

LOCAL GOVERNMENT IN GLOUCESTERSHIRE 1775-1800

347.96

# LOCAL GOVERNMENT IN GLOUCESTERSHIRE 1775-1800

*A Study of the Justices of the Peace*

by ESTHER MOIR

PRINTED FOR THE RECORDS SECTION OF THE  
BRISTOL AND GLOUCESTERSHIRE ARCHAEOLOGICAL SOCIETY

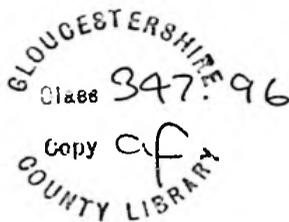
BRISTOL AND GLOUCESTERSHIRE  
ARCHAEOLOGICAL SOCIETY  
RECORD SECTION

COMMITTEE, 1969

DR. JOHN CANNON (*Chairman*)  
C. R. ELINGTON, M.A., F.S.A.  
REVD. J. E. GETHYN-JONES, M.A., F.S.A.  
CAPTAIN H. S. GRACIE, C.B., M.A., F.S.A., R.N.  
IRVINE GRAY, M.B.E., M.A., F.S.A.  
MR. H. G. M. LEIGHTON, M.A., F.S.A.  
LT.-COLONEL A. B. LLOYD-BAKER, D.S.O.  
DR. MARGARET SHARP  
MR. B. S. SMITH, M.A.  
THE HON. W. R. S. BATHURST, T.D., M.A., F.S.A., F.G.S.,  
*Hon. Treasurer*  
PATRICK McGRATH, M.A., *Hon. General Editor*

*Hon. Secretary*

MISS ELIZABETH RALPH, M.A., F.S.A.,  
The Council House, Bristol, 1



Printed by Northumberland Press Limited  
Gateshead

PUBLICATIONS OF THE  
BRISTOL AND  
GLOUCESTERSHIRE ARCHAEOLOGICAL SOCIETY

Records Section

*Hon. General Editor:* PATRICK McGRATH, M.A.

- Vol. 1. Marriage Bonds for the Diocese of Bristol, 1637-1700, *transcribed by Denzil Hollis, B.A., and edited by Elizabeth Ralph, M.A., F.S.A.*  
Price 10/- to members of the Society; 30/- to non-members.
- Vol. 2. Gloucestershire Marriage Allegations, 1637-1680, *edited by Brian Frith.*  
Price 10/- to members of the Society; 25/- to non-members.
- Vol. 3. The Registers of the Church of St. Augustine the Less, Bristol, 1577-1700, *transcribed and edited by Arthur Sabin, M.A.*  
Price 10/- to members of the Society; 25/- to non-members.
- Vol. 4. The Registers of the Church of St. Mary, Dymock, 1538-1700, *edited by Irvine Gray and J. E. Gethyn-Jones.*  
Price 10/- to members of the Society; 25/- to non-members.
- Vol. 5. Guide to the Parish Records of the City of Bristol and the County of Gloucester, *edited by Irvine Gray and Elizabeth Ralph.*  
Price 20/- to members of the Society; 30/- to non-members.
- Vol. 6. The Church Book of St. Ewen's, Bristol, 1454-1584, *transcribed and edited by Betty R. Masters and Elizabeth Ralph.*  
Price 30/-.
- Vol. 7. Cheltenham Settlement Examinations, 1815-1826, *edited by Irvine Gray.*  
Price 20/-.
- Vol. 8. Local Government in Gloucester, 1775-1800, *by Esther Moir.*  
Price 25/- to members of the Society; 35/- to non-members.

IN THE PRESS

Marriage Allegations in the Diocese of Gloucester, Vol. II, *edited by Brian Frith.*

This volume is issued under the terms of the legacy of the late Alfred Bruce Robinson for the printing of Bristol and Gloucestershire parish records.

#### ROBINSON BEQUEST

The terms of the bequest are as follows:—

- “(g) To the Bristol and Gloucestershire Archaeological Society of which I am a member the sum of Five thousand pounds (the receipt of the Treasurer or other official to be a sufficient discharge) such sum to be applied for the purpose of promoting any one or more of the objects of the said Society as defined in its Rules for the time being but at the same time I request the Society without however imposing any trust or legal obligation upon it so to do to use such sum for the purposes following that is to say:—
- (a) Provided due permission can be obtained to cause to be printed The Marriage Allegations and Surrogate Marriage Bonds in the Diocesan Registries at Gloucester and Bristol giving full details of the proposed marriage.
  - (b) To continue the printing of ‘Gloucester Marriages’ as commenced by Phillimore of Chancery Lane London W.C.2.
  - (c) To print such other parish records and parish registers appertaining to the County of Gloucester or the City and County of Bristol as the Society shall think fit.
  - (d) To send without charge one copy of every publication which shall be printed under the above headings (a), (b) and (c) to the Colston Boys’ School aforesaid to form part of the library of such School and in deciding whether and to what extent it shall comply with my request I desire the Society to give full consideration and attention to any suggestion which may be made in regard thereto by the said C. Roy Hudleston who is a member of the Society’s Council.”

## FOREWORD

THE Records Section of the Bristol and Gloucestershire Archaeological Society has now produced seven volumes under the terms of a legacy left to the Society by the late Alfred Bruce Robinson, and another volume is in the press. These volumes have, in accordance with the terms of the legacy, been primarily concerned with parish records. The Society has, however, felt for some time the need to widen the scope of its records series, and it has decided to issue from time to time additional volumes which will contain not only records relating to the county but also studies based on detailed examination of the records. These volumes will be numbered in the Record Section's present series, but they will be financed not from the Robinson Bequest but from the general funds of the Society.

The first of these additional volumes is an examination of the Justices of the Peace in Gloucestershire in the later eighteenth century made by Dr. Esther Moir (now Mrs. de Waal) of the Department of Economic and Social History, University of Nottingham. This study of local government in action shows that the Justices of the Peace, at least in one important county, were very different from the hard-drinking, ignorant landowners they are often imagined to be, and it brings out the close relationship between central and local government in a period when it is generally considered that the Justices of the Peace were left to their own devices. The book will be of great value not only to students of Gloucestershire history but to all who are interested in the way in which England was governed in the eighteenth century.

