars. They had their quarrels in jail and, apparently, access to weapons of sorts which they used in skirmishes amongst themselves. On 6th March, 1808, two inquests were held, one on Joseph Cailleau who was killed in a duel by Francois Pierre; the other on Charles Dijeon who was killed by Francois Delore. Verdicts of manslaughter were recorded and both men committed for trial at Gloucester Assizes. On March 16th (only 10 days later!) they were "acquitted on grounds of self defence". But on December 30th, 1800, another prisoner was shot dead by a sentry "for throwing stones at him and other provocations and for trying to escape". The verdict was Justifiable Homicide.

There were also some foolhardy people in Joyner's time, as ever. For example, Mr. Parry Richards "late of Chepstow", who was drowned on 23rd January, 1791, whilst trying to cross the River Severn at low tide at six o'clock in the evening "although persuaded by many on shore not to make the attempt as being impracticable". So it was.

Other local researches covering the late eighteenth and early nineteenth century have shown a considerable incidence of vagrancy in Gloucestershire. However, few vagrants figured in the Coroner's record - less than 1%; or, if one assumes that all the unidentified bodies were vagrants, the figure would be about 6%. At the same time it was not uncommon for people to die of exposure "through the inclemency of the weather".

All in all, a record which was originally written for little more reason than to account privately for the transactions of a public official, now manages to reveal something of the life and attitudes of the times.

G. KEMP.

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Appendix A

May 25th, 1790 Taking an inquest near Traytors Bridge in the Parish of St. James, Bristol, on the body of Elizabeth Fitkin, spinster aged 20 years who was found drowned in Froome River on the 23rd Inst. Verdict - Lunacy.

A manuscript copy of an advertisement in the Bristol, Bath and Gloucester paper refers to the same event in the following terms:-
"The necessity of a Magdalen Hospital in Bristol was never more apparent than on the inquest taken last week before Mr. Wm. Joyner of Berkeley, one of the Coroners of the County of Gloucester on the body of a young woman found in the River near Earls Meads the preceding Sunday. The unfortunate Female had for some time lived a loose, disorderly life and has been the miserable pupil of a school of Infamy in Silver Street, becoming Pregnant, and by the horrid effects of a certain malignant disease, in a most deplorable state of health, she was driven from that wretched receptacle without money or scarcely any raiment. In this Abiss of misery she applied to her friends, her Father and Mother in law who refused to Admit the returning penitent under their roof, shut their ears against her promises of reform, and would hardly look upon a daughter bathed in tears, and in the most excruciating pain both of body and of mind. Some kinder woman however, permitted her to sleep two nights in her apartments on the Cold Stones. The next day, by the extremity of hunger and the accumulated horrors of her situation, she was driven to despair, and plunging into the fatal stream, she finished her life and wretchedness together. You cannot bestow eulogism better than on the worthy Coroner, who, in his charge to the Jurors, so pathetically described the circumstances attending this daughter of destruction, as to draw tears from all who heard him; and who at the same time strongly recommended the Institution of the above charity in terms which not only reflect honour on his feelings as a man, but also on the choice of the County in such an officer."

Appendix B

April 26th, 1799 To ditto (inquest) at the parish of St. George (St. Don's Cross) on the Bodies of Four coalminers namely - John Fudge aged 19 yrs - George Biss aged 25 yrs. - William Powell aged 26 yrs. and John Milsom aged 35 yrs. - who were all drowned in a coalpit belonging to Dennis Butler Esq. & Co., called Pill Marsh in the parish aforesaid on the first of April Inst. in consequence of a large body of water bursting into the said coalpit whilst they were at work from out of an old coal work formerly belonging to Mr. Saml. Riddle - The bodies of the said men were not found till 25th. inst. owing to ye foul Air of the Pit and Quantity of water therein - Verdicts - Accidental Death.

Marginal note to the above - "The melancholy event which happened to these men who has left Wives and Twelve helpless children not of an age to afford their Mothers the least pecuniary assistance has drawn forth sympathy of Humanity and feelings of a Generous Publick and who has liberally contributed by subscription £50."

Appendix C

Press Copy.