Unlike many other counties, Gloucestershire has no separate record society. Although the Archaeological Society has over the years published a number of special volumes concerned with records, there is a mass of material still awaiting publication. It is hoped that members of the Society and the general public will give the work their support and make it possible to build up a series of volumes worthy of the county.

PATRICK McGRATH

## CONTENTS

CHAPTER	PAGE
Introduction	xvii
I Economic Life	i
II Gloucestershire Society	19
III The Justices of the Peace	39
IV The Court of Quarter Sessions: Officials and Machinery	85
V The Government of the County: In and Out of Sessions	108
VI Central and Local Government	138
Conclusion	159
APPENDIX I The J.P.s of Gloucestershire, 1775-1800	163
LIST OF SOURCES	173
INDEX	187

## ABBREVIATIONS USED IN THE FOOTNOTES

- BGAS Transactions of the Bristol and Gloucestershire Archaeological Society.  
BM British Museum.  
DNB Dictionary of National Biography.  
GCL Gloucester City Library.  
GNQ Gloucestershire Notes and Queries.  
GRO Gloucestershire County Records Office.  
HMC Historical Manuscripts Commission.  
HO Home Office.  
JHC Journals of the House of Commons.  
PP Parliamentary Papers.  
PRO Public Records Office.  
VCH Glos Victoria County History of Gloucestershire.

## ACKNOWLEDGEMENTS

THIS study was originally written as a thesis for a Cambridge Ph.D. degree. It has since been revised, partly in the light of my own later researches into Gloucestershire history, partly as a result of my work on the Justice of Peace in general. It could never have been achieved without the co-operation of the staff of the Gloucestershire Records Office, and my thanks go first to Mr. Irvine Gray and Miss Margaret Holmes for their unfailing helpfulness during the time that I spent working in Gloucestershire. Many other people in the county have been most helpful, and in particular I should like to thank Miss Olive Lloyd-Baker and Mr. Gerald Yorke for putting their large and most valuable collections of family papers at my disposal. I have also been able to see, through the kindness of their owners, the papers in the possession of the Right Hon. the Earl St. Aldwyn, and of Major Beale-Browne. The Dean and Chapter of Gloucester Cathedral have allowed me to see the Diocesan Records and to use the Chapter Library. The librarian and staff of the City Library have been most helpful, particularly in making available their manuscript collections. I should also like to thank Mr. Bond of the House of Lords, and the staff of the Worcestershire Records Office.

I owe much to Professor J. H. Plumb who guided the first year of my research, and Professor H. P. R. Finberg who supervised the subsequent two years. Professor Finberg's intimate knowledge of the county contributed much to this study.

E.M.

Nottingham, December 1968.

## INTRODUCTION

"A HISTORY of the eighteenth century which does not place the Justice of the Peace in the very foreground of the picture will be known for which it is—a caricature,"<sup>1</sup> declared F. W. Maitland in 1888. Subsequent historians however have been slow to follow up his statement, and the great mass of social, economic and constitutional history which has been written since his day has showed an unwillingness to focus attention on the locality, and to recognise the extent to which national developments were rooted in the local situation. Yet to concentrate upon events at Westminster or Whitehall must inevitably distort the true picture. For most people during a great part of this country's history the reality of government lay, not in a distant Parliament of a central government based upon London, but in the familiar figure of their local Justice of the Peace. He it was who had it in his power to make a mockery or a success of the legislation passed at Westminster, whether he was acting on his own in his front parlour, with a neighbour at some nearby inn, or together with the whole county Bench at Quarter Sessions. To read the statutes as they lie upon the statute book is to look at little more than a blueprint: whether they were put into effective execution or not was a matter which rested with the J.P.s. In the first instance these men were, as their name implies, the guardians of the public peace; and as such they had been constituted some time during the fourteenth century.<sup>2</sup> But as time went on they found themselves responsible for far more than law and order. By Tudor times the state was beginning to recognise their value as unpaid executive officers upon whose shoulders might be laid the succession of new and vital functions which the increasingly complex government of the country was making inevitable. As a result by the eighteenth century the magistracy found themselves not only with judicial powers which gave them authority over matters of life and death, but also in charge of the more mundane but equally important rudimentary public services—the upkeep of roads and bridges, and the welfare

of the aged, the illegitimate and the poverty-stricken.

The J.P. was appointed by the Lord Chancellor acting on behalf of the King. But he was more than a servant of the state whose duties were dictated by statute. To see him purely, or even mainly, in institutional terms, is to fail to appreciate the real character, and the true significance, of his office. He was essentially the pivot of all local life at a time when local affairs and local knowledge mattered intensely. Throughout the eighteenth century, and often long beyond, a man thought of himself and of his role in society, in terms of the county in which he was born and to which he knew and belonged. County feuds and loyalties, county politics and connections, were far more compelling than any wider commitments. It is hardly an exaggeration to say that a dimension must be lost in understanding the social and political history of this country if the significance of local life is neglected or underestimated.

It is common practice in discussing the history of local government, particularly with reference to the eighteenth century, to stress the independence, even the isolation, in which the Bench of justices worked.<sup>3</sup> It is often assumed the county was left to conduct its own affairs as best it could with the minimum of guidance or interference from above. The value of a local study is to subject such generalisations to a searching scrutiny. The result, in the case of Gloucestershire, has been to show that the relations of central and local government were surprisingly close: that communication between the two was frequent, and that Westminster depended upon the locality to an unexpectedly large extent. In many cases in fact local government was the mainspring of government rather than the passive partner. In many matters of social reform it was the local experiments which set the foundation for what, in the following century, was to become the tentative beginning of the welfare state. Gloucestershire for example, under the guidance of one of its leading magistrates, led the way in this country for the movement for prison reform.

Yet the Justice of the Peace himself, the local figure *par excellence* and the pivot of local government, has remained surprisingly elusive. There are of course the literary sketches from the pen of Fielding or Smollett, and Squire Western has become almost a legendary figure. Sidney and Beatrice Webb in their monumental *English Local Government* (the first volume of which appeared in 1906) have produced a succession of portraits which they claim to be typical: The Leader of the County, the Mouthpiece of the Clerk, the Clerical Justice. But the actual Justice himself, the man of flesh and blood, as he really was in all his human strength and

## INTRODUCTION

weakness, has still not yet emerged.<sup>4</sup> County after county has printed its Quarter Sessions records, generally going to considerable lengths to describe the machinery of local government, reciting the familiar pattern of the local institutions, Quarter Sessions, Poor Law, Turnpike Trusts and so on. Yet in every county, although the institutions were fundamentally the same, the men who ran them were not. This is the essentially fascinating (and all important) point about local government.

The aim of the study which follows is to show a county at work, by looking not only at the organs of local government, but at the men who exercised power locally. The composition of the local Bench has therefore been analysed in an attempt to discover who these men were, what property and income they had, what marriages they made, where they were educated, what political interests they held, how aware they were of the pressing social needs of their day.

One of the most common assumptions made about the J.P. is that he was a landowner (the insinuation is often that he was the bucolic, lazy, good-natured country squire described by Macaulay<sup>5</sup>) who was much concerned to use his presence on the Bench to forward the interests of his fellow landowners. Such an assumption can best be tested by taking a county whose economy includes both agriculture and industry, and by trying to see whether the men who became J.P.s were drawn only from the landowning sections of society or whether in fact they fairly represented a cross-section of other economic interests. Eighteenth century Gloucestershire serves such a purpose admirably for, in addition to the Cotswolds and the Vale of Berkeley which were important farming districts, it contained within its borders the Stroud Valley, whose flourishing cloth industry had by this date become a manufacture of considerable importance, and the Forest of Dean with its coal and iron mines, while the south of the county felt the influence of the port of Bristol.

The period chosen for study is the last quarter of the eighteenth century, years in which it was becoming apparent that the time was ripe for some rationalisation of the antiquated, often chaotic, system of local government, if it was to be able to respond to the new pressures made upon it not only by the growth of population but by its increasingly urban and industrial character. The lines along which Quarter Sessions managed to reform itself emerged slowly, but they nevertheless did emerge during these years, partly under the stimulus of Acts of Parliament but more frequently, and more successfully, from the process by which the more enterprising counties extended and remodelled their existing

institutions. Success was often due to the vigour and vision of one leading magistrate. This was certainly true of Gloucestershire where the initiative and far-sightedness of Sir George Onesiphorus Paul helped to make the county amongst the best organised of the day and ensured that this new efficiency was turned to good effect in the movement to reform its prisons.

Paul has long been widely recognised as typifying all that is best in the eighteenth century Justice of the Peace. But until the discovery of a collection of his personal papers in 1954 his real importance, both as a magistrate and a prison reformer, could not be fully assessed.<sup>6</sup> In addition the Gloucestershire Record Office houses a number of other valuable collections of family papers, many of which have not been used before. Its Quarter Sessions records have never been edited. The work that follows is based almost entirely upon manuscript sources (listed more fully in the bibliography) in the county and elsewhere. I hope that the picture drawn from this research may be of interest and value both to local readers and to students of local government in general. The lesson which seems to emerge most convincingly from a study such as this is that the institutions of local government and the men who guided them cannot be understood apart from the local society in which they were rooted.

<sup>1</sup> "The Shallows and Silences of Real Life," February 1888, *Collected Papers*, ed. H. A. L. Fisher, 1911, I, p. 468.

<sup>2</sup> The best study of the medieval Justices is that by Bertha Putnam, *Proceedings before the Justices of the Peace in the Fourteenth and Fifteenth Centuries, Edward III to Richard III*, 1938. The earlier chapters of my own *The Justice of the Peace*, 1968, give a general survey of the development of the office up to this period.

<sup>3</sup> "It (i.e. the county) was now left to live its own life, free not only from control from the centre, but even from guidance and supervision", J. D. Chambers, *Nottinghamshire in the Eighteenth Century*, 1932, p. 45.

<sup>4</sup> "The social standing of the Justices in all ages of their development needs further study" wrote H. J. Hazeltine in his introduction to Dowdell, *One Hundred Years of Quarter Sessions*, 1932. Powell and Jenkinson, the editors of the Surrey Quarter Sessions records had pointed out as early as 1928 that the materials for examining the personnel of the Bench were very large, and had suggested "how very interesting and fruitful a subject this is for local historians". *Surrey Quarter Sessions Records*, 1928, p. 13.

<sup>5</sup> See p. 107.

<sup>6</sup> See my article, "Sir George Onesiphorus Paul," *Gloucestershire Studies*, ed. H. P. R. Finberg, 1957, pp. 195-225.

## CHAPTER I

### ECONOMIC LIFE

*Natural situation—Communications—Population—Agriculture—Forest of Dean—Small industrial concerns—Cloth manufacture—Conditions of workers—Wages—Standard of living.*

GLOUCESTERSHIRE, like ancient Gaul, is divided into three parts. The county boundaries are in fact purely artificial: within the territorial unit lie three quite distinct economic areas. Forest, vale and wold have dominated Gloucestershire's development and determined its character. Even to the most unobservant traveller the three landscapes are markedly different, not merely in geological formation and in land usage, but in the very buildings themselves: the warm oolitic limestone of the Cotswolds, the dull red sandstone of the Forest of Dean, the widespread half timbering in the vale. From one of the vantage spots of the Cotswold scarp this contrast can be seen clearly enough: below stretches the vale, green and richly fertile, with the swirling line of the Severn; beyond appears the ridge of the Forest of Dean, that great tract of woodland broken by mines and villages, while behind stretch the rolling limestone uplands, with their stone-built farms and churches hidden in the valleys.