An inquest taken on August 8th, 1800 on view of the Body of Thos. Flynn, the person who attempted to murder his wife and afterwards destroyed himself by cutting his Throat with a Razor and stabbing himself a little below the Heart. The fact was fully proved by several witnesses and the surgeon deposed the Deceased appeared collected and betrayed no Symptoms of derangement of Intellect. The Deceased had given his wife 3 or 4 very large wounds in her Head and her Skull was fractured. The Blows were given with an Iron Poker.

Coroner's Charge.

He observed, that this was a case in which the Jury would decide upon the same principle by which their Judgement would have been influenced, had they been trying the Deceased for murder of his Wife. He observed that there was no Evidence whatever inferring insanity, on the contrary, that it was manifest he came with the avowed intention of committing murder or of persuading her to live with him; the whole of the evidence proved he knew perfectly what he was about and had acted with design and meditation.

Verdict - That the deceased had Feloniously wickedly and of his malice aforethought Killed and murdered himself.

Body buried in the Publick Highway Parish of Westbury in Bristol. Aug. 8th, 1800.

Appendix D

Anonymous undated note:

"We cannot sufficiently lament the number of accidents that happen through excessive Drinking, particularly among the lower class; for notwithstanding the difficulty of procuring liquor in consequence of ye increased price, yet such a propensity is there in them, to this growing Evil, that they will dispense with more necessary Articles of Life, in order to satiate themselves with an imaginary pleasure, which never fails to plunge them in misery and ruin."

Report in the "Star". July 26th, 1814.

Thos. Callen died in consequence of Excessive drinking. The liquor had been forced upon the young man by some foolish companions. It was in consequence of this shameful abuse that the man died. The Coroner's Inquest after mature deliberation returned a General Verdict of - Died by Excessive drinking.

Appendix E

1808. July 31st. To taking an inquest at the White Hart Inn at Olveston, on the Body of William Reese Servant in Husbandry to Mr. John Adams, who on the morning of Friday the 29th Inst whilst at work grinding of the Malt for his said Master, fell down and Instantly Expired without uttering a single word afterwards. Verdict Sudden Death by Visitation of God.

Appendix F

March 26th, 1804. To ditto (taking an inquest) at Willsbridge near Bilton, on the Body of a new-born Male Child, found Dead in the Privy or Necessary House, belonging to Thos. Pearsall, Esq. at Willsbridge aforesaid, on 25th Instant - The Jury (after a full investigation of 6 hours) returned a Verdict, of Wilful Murder against Mary Marsh, Single Woman, aged about 23 years, Mother of the said Child, and Servant to the said Mr. Pearsall, and who stands Committed for Trial, for the said Murder, at the next Assizes at Gloucester.

Marginal Note:-

Mary Marsh was found Guilty of Secreting ye Birth of ye Child and sentenced to 12 months Imprisonment but acquitted of the Murder.

Appendix G

27th January, 1806. To ditto at the Sugar Loaf Inn at Tidenham on the Bodies of Harriot Hurcombe Singlewoman aged 17 year and her newborn Infant Female Child who died from Poisoned. After an Investigation of Two days the Jury returned their Verdict as follow, Wilful Murder against the said Harriott Hurcombe the Mother of the said Child by taking a Quantity of White Mercury Knowing the same to be a Deadly Poison in order to cause an abortion which caused the Death of the said Child, which lived Half an Hour after its Birth. And likewise Wilful Murder against William Collings servant to Mr. J^{no} James and William Davis, workman to the same Gentleman as accessories before the murder by Inciting, Moving, Instigating, Stirring up, counselling, advising and procurring the said Harriott Hurcombe to do and commit the said murder &c. It appeared the said Davis procured the Poison and gave directions how it was to be mixed up & taken and Collings took it to Hurcombe knowing it to be Poison and for what purpose it was to be taken; he was the reputed Father of the Child. The mother lived near a week after the Birth of her child and then Died in consequence of the Poison. She was ordered to be Buried in the Publick Highway in the parish of Tidenham - Collings was committed for Tryal and a Warrant was issued out against Davis who had fled his country for ye said offence.

THE DIARY OF THOMAS SUTTON ESTCOURT OF SHIPTON MOYNE

This journal⁽¹⁾ was written by Thomas Sutton Estcourt about 1864 and commences with details of his branch of the Estcourt family, touching upon the events which led them to inherit the Estcourt estates in Gloucestershire. The journal then goes on to give a more detailed picture of their lives and their gradual rise to importance in the House of Commons and public affairs.