The condition of the roads up to the end of the eighteenth century had done little to bring greater economic unity to the county. In the vale, with its heavy clay lands and drainage difficulties, the foundations were mere quagmires with ditches on either side full of water,<sup>1</sup> while in the Cotswolds, though materials for roads were plentiful they were not durable and were soon ground down under the weight of heavy carriages.<sup>2</sup> Even the road between Cheltenham and Gloucester, where at least one would have expected something a little better by 1780, was either rugged or a complete heap of sand "insomuch that it must inevitably be the bed of a river in the rainy season".<sup>3</sup> The tracks in the Forest of Dean scarcely merited the name of roads. A succession of highway Acts and the creation of turnpike trusts, began to improve the situation by the end of the eighteenth century, but economic advance probably owed more to developments in water transport, for even

before the construction of the great canals Gloucestershire had enjoyed the benefit of navigation along the Severn, even though in its natural state it was obstructed by shoals, rocks, and other impediments, and the system by which the barges were dragged by men not horses was highly unsatisfactory.<sup>4</sup> Thirty men were needed for a loaded vessel, compared with three horses. Many "Delays and Inconveniences" were caused by their frequent strikes and their trespassing made them unpopular with the farmers.<sup>5</sup> Yet the river carried much important trade: in 1789 there were 103 Severn trows carrying goods to and from Bristol;<sup>6</sup> Gloucester and Tewkesbury were linked with Shrewsbury, and there was a constant passage of goods, iron manufactures, wool and agricultural produce up and down the river. The Wye too, though it could hardly rival the Severn, did good service in the Forest area. Several hundred small barges and vessels brought down timber, grain, and cider, and returned with coal and groceries. From Chepstow, with its large quays and warehouses, this inland produce was exported to London, Bristol and Ireland. A petition from the town in 1791 could describe the navigation as "safe, expeditious, and reasonable".

But before the end of the century, work had begun on the construction of the Gloucestershire canals. Five were actually built, though two were of little importance. The Coombe Hill canal was abandoned before it reached Cheltenham;<sup>8</sup> the Gloucester and Hereford canal, begun in 1791, proved a lengthy and expensive undertaking, and by 1811, when £105,000 had been spent, covered only seventeen of the projected thirty miles.<sup>9</sup> The Act for the Stroudwater canal was obtained in 1775,<sup>10</sup> that for the Thames and Severn in 1783.<sup>11</sup> The Gloucester and Berkeley canal was a product of the canal ferment of 1792-3. All proved expensive undertakings: the Thames and Severn cost £250,000, the Gloucester and Berkeley £450,000. The Thames and Severn included one of the greatest engineering feats of the day, the mile and a half long tunnel at Sapperton. Brimscombe, where the Stroudwater joined the Thames and Severn, developed into a busy little inland port where goods were transhipped from the Severn vessels to the Thames barges. Warehouses were built at Cirencester, Letton, and seven other small wayside quays. The Gloucester and Berkeley remained the greatest achievement of its kind until the opening of the Manchester Ship Canal. It was built to admit vessels of three hundred tons, and replaced a torturous twenty eight and a half miles of river by a ten mile cut.

The advantages of water transport over land carriage were immediately apparent. Not only was it quicker (a journey from

Stroud to Fromebridge, for example, taking six to eight hours instead of a day) but it was much cheaper: it was estimated that the Stroudwater canal saved the clothiers and dyers of Stroud £500 annually in coal.<sup>12</sup> The canals quickened economic life throughout the country for they brought Gloucestershire into contact with London, Bristol, the Midlands and the Shropshire coalfields. They also meant that the local inhabitants could now begin to enjoy some of the luxuries that London had to offer: rice, pepper, drugs, oil, coriander seed, umbrellas, cane-sticks, and even the occasional harpsichord are amongst the goods recorded in the export and import books of the Thames and Severn canal letterbooks.<sup>13</sup>

At the end of the eighteenth century the population of the county was approximately 210,000. Numbers had been growing steadily throughout the previous century. There are of course no really reliable statistics before the census of 1801, and even that is probably not entirely accurate. Nevertheless Sir Robert Atkyns in 1712 had calculated the population to be 133,830, while in 1779 Samuel Rudder arrived at a figure of 145,568. There were only two towns of any consequence at this date: Gloucester with 7,500 inhabitants and Cheltenham, now in the midst of its rising fame as a spa,<sup>14</sup> with just over 3,000. The majority of the population was therefore rural. But rural should not be equated with agricultural. The details given for occupations in 1801 make this point strikingly. The figures for the county were divided almost equally between those engaged in agriculture and those engaged in trade and manufacture. The latter, in fact, employed the higher number by the small majority of 225. Agriculture claimed 49,420 persons, trade and manufacture 49,645.

The triple division can be seen in the county's agriculture. The Forest of Dean was of negligible importance agriculturally, with practically no land under arable cultivation. William Marshall, writing in 1789, dismissed it summarily as "a mere waste", and George Turner in his report for the Board of Agriculture in 1794, was distressed to find that, thinned of its timber and considerably encroached upon, it lay in a neglected state with many useless commons and wastes. There could be no greater contrast than the vale whose richness had been almost proverbial since the time that William of Malmesbury had sung its praises. "The Vale of Gloucester yields plenty of corn and fruit, in some places by the natural richness of the ground, in others by the diligence of the countrymen. . . . The earth bears fruit of its own accord, much exceeding others both in taste and beauty, many sorts of which continue fresh the year round, and serve the owner till he is supplied by a new increase. No county in England has so many or so good vineyards

as this either for fertility or sweetness of the grape."<sup>15</sup> The vales of Gloucester and of Berkeley concentrated on dairying, fruit growing and market gardening. Farms were between one and three hundred acres, and Marshall estimated that of the 50,000 acres here two thirds were given over to dairying. Sheep rearing was important in the Cotswolds, but the proportion of land under tillage was higher than in the vale. Many of the properties here were large, with such estates as Cirencester, Sherborne and Chedworth, as well as numbers of farms of five hundred acres. Naturally in a district long famous for its sheep the farmers paid great attention to breeding, and at this time they were crossing the pure native breed of long wooled, middle sized, stockily built sheep with Leicesters or South Downs. A few kept Ryelands, and one enterprising clothier-farmer crossed his flock with a Spanish merino with excellent results. Edward Shepphard of Uley, communicating the results of his experiments to Sir John Sinclair, said that he had found that the "mixed breed of English and Spanish partake very much of the soft and silky feel of the Saxon wool".<sup>16</sup>

The invaluable returns made in 1801<sup>17</sup> show that of the 144,000 acres under crops in the county the largest amount, 53,630 acres, was under wheat. This was the most widespread of the cereals, and some was grown in almost every parish. More was grown in the Cotswolds than the vale, though the yields in the vale were heavier. Barley, which was grown principally for stock feeding, came second with just over 35,000 acres, and oats with 21,000 third. Marshall noticed that few oats were grown in the vale but supposed that this was merely a matter of tradition.<sup>18</sup> These three together accounted for 75% of the arable area. The remainder was devoted to turnips, potatoes, peas and beans. Turnips were grown mainly on the Cotswolds and winter feed for sheep and, to a lesser extent, for cattle. Potatoes were found throughout the county for they were beginning to form a staple item in the diet of the workers. But there was a special concentration in the south of the county where the demands of Bristol led to a steady expansion of their cultivation. Similarly with peas and beans, which were used as provender in the Bristol inns or as food for the negroes in the Guinea ships making the passage from Africa to the West Indies.<sup>19</sup>

During the first half of the eighteenth century no more than three enclosure Acts had been passed affecting Gloucestershire parishes. But by this period the enclosure movement was well under way, and on only three occasions between 1760 and 1830 was there an interval of as much as three years without the passing of a single Act. In 1778 and again in 1794 there were five in one year; in 1779 and in 1812 there were six. It is impossible to estimate exactly the area

finally enclosed, but it may well have amounted to one fifth of the total of the county, and it was certainly not less than 12,000 acres.<sup>20</sup> With enclosure came a general improvement in agricultural method. Efficient drainage was made easier, the Norfolk rotation of crops or some modification of it, could be introduced. In 1794 Turner estimated that rents on the Cotswolds were doubled<sup>21</sup> since the movement to enclose, and in a second report to the Board of Agriculture Thomas Rudge in 1807 commented on the great increase of rents and crops in the vale following enclosure.<sup>22</sup> Enclosure however had come late to the county and in 1801 there was still a division of opinion amongst contemporaries about its benefits.<sup>23</sup> But in fact even without the stimulus of enclosure the county had been attempting to improve the slovenly methods which had drawn forth such scorn from agricultural writers.<sup>24</sup> Clover and grass seeds had been coming more widely into use due to the enterprises of Richard Bishop, a considerable Cirencester seedsman who, Rudder claimed, had taught the Cotswold farmers how to become an opulent people for by this new method they were able to keep more than double the livestock on their lands throughout the year. The greater use of turnips was also important, for hitherto the Cotswold farmers had been forced to winter sheep and cattle in the vale for want of fodder. Sainfoin, a useful grass because it could be both fed and mowed and was hardy enough to flourish on the most stony ground, was also grown successfully. Indeed Rudder claimed that "Gloucestershire has the honour of leading the county of Norfolk in the culture of this valuable grass, which Sir John Turner, getting the knowledge of here, introduced into that county".<sup>25</sup> The experiments of a tenant-farmer of Lord Sherborne in the production of a new rye-grass brought about "what was in its way an agricultural revolution".<sup>26</sup> He grew large quantities to meet the increasing demands of his neighbours, its use soon became commonly established, and in 1807 Rudge could declare that no district could excel the Cotswolds in its management.

Gloucestershire also benefited from the presence of Bristol on its southern borders and from the encouragement which this important urban and maritime centre gave to agricultural specialisation. Bristol dominated the agricultural trade of the county and provided the main market for local farm produce. Factors bought barley for the Bristol brewers; the dairy farmers of the vale supplied the city with its milk, eggs and butter; vale farmers bought small Welsh heifers in mid-summer and after fattening them by stall-feeding, sent them to Bristol and Bath. The stimulus to the cultivation of potatoes, peas and beans has already been mentioned.<sup>27</sup> The famous vale cheeses (Marshall estimated a production of between one and

#### LOCAL GOVERNMENT IN GLOUCESTERSHIRE

two thousand tons of cheese annually) were sent to Bristol and Bath, and also to London, as well as to Barton Fair held every year at Gloucester on September 28th.<sup>28</sup>

Geographically separate, the Forest of Dean had always felt a considerable measure of social and political isolation. In the eighteenth century it combined stretches of unspoilt forest with mining areas of small towns, straggling villages and wretched squatters' dwellings. As a royal forest it had its own courts and laws, and the Free Miners were always a race apart, conscious of their privileges and jealous of their rights. They pinned their faith blindly to ancient customs, and showed no grasp of the needs of modern industrial development. "The Dean Miners, alone of all the mining population of England, had adopted a constitution which in its exclusiveness and rigid protectionist features can only be compared with the craft guilds of the sixteenth century."<sup>29</sup> The Mine Law Court controlled the organisation of the industry, passing orders which dealt in minute detail with the regulation of work, prices, apprenticeship, the ordering of protective distances between one mine and the next, and imposed penalties on any "foreigners" carrying coal out of the Forest. These orders suggest that its powers were totally inadequate for such control, yet the miners continued to cling to the idea that their salvation lay with it. The first report of the Dean Forest Commission in 1839 called the system which they found here "ruinous and impracticable". "The greatest practical inconvenience, loss, and injury has arisen from the customs having become quite inapplicable to the workings of deep and extensive mines."<sup>31</sup>

The state of the iron industry at this period presents a confusing picture. The decrees of the Mine Law Court handicapped any large undertaking, but in any case many forges were short both of ore and fuel. Only a small proportion of the minerals now came from the forest itself, and Lancashire ore was being introduced to replace the failing local supply. By 1780 it was being used exclusively in some furnaces. Hopkinson, giving evidence before the 1788 commissioners, told them "there is no regular iron mine now carried on in the said forest, but there are about twenty poor men, who at times when they have no other work to do, employ themselves in searching for and getting iron material in the old pits and holes of the said Forest which have been worked out many years".<sup>32</sup> Since fuel was also growing short many found it more profitable to convey the pig-iron up the Severn to the newer forges of Shropshire, Worcestershire and Staffordshire.<sup>33</sup> As charcoal grew dearer the miners tried experimenting with pit coal. But as George Wyrall of Bicknor Court said in 1780, "No attempt has hitherto proved successful to blow our