Thomas Sutton Estcourt was born in 1801, the son of Thomas Grimston Estcourt and Eleanor Sutton (of New Park, Devizes). His birth was difficult and his father had to ride on horseback to London and back again the next day to fetch a Physician. This must have meant at least a ride of 90 miles in each direction. In 1803 Thomas Grimston was elected member of Parliament for Devizes in place of Henry Addington who was created Viscount Sidmouth. The family were great friends of Lord Sidmouth and they met socially fairly often.

Almost yearly a new member of the family was born, by 1809 six children had arrived, 4 boys and 2 girls one of whom died of measles in 1810. Thomas Sutton went to school on 4th September, 1810 to High Wycombe. The school was run by the Reverend James Price. He remained there 4 years, previous to this he had been taught by his mother English and Latin Grammar by his father.

Extracts from the Diary:-

- 1810 My mothers sister Sarah ran off with Captain Matthews and was married to him on 29th May.
- June, Riots between some soldiers of 102nd regiment and Canal men at Devizes.
- We went on summer holidays to Weymouth.
- 1811 I and my brother James went to school together.
- 11th Feb.
- 13th Feb. My uncle Edmund married to Bertha Wyatt.
- 23rd July My dear wife Lucy Sarah, daughter of Admiral Sotheron was born at Kirklington.
- 1813
- 11th Sep. I went to Harrow School.
- 1814
- 7th June The Emperor of Russia and King of Prussia arrived, there were great Fetes.
- 14th July A Ball at Devizes on the Peace.

1815
26th June News of Bonaparte's Abdication.
4th Nov. My father gave up his mastership of the Harriers and had a Grand Dinner with the Hunt.

1817
30th May Speaker Abbott resigned, many members wish my father to be proposed.
26th July A good old friend Miss Carpenter came as Governess to my sister and remained with us 20 years.
1st Aug. James my brother went to Sandhurst College.
6th Nov. Princess Charlotte died.

1818
We spent the summer at Weymouth and on 2nd December my Grandfather Thomas Estcourt died in Cheltenham of a Bilious attack and was buried at Shipton Moyne on 10th December.

1819
3rd June The first stone laid of the new building at Harrow School. I was captain and made an impromptu speech to Lord Clarendon.
21st June I left Harrow and in October I commenced to reside at Oriel College, Oxford.

1820
6th Jan. Walter sailed to the East Indies.
8th Feb. King George 4th Proclaimed.
6th Sept. James went to Brunswick.

1821
9th May My father was head of a commission with others to enquire into abuses alleged against the management of Ilchester Gaol by Hunt. Completed evidence on 30th June.
18th July Coronation. I had a place in a Gallery erected on the left of Westminster Hall, and had an excellent view of the Procession and Champion (see Lords of Dymock).

1822
21st Nov. My examination for my degree at Oxford. Gained first class.

1823
6th Sept. Walter sailed for South America on board the Spartiate, Captain Falcon.

31st Oct. Great Wind which blew down many elms near the Keepers Lodge. George Miles woodsman being alarmed for the house came along the lake at 4 o'clock, he returned the same way 2 hours later, and more than 50 trees had fallen across his path meantime. I had travelled abroad with Charles Wood, and returned home the night before this storm having had a rough passage and I had my hat blown away near Riems.

1826

17th Feb. My father was elected member for the University of Oxford, he had sat for Devizes for 21 years. Watson Taylor succeeded him as member for Devizes. The people of Devizes made a Festival with bands and presented 3 flags to him, Pearse and Watson Taylor. I rode at the head of 100 men on horseback into the Market Square.

2nd July Three boys were drowned while bathing in the Lake at Estcourt, one the son of the bailiff.

10th Dec. Mr. Wellesley arrived at Portsmouth, the Government of Portugal having appealed for aid from us. He made a wonderful fine speech which I heard from a Gallery in Richmond Park. My imagination was fired and with my fathers consent I got a berth with Wellesley, and took Walter with me as a Midshipman. We sailed for Lisbon with 1,200 guards and were under headquarters command of Sir William Vinton. The Fleet under Admiral Sir Thomas Hardy.