Furnaces with the pitcoal of the Forest, these coals abounding in sulphur and not being, in their nature, sufficiently absorbent to reduce the ores which are so replete with noxious substances."<sup>34</sup> Success here, as Rudder recognised, would have meant "a prodigious saving to the iron-master as wood gets dearer every season".<sup>35</sup> Coke furnaces were tried at Lydney in 1773 and at Cinderford in 1795, and there were other unsuccessful ventures at Whitecliffe in 1798-9, and at Park End in 1799.<sup>36</sup> At Cinderford the cokes were brought from Broadmoor in boats by a small canal, and then carried down to the furnaces on mules' backs, a naïve combination of modern improvement and primitive methods only too typical of the Forest at this time. Only Flaxley continued to produce an iron whose excellence was due, according to Rudge, to "the practice of working the forges with wood charcoal without any mixture of pit-coal".<sup>37</sup>

Coal workings however were increasing throughout the eighteenth century, and in the end they were to become the predominant industry of the Forest. In 1788 the gaveller stated that there were one hundred and twenty-one coal pits, of which thirty-one were not actually at work; the others produced 1,816 tons of coal weekly and employed 662 free miners.<sup>38</sup> The miners themselves have been called "a species of adventurers without capital".<sup>39</sup> They rarely sank shafts more than twenty-five yards in depth for, as Rudder noted, when they found themselves incommoded with water they would sink a new pit rather than invest in a fire engine. The mines were still constructed on a primitive design: the woodwork lining the square sides of the shaft was built in stages to serve as a ladder, and bearers carried the coal direct from the hewer to the banksman at the pit stack.<sup>40</sup> Ventilation had advanced little beyond the sinking of vertical air-shafts to the level.<sup>41</sup> Men were frequently "drowned out" in wet weather, yet they continued to use such rudimentary methods of drainage as raising the water in buckets.<sup>42</sup> The greater part of the output was absorbed locally by lime-burners and smiths. Some was sent along the Wye and supplied Monmouthshire and Herefordshire, and some was shipped from Lydney Pill to the southern parts of the county.<sup>43</sup> But the heavy expense of land carriage prevented its use in the county east of the Severn which instead relied upon supplies from Shropshire.

Both iron and coal mines suffered from the small size of the undertaking. Companies of four or five men were in no position to embark on any large-scale enterprise. But in any case they rarely wished to. "As working miners, the owners' ambition, unlike that of the great landlords and merchants who came into possession of the mines in other districts, was simply to gain a comfortable liveli-

hood, rather than to increase their profits by reaching out for new markets."<sup>44</sup> There were a few exceptions such as the Foleys,<sup>45</sup> but it was not until the nineteenth century that there was any considerable influx of capital. Then, after the discontinuance of the Mine Law Court, free miners became parties to the legal fraud by which their names were entered as trustees in the gale-book, while in fact workings lay in the hands of "foreigners". Edward Prothero, one of the largest owners, estimated in 1835 that nearly a million pounds had been spent by "foreigners" during the past twenty years, and this, he claimed, "had diffused competence and comfort throughout the neighbouring towns and villages".<sup>46</sup> This was the capital investment of which the Forest had stood so long in need. Yet the miners still refused to recognise this and maintained an obstinate opposition, insisting that they had "been arbitrarily despoiled of their possessions by foreigners . . . deprived of work, and themselves and their families reduced to the utmost distress".<sup>47</sup>

A few foresters found employment in stone quarries;<sup>48</sup> more gained a dishonest livelihood from the highly organised timber-stealing which at this period continued practically unchecked. The thieves felled the trees at night, chopped off the top branches and boughs, and cut up the rest into lengths suitable for carrying away—a most profitable trade, for these "kibbles", as they were called, could be sold to wheelwrights or used for making cider casks.<sup>49</sup>

Kingswood, the other royal chase, produced an excellent domestic coal, "something of the nature of that of Newcastle" said Rudder.<sup>50</sup> The *Gentleman's Magazine* in 1789 described it as the "Officina Carbonum" of Bristol,<sup>51</sup> and there were so many collieries and cottages here that the Bristol Directory of 1794 declared "Kingswood has from the neighbouring hills the appearance of being one vast, rural suburb of Bristol". Labour was not highly specialised; in fact so little expert skill was required that the collieries in 1779 provided work for the unemployed felt-makers of Bristol.<sup>52</sup> The colliers enjoyed greater freedom than the Forest miners. Typical partnerships were still small, but at least there was more chance for enterprise than in the Forest. Of the five miners who leased land from Charles Bragge in 1779 only one came from Kingswood and the others were from Witcombe, Somerset, Bedminster and Abbot's Leigh. Each paid £35 for his share, and agreed to nominate a bailiff to deal with disbursements and record the amounts of coal in a day-book.<sup>53</sup> Some concerns were large enough to invest in the fire-engines so conspicuously lacking in the Forest—obviously expensive items for in one case the bill came to over £300 and the stock, engines and utensils altogether amounted to £1,200.<sup>54</sup>

A number of industrial concerns were to be found in the south of the county at this date, the most important of which were undoubtedly the Bristol Wire Company and the Champions' brass and copper works at Warmley. In 1779 Rudder classed them together as some of the greatest works in the county. "They are both carried on in company by persons of large fortune, and vast sums are employed in the trade."<sup>55</sup> The Bristol wire company had been formed at the Baptist's Mills in 1702 and the original partnership included such eminent industrialists as Abraham Darby. By 1721 it had established works in Swansea, as well as at Bitton, Keynsham, Kingswood, Hanham and Upper Redbrook. The company maintained close relations with both the Midlands and South Wales.<sup>56</sup> At Warmley the Champions' brass and copper factory has been called "probably the most up-to-date and efficient works in the country", and "the most extensive of its kind in England".<sup>57</sup> In 1746 William Champion had left Bristol to establish a new company here which was extremely successful and earned widespread admiration.<sup>58</sup> By 1767 Champion claimed to have a capital of £200,000 and to employ two thousand persons. The works were sold two years later and passed into the hands of his old rivals, the Bristol company, who continued the manufacture there until 1809.

Of other trades and manufactures in the county the pin-making carried on in the city of Gloucester itself was probably most widely renowned. In 1808 the *New Gloucester Guide* reported that there were nine factories at work, employing 1,500 people, and dealing with orders from Spain and America as well as supplying the home market. One of the most vivid and detailed accounts of the manufacture comes from the pen of a school-boy who visited the works in his summer holidays in 1776. "We then went to the pin-making, which is very curious. After the wire came from the smith they first straightened it, then lessened it, then ground the points by a communication the grinding wheels had with a large wheel turned round by two horses. The Pins were then headed, and we saw the manner in which the wire was twisted to make heads. After being washed to a white colour they were sent to an old woman and her daughters, who, by the help of a machine, stuck them into paper. Thus they were ready to sell."<sup>59</sup>

There were various other small industrial undertakings: tin-plate works at Framilode, belonging to the Purnell family;<sup>60</sup> the making of steel-wire at Fromebridge which, according to Rudder, supplied the wire for fish-hooks for the Newfoundland trade;<sup>61</sup> the small zinc works established by James Emerson at Hanham;<sup>62</sup> the copper works at Redbrook which used Cornish ore.<sup>63</sup> Other concerns ranged from the making of hats at Frampton Cotterell and Bitton<sup>64</sup> to the

manufacture of fine writing-paper at the Postlip mills.<sup>65</sup> Some firms were old: the bell-casting at the city of Gloucester dates back to the fifteenth century and the Rudhalls continued there until 1835. Others were new ventures: the manufacture of verdigris, for example, was first established at Newnham in 1768. It was widely used, according to the principal proprietor, for sign painting, house painting and the dyeing of hats.<sup>66</sup> A small group of industries were connected with textiles: metal cards for clothiers were made at Dursley, Stroud and Wotton; worsted combing was carried on at Gloucester, Tewkesbury, Cirencester and Tetbury;<sup>67</sup> and stocking-frame knitting was found in Cirencester, Tewkesbury and a few villages in the Newent area, the stockings sent to markets as distant as Kidderminster, Andover and Leicester.<sup>68</sup>

But the major industrial undertaking of the county at this time was the manufacture of fine woollen cloth in the area around the Stroud valley. "The cloathing trade is so eminent in this county that no other Manufacture deserves a mention," wrote Sir Robert Atkyns in 1712, and the statement would have been equally true throughout the century, and even later.<sup>69</sup> Enterprising in the making of new cloths, in the use of new processes and in the search for new markets, the clothiers built up an organisation capable of withstanding both internal discontent and external competition. The success of the industry in the later years of the eighteenth century excited the admiration not only of its Wiltshire and Somerset neighbours but even of its Yorkshire rivals.

The seat of the industry had changed since the days of its Cotswold greatness, and the older wool towns, Northleach, Burford, Chipping Camden, hardly appear in the eighteenth century picture at all. Because of the need for water-power manufacture had migrated down to the valleys, to such new centres as Stroud, Uley, Wotton and Dursley. Stroud itself, which Bishop Pococke described in 1751 as "a sort of capital to the clothing villages"<sup>70</sup> was creeping up, with increasing prosperity, to the status of a small town.

The industry had long known capitalist enterprises, and the clothier as Josiah Tucker described him (doubtless as Dean of Gloucester he was writing from personal knowledge) was all-powerful. "One Person with a great stock and large credit buys the wool, pays for the spinning, weaving, Milling, Dyeing, Shearing, Dressing etc. That is, he is Master of the whole Manufacture from first to last, and probably employs a thousand persons under him."<sup>71</sup> The gulf between masters and men, and the specialisation of function among the workers, were pronounced features of the system. "In all the different processes through which it passes he (the master-clothier) is under the necessity of employing as many distinct per-

sons . . . none of them going out of their proper line. Each class of workmen however acquires great skill in performing its proper operation."<sup>72</sup> The local wool supply, by now quite inadequate for the vast amount needed by the clothiers, was being replaced by Spanish merino bought from the great merchant houses of London or Bristol.<sup>73</sup> Manufacture was divided between the mill and the homes of the weavers and spinners. The earlier operations, the cleaning, scouring, and scribbling, were centrally performed before the wool was given out to the women and children to spin, and then passed on to the weavers before it was returned to the mill to be felted, giggered and dyed.

These were the splendid mills which still grace the clothing valleys,<sup>74</sup> and which in their own day drew forth admiring comment from contemporaries.

"With handsome mills this craggy dell doth teem,  
Where engines work by water and by steam.  
High on the mountain cliffs, large houses stand  
Appearing awful, yet secure and grand;  
The poor mechanic, from his low-built cot  
Looks up, contented with his humble lot."<sup>75</sup>

The use of water-power continued in Gloucestershire long after it had been supplanted by steam in Yorkshire and Wiltshire.<sup>76</sup> Thus in the great mill rebuilding period of the 1820's every mill was built by a stream. In 1839 water-power still predominated over steam in the parishes of Minchinhampton, Stonehouse, Stroud, Rodborough and Woodchester—some of the most important clothing areas of the county.<sup>77</sup>