1827

14th Feb. Walter returned from Lisbon. I remained at Lisbon, domiciled with Mr. Matthew the great General, who had married my aunt. I left on the first day of Spring and rode to Leiria, I learnt to speak Portuguese from sheer necessity in a week. Sir William Clinton very kind and hospitable to me, I stayed with him a fortnight, riding about the great pine forests of the neighbourhood. After this I travelled intensively in the country and eventually to Spain, where I travelled to Seville, Cordova, Granada, and at Malaga I had an accident when my mule fell. So to Gibraltar, across to Tangier and back to Cadiz where I took a steamer to Lisbon. We were nearly shipwrecked. James and I then sailed to England and reached Estcourt on 15th December.

1828

Meetings at Devizes to found the Wilts. Friendly Society. I worked at the details all the year. I will be relieved by a permanent secretary.

6th March My father brought in the Metropolitan Police Bill, and headed a committee on it.

Lord Sidmouth resigned as Recorder of Devizes, my father was elected and I a justice of the borough.

6th Oct. The Queen of Portugal passed through Devizes from Bath. Old Mr. Hughes and I were sent down to settle how she should be received and had an interview. "Short, fat, round and good humoured".

Walter was invalided at Marsielle. Edmund was sent to nurse him and bring him home.

18th Dec. Lord Liverpool interred at Hawkesbury.

1829

3rd Feb. My Grandmother Estcourt died at the Priory, Long Newnton aged 80, and was buried at Shipton Church in the family vaults. The Government of Wellington and Peel bring in the Catholic Emancipation Bill. I busied myself in company with Walter Long in getting up Anti Catholic Petitions in the County.

13th March A vacancy being made at Marlborough by the retirement of Lord Bruce. I was put forward by Lord Citerley and returned, O'Connor attempted to take his seat for Ennis.

5th June My Dearest Mother became very ill, operation for a strangulated Hernia was performed by Brodie. She lingered till 23rd June then expired at 25 minutes after 5 a.m.

3rd July My Mother was buried at Shipton Church, Mr. Butler of Devizes conducted the Funeral Service.

1830

21st Aug. I married Lucy Sarah Sotheron.

The journal continues into the 1860's and records the gradual rise to fame and power of James Estcourt until his death in the Crimean War and of Walter the sailor. Thomas' life at Estcourt continues with parliamentary affairs. He becomes friends with Fox Talbot at Lacock and experiments with photography in the 1840's.

V. C. NIELSEN

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2. Nympsfield Parish Registers, Gloucestershire Wills 1660-1800 nos. 182 and 294, and Estcourt Pedigree SFS,1(2-6) Gloucester City Library. Estcourt Pedigrees, Gloucestershire Records Office.
3. Wiltshire Forefathers, June Badeni (1965).
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OVER BRIDGE, GLOUCESTER

Immediately to the West of Gloucester, the River Severn divides into two channels which rejoin some two miles downstream enclosing meadowland known as Alney Island. Until 1966, when the new Severn Bridge was built, the bridges over these two channels and the causeway linking them, were the lowest bridging point over the Severn connecting the South of England with Wales. It is not known when the first bridges were built, but certainly the route was used by the Romans. It is thought that the land levels have changed over the centuries, and that at one time Alney Island was a tidal swamp and the river channels much shallower. There may have been a ford originally, but it is of interest to note that in the pre-Reformation period, the monks of the Abbey of Gloucester used to walk to the village of Over, where the Abbey owned property and a vineyard on the site of the present hospital. This walk was taken regularly for exercise, and it is reasonable to assume that there were bridges in use at that time over both channels of the Severn.

The first documentary evidence of a bridge at Over is by Leland who wrote that he saw a bridge of eight arches under construction in 1535. The causeway then followed its present route to Westgate Bridge and so into Gloucester. There has been some dispute over the actual number of arches in this bridge as contemporary drawings show fewer than eight; however when the present railway bridge was rebuilt in 1951 the bases of piers for eight arches were found. The carriageway of this bridge was only 13 feet wide between the parapets, and the span was 137 feet.

In 1813, John Wheeler, who was probably a surveyor, wrote to the magistrates to notify them that the bridge was in a dilapidated condition and that one arch was falling. Five years later he reported that ice from a thaw had further damaged the bridge which was now dangerous. In the 19th century important bridges were the responsibility of the magistrates, and were paid for from a parish levy known as Bridge Money. All decisions were made at the Quarter Sessions.

£10 was spent in 1821 in replacing several stones in the piers. Eleven years after the first report that the bridge was dangerous, the County Surveyor, John Collingwood, examined it and confirmed that "carriages may not pass over safely". He ordered the immediate repair at a cost of £76 for the piers, stonework and parapet, and £12. 15. 0. for the roadway. In October 1824, the magistrates appointed a committee "to examine the state of Over Bridge", under the chairmanship of Sir Berkeley Guise. Nine months later, the committee reported back to the Quarter Sessions and presented three plans for a new bridge. One of these was by a man named Carpenter, but there is no record of the engineers who produced the other two. None of these satisfied the magistrates and it was decided to ask Thomas Telford to submit plans for erecting a bridge at Over. In January, 1826 he submitted two designs, one of cast iron for £24,000, and one of stone for £40,000. The latter was approved, and

advertisements for tenders were placed in The Times and The Courier. Both papers insisted on payment in advance, The Times requiring one and a half guineas, and The Courier one guinea! Three tenders were received -

| | |
|--------------------------------|---------|
| Taylor of Soho, civil engineer | £45,761 |
| John Cargill of Pontypool | £39,250 |
| Hugh McIntosh | £37,350 |

John Cargill's tender was accepted, although it was not the lowest, and it is perhaps pertinent to point out that his referees were Thomas Telford and a Mr. Fletcher who was an engineer at that time working on the Gloucester and Berkeley canal for Telford. When John Cargill started on Over bridge, Fletcher was the engineer in charge for the first nine months, after which he went to the Ionian Isles in a professional capacity, and was replaced by John Hall. Fletcher's reports to the magistrates contained far more details than did his successor's, so that the early stages of the construction of the bridge can be more fully described than the later ones.

The design of the bridge was for a single elliptical arch, similar to the bridge at Neuilly which Telford admired. The new bridge was to be 150 feet wide, 13 feet wider than the old one, to accommodate the additional flood water created by the enclosure of the land in the upper reaches, and the embankment of the river channel. The rise of the arch was to be 35 feet, with the carriageway 17 feet, and the footpaths $\frac{1}{2}$ feet each. In order that the flow of the river should be unobstructed this bridge was to cross the river at right angles, a little way upstream of the old one, so creating the present bend in the road as the causeway meets the bridge.

Stone for the abutments and all inside building was brought downstream from Highley and Alveley in Shropshire. A quarry was opened in the Forest of Dean for the stone for the outside works. This stone may have been transported up the Severn from Lydney, for there was already a quay at Over. River transport was common and continued throughout the period of the construction of the new bridge, which added yet another hazard to that of the Bore and seasonal flooding for the contractors to contend with.

In July 1826, work was started and coffer dams were built. Soil investigation on the East bank revealed that the strata were as follows from the surface downwards:-

| | |
|------------------------------------|----------|
| 1. Subsoil | 5 feet. |
| 2. Loam | 11 feet. |
| 3. Soft blue silt | 12 feet. |
| 4. Peat moss | 5 feet. |
| 5. Strong, coarse indurated gravel | 3 feet. |
| 6. Gravel on coarse sand | 8 feet. |
| | <hr/> |
| | 44 feet. |
| | <hr/> |

The foundations for the main pier were laid upon the indurated gravel 33 feet below the surface. On the West side the ground was firmer and gravel was reached at 27 feet. On both sides, upon the gravel, rubble was laid, and then 37 memel logs which were made of thick brushwood lashed together with chains to form continuous logs. In this case each log was about 40 feet long. These were then infilled with masonry rubble on which beech planks were laid. This constituted the foundations for the two main piers.

The September tides damaged the dam but it was soon repaired according to Fletcher's quarterly report, in which he noted that the following tradesmen were employed at that time.

| | | |
|---------------|---------------|------------|
| 14 Masons | 5 Millwrights | 25 Diggers |
| 12 Carpenters | 6 Blacksmiths | |

By January 1827, the Eastern abutment, which did not have such extensive foundations, was up to the level of the springing of the arch. In March, the Western abutments and also the two for the arch over the mill stream adjacent to the West bank of the river at Over were under construction. The timber framing for the great arch was started and there was sufficient timber upon the ground to complete it.

At this time, it was realised that soil was needed for the embankments and would most readily be obtained from the nearby Vineyard Hill. Enquiries revealed that this land still belonged to the Church, and permission was eventually given by the Bishop of Gloucester for the abstraction of soil, provided that the land was reinstated to his satisfaction.

By October 1827, Telford considered that the work was sufficiently advanced for him to be paid £1,000. He was to be paid a further £1,000 when the bridge was completed, so getting 5% of the estimate. He was not pleased to be informed by the clerk to the magistrates that he would have to wait until there was a full Quarter Session in January 1828, three months later, when the magistrates would consider paying him if the money were available! The records of the Sessions for that month reveal that he was in fact paid, and that at that time £28,000 had been spent on the bridge.

Mr. Cargill, the contractor, was paid in quarterly instalments, when he reported briefly on progress. In April 1829, Telford inspected the water walls and was satisfied with the progress made. In June of that year he produced the following statement of the contractor's claim.

| | | | |
|-----------------------------------|----------|-----|-----|
| 1. Bridge and approaches | £39,250. | 0. | 0. |
| 2. 3 collateral embankments | 2,622. | 10. | 0. |
| 3. Water wing walls | 1,094. | 1. | 4. |
| 4. Sundry drains | 115. | 3. | 10. |
| 5. Covering embankments with soil | 122. | 8. | 10. |
| 6. Sloping banks of Vineyard Hill | 62. | 10. | 0. |
| 7. Gate into Wm. Guises land | 2. | 15. | 0. |
| | <hr/> | | |
| | £43,269. | 9. | 0. |
| | <hr/> | | |

The bridge was nearing completion when it was found necessary to add wing walls to the abutments at an additional cost of £900 - £1,000. On Cargill's final bill, he reported that the embankment had slipped and sunk, thus throwing over the retaining walls and breaking a part of both ends of the arch across the mill stream. These were all rebuilt, and the arches were extended and supported by strong buttresses. His final bill brought the contractor's cost to £43,526. Sir Berkeley Guise was paid £273. 6. 0. for land in Over belonging to him which was used for the West side of the bridge and the new roadway. The Bishop of Gloucester was dissatisfied with the restoration of Vineyard Hill and the magistrates were required to pay £93. 16. 6. in compensation for the damage.

In July 1829, the new Over Bridge was completed and Telford pronounced himself satisfied. When the centering support of the wooden framework was removed the crown sank 2" and then a further 8". Telford was undismayed, quoting the bridge at Neuilly as having sunk first 13" and then 10" more over a span of 128 ft. When asked a year after the completion of the bridge to examine 'sundry openings which require to be stopped and is daily sinking' he complied, and wrote that he considered the opening up to be normal and the workmanship perfect! The openings in the joints were immaterial in such a large structure and should be filled in. The slipping of the embankments could easily be remedied.

On request, he again examined cracks in April 1831, and in this report he wrote that he confidently affirmed there was no cause to suspect the bridge's stability. The magistrates must have been reassured, for in October of that year he was paid the balance of his fee. In 1832 further repairs were executed under Telford's direction costing £500, of which Telford paid £250 and the County £250.

It is not clear when the new bridge was first used by traffic, for the old bridge was still in existence throughout this period. In April 1834, the magistrates decided to stop up the roads to the old bridge and sell the bridge itself. In July, Thomas Armstrong won the contract with a tender of £230. The centre piers and arches were to be down by 10.10.1834 and the remainder to be finished by 1.1.1835. No gunpowder was to be used. On 27.2.1836 Armstrong was told to remove the materials and buildings immediately, or action at law would be taken. This letter had the desired effect for the remains of the 1535 bridge were finally removed in 1836.

In his autobiography Telford gave his account of the building of Over Bridge. When repairs became necessary immediately after the removal of the wooden framework and the bridge continued to sink, he realised there must be some fault in the structure. The wing walls had not been given piling and platforms, which meant that they sank and pulled away. The greater movement was on the Eastern side and was entirely due to his own parsimony in not providing adequate foundations.

Successive County Surveyors have continued to fill in the cracks with various materials. In 1907 a scaffold was placed beneath the bridge and a straight edge revealed a reverse curve of $\frac{3}{4}$ ". Open joints of $2\frac{1}{2}$ " were

found. It was suggested that an extensive propping-up operation would make the bridge stable, and that the wing walls should be underpinned with concrete and brick. When a shaft was dug for this operation water rushed in and caused even greater movement of the bridge itself. Sir John Fowler of the Forth Bridge was consulted, and his advice was to fill in the shaft and leave the bridge alone, as it was most important not to upset the balance. This advice was taken, and was obviously well-founded, for the bridge carries today an enormous volume and weight of traffic such as Telford could never have imagined, but which completely vindicates his confidence in the stability of Over Bridge.

J. C. FROST

Sources

All Telford's designs and working drawings were given to the Institute of Civil Engineers. Over Bridge itself can be seen any day, but the elliptical design can only be appreciated from the river, or possibly the Maismore road. In Gloucester Folk Museum is a water colour painting showing Telford's bridge, with the 1535 bridge seen through the arch.

Glos. Records Office, Q/AB 3 (Over Bridge correspondence)
Q/SO 14-16

L.E.W.O. Fullbrook-Leggatt, Over Bridge

L. Richardson, The River Severn (1964)

R. Phillips, Over Bridge, a Monograph (1908)

WILLIAM COTHER OF LONGFORD

William Cother was baptised at Sandhurst on 29th January 1769. He was the third son of Thomas Cother, farmer, who owned lands in several parishes to the North and West of Gloucester. Nine children were born into his family, but four of them died in childhood and on his father's death William was the eldest surviving son. During this time the family moved from Sandhurst to Barnwood - perhaps for the sake of the children's health. If so this was successful as the children born at Barnwood survived their father's death.

William Cother's memorandum book, which is the major source of this account, covers the period from 1831 until 1838, one month before his death. During this time he lived at Longford "on the Turnpike Road". This may have been the present Cheltenham Road or the Tewkesbury Road as Cother owned property in both areas and is variously referred to as being "of Longford" or "of Wooton". There is nowhere mention of wife or children and William appears to have lived alone with two house servants.

Although a considerable land-owner - his book contains records of properties in several places - Cother seems to have done little farming himself and to have received his income mainly from rents. Apart from a rather vitriolic comment on the "Free Trade Gentry" and "Mr. Peel who fills his own pocket and those of every other rich man at the expense of the middle classes" the book is concerned mainly with domestic affairs.

Cother was a keen gardener and much of his accounts consists of the records of his garden at Longford. Methods of cultivation seem not to have changed much since then - except the liberal use which Cother was able to make of "dung" which would give pangs of jealousy to many a modern gardener.

But the gardening calendar is much as today. The radish hotbed in the early year; early potatoes in March "they taste better off poor ground"; peas and beans in April; flowers to be sown in March, pricked out in April and transplanted in June. Digging and dunging were done in the winter, sowing in spring; clearing up and pruning in Autumn and Winter - even mowing the lawn once a fortnight in Cumaer (I wonder what with, and did he do it himself?).

Most of the vegetables grown you would find in a modern seed catalogue, but few of the varieties mentioned seem to have survived. Were they true varieties I wonder, or some local pet name? "Early Warwickshire", "Charlton" and "Mr. R. Help's famous Yorkshire" peas. "Early Salperton", "Ashleaf Kidney", "China Orange" and five other varieties of potatoes. "Keen's Seedling", "Wilmot's Superbs", "Scarlet Alphine" and "Scarlet Caroline" strawberries. "Ashmead's Kernel", "Non Pariel", "Golden Harvey",

"Panter's Crab" and other apples. Cother seemed to pay particular attention to his asparagus bed with its dressing and manuring in November and later mulching with grass.

There was still room for flowers - Red Carnation, Sweet William, China Asters, Cockscombs, African Marigolds, Larkspur, Hollyhocks, Lupins, Canterbury Bells, Convolvulus, Mallow, Stocks and Gillyflower are all mentioned. He could almost have stocked a Herbal Stores on his own. Sage, Balsam, Mint, Horehound (for coughs and phlegm), Wormwood, Lavender, Sweet Marjoram, Orange and Lemon Thyme, Rue, Fennel, Hysop, Borage, Featherfold, Organ (Pennyroyal), Chamomile (Camomile) were all grown.

Much of his own seed seems to have been saved during the last part of the year and some seems to have been begged or exchanged with neighbours. Cother mentions that Brussel Sprout seeds should be "innoculated by bees".

This interest in gardening seems to have been rivalled only by his interest in food. There are many recipes in his book - not all of which I suspect he had the opportunity to taste. "To Roast a Haunch of Venison" perhaps yes; but "To make Oyster Sauce" to which Cother adds the rather plaintive remark "I should think good", seems a bit doubtful - perhaps he was unable to get the oysters. But "Hodge Podge" (a lamb and vegetable stew) he certainly ate. Some of his produce was preserved. Tongues and hams were pickled or smoked; raspberries, currants and damsons were preserved in syrup; walnuts, onions, cucumbers, cabbage and broccoli were pickled; filberts were dried, and tomato and mushroom ketchup made.

Liquid sustenance also was not neglected. From March 1831 to April 1832 £32. 4. 3. was spent on Beer, Cider and Perry, and £28. 4. 0. on Wines and Spirits (some from Messrs. Martin and Washbourne). £60 per annum seems a lot for a small household where there is no mention of any entertaining, and this at a time when a skilled shepherd might earn 10 shillings a week.

Perhaps this indulgence led naturally to an interest in medicines. Many of the herbs in Cother's garden had medicinal properties and his diary contains some household remedies:- "Mr. F. Woodcock's Rect. for a Cold, Phlegm, etc." using the biblical manna; and "For the Gravel from the Glos Herald June 3 1815" which included the rather frightening ingredient "Nitre". On 17 May 1835 Mr. Cother "Discontinued taking Squill Pills regularly every day". Either his complaint was cured, or he just lost faith in the product.

To the local poor a paternalistic attitude was adopted. At Christmas 1831 and 1832 he records gifts of 6d. or 1 shilling to each of about two dozen people, with an occasional half crown, although such gifts are not mentioned elsewhere. In September 1832 he "Gave Esther and Ann (his cook and maid) $\frac{1}{2}$ lb. tea and 1 lb. powder sugar by way of encouragement to be of good behaviour and as a present on Barton Fair Day preceeding and

1 lb. tea and 2 lb. sugar on Christmas Day".

His servants seem to have numbered no more than three; cook, maid and "odd job" man, and working for Mr. Cother was no sinecure as these entries show. "1835. May 14. Agreed to give John Okey 8/- per week and 4 pints of drink per day. He is to clean boots, shoes, knives, etc., work in the garden and do anything else he is desired. To come at 6.30 in the morning and leave at 7 o'clock in the evening. If he should be wanting (sic) later in the evening he is to have his supper. To be orderly in every respect, allow no person belonging to him to be on or about the premises - No grumbling!" "1837. Jan. 14. Hired Elizabeth Freeman at 9 guineas per year" (his previous cook received £10) "To enter on his service February 1st. She says she can undertake to Cook, Roast, and Boil Meat, Fry and Boil Fish, Make Pastry, Curry, etc., etc. Will obey orders without grumbling - cut and leave meat fit to come to table when cold - make no waste, have no fat, etc., etc., use economy on all occasions, ask leave whenever she goes from home - Never leave the house after night. Has no followers - Dinner sometimes to be got at short notice - assist the other servant, on all occasions, particularly at washing ironing, etc. W.C. has informed her that he often was in the kitchen giving directions to her. She is generally to go to church every other Sunday morning. When she wished to go to see her friends (say once in three months) she might do so by asking 2 or 3 days previous, at the time she wished, or a day fixed for that purpose."

Cother died on Tuesday, 29th May 1838 aged 70 and was buried at Sandhurst. His will, dated 12th January 1834 left all his property to his brother, Lt. Col. Charles Cother.

It seems typical that Cother's last recorded act, on 21st April 1838 was to "hang up 2 hams in the kitchen and 2 flitches bacon in the store room". And two days before this did he have some premonition of his end when he returned 2 dozen empty claret bottles to Messrs. Martin and Washbourne?

L. A. BADHAM

Sources

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Microfilms of Parish Registers.

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Will and Probate Records.