Gloucestershire's reputation was founded on the production of fine broad cloth. Yorkshire might compete in goods of a coarser description, but Gloucestershire held the lead in fancy goods—the scarlet cloths of Stroud, the blue kerseymeres of Uley, the shera-teens, Spanish stripes, the "superfines, seconds, forests, drabs, naps, duffils, and all the variety to be found in a well stored draper's shop".<sup>78</sup> The clothiers held progressive ideas about industrial organisation. Trade, they said, "was a Tender Plant that can only be nursed up in Liberty" and they rejected the appeals of the workers for the retention of such past regulations as wage assessments, apprenticeship, limitation of the number of looms and prohibition of gig-mills.<sup>79</sup> The flying shuttle was in use in the county from the mid-eighteenth century and gig-mills in the Cotswolds from the 1770s.<sup>80</sup> Elizabeth Gilboy's judgement seems unnecessarily harsh: "The wretched condition of the lower classes of the West provided

no fertile ground for the introduction or expansion of new industrial methods. Industrially the West was of the past, weighed down by tradition, and the lack of desire for change."<sup>81</sup> In point of fact this was a period of great prosperity in the industry. Gig dressing had reached such a high pitch of efficiency that the Gloucestershire clothiers far outdistanced Wiltshire and Somerset in this branch of the trade, and in 1803 William Sheppard of Frome was forced to confess to a Parliamentary committee that he had been obliged to adopt the gig "the old Mode of Dress was so found fault with compared with the Gloucestershire that our Customers would suspend any further Orders, were not our Cloths like the Gloucestershire".<sup>82</sup> The reputation of the industry was such that in 1806 James Tait came from the north to study the situation in Gloucestershire "as machinery was more general there than in any other county".<sup>83</sup> It is significant that even in 1828 a Yorkshire merchant who wanted a coat would not take one from a piece that he was selling but would go to a shop to buy a West of England one.<sup>84</sup>

Much of this cloth was absorbed by the home market, either dispersed by the clothiers themselves or their servants, or sent up to Blackwell Hall factors in London. Increasing quantities were also being exported. In 1779 Rudder estimated that half the production went either to the East India Company or to the Levant trade, and twenty-five years later George Austin gave evidence of the success of the Russian trade. Confident, even bombastic, the Gloucestershire clothiers could declare in 1802: "It is pretty generally understood that we have the Market of World in our Hands since the French Revolution."<sup>85</sup>

Life for the workers in the industry however was precarious. Engaged by the piece, they could never be certain of getting the next 'chain' or 'warp', and it was no uncommon sight to see a group of thirty or forty men standing outside some clothier's counting-house door for hours at a time and then only five or six of them receiving any work.<sup>86</sup> Those who worked for the smaller clothiers might become involved in their failure or collapse.<sup>87</sup> All were at the mercy of the weather. Work might be held up in winter by frost and in summer by drought. But the greatest distress was caused by the "annual vibrations": in one year nine hundred men might be employed, while an increase in trade the following year might require six or seven hundred more hands. The clothiers simply could not retain their men in times of slack trade however unwilling they felt to dismiss them. Some found a compromise solution by not turning a man off completely but telling him to keep his chain out for two or three weeks. "In one way you give him half Bread," as Edward Sheppard put it, "in the other no Bread."<sup>88</sup>

Yet in spite of the hazards and fluctuations of trade men clung tenaciously to their independence, working at home on their own looms, supplying their tools and some of the minor raw materials, even though the homes in which a whole family lived and worked were miserable enough. Perhaps the whole household, seven or eight persons, would work, eat and sleep together in one room. We have the descriptions of W. A. Miles, the Assistant Hand loom weavers commissioner, of some of the houses he visited in the 1830s: "The only furniture in many being an old stool, a broken table, and a few cracked and broken cups and pans. In one or two cases I found them sitting on the stair-steps, having no chair or stool; in others a log of wood is a substitute. . . ." <sup>89</sup> Children began to help their parents as quill-winders from the age of seven or eight. In such conditions many families passed a whole lifetime of drudgery. "We could work fourteen or fifteen hours a day," said one weaver. "In Winter we work as much by the Candle as by Daylight; I have worked from five to seven at Night in Winter, and from four to nine in Summer." <sup>90</sup>

Conditions in the Forest of Dean were also harsh. A "free miner" enjoyed the right to dig for coal, iron or ochre anywhere in the forest, with the approval of the King's gaveller, and after payment to him of certain dues. <sup>91</sup> But life in the mines was hard and often dangerous. A collier going to the pit as a boy of ten, and working there for thirty years, would be an old man by forty, oppressed with asthma from the dust and foul air, and would probably drag out the rest of his life with a mutilated body, unfit for work. <sup>92</sup> Many gained a primitive livelihood from the encroachments they made upon the waste, keeping a few sheep or pigs and stealing timber. In 1788 it was estimated that there were altogether two thousand squatters occupying 589 cottages. By 1819 the number had risen to 785 cottages with over two thousand pieces of land, all established in defiance of lawful authority. So anxious were poor families to settle here that they were prepared to take possession of old mine-caves or live in houses which were often little more than turf-covered cabins resting on four walls, without windows and with only a rudimentary chimney and a floor partially covered with stones. <sup>93</sup>

A rather brighter picture comes from the agricultural workers. Miles commented on their superior domestic management, their neat houses and children, and their careful expenditure which he believed was due to the greater stability of their employment. Agricultural wages showed none of the violent fluctuations found in the cloth industry. The figures given by Arthur Young, Rudder, Marshall and Turner make it possible to trace their movement in the later eighteenth century. Between 1768 and 1794 rates rose gradually

from 8d or 9d for winter work in the Cotswolds to 1/- or 1/2 to 1/8 or 2/- for harvest. In the vale the harvest wages went up to about 2/6, but winter and mowing rates were comparable to those of the Cotswolds. The contrast with the cloth industry is striking. Here it is extremely difficult to calculate wages, if indeed the workers were paid in money and not in truck. In any case they were always paid piece rates and the time required for weaving a piece varied, depending on the quality of the yarn and the time of the year. When trade was prosperous the weavers would take a day or two's holiday; in time of depression, as in 1756, they might slave sixteen hours a day to earn fourpence.

"The price of bread does not appear to possess any regulating power, or to cause any corresponding fluctuation in wages, except that when bread is low-priced wages seldom rise," remarked Miles.<sup>94</sup> Elizabeth Gilboy, calculating the relationship between the wages and the price of the daily bread ration, concluded that "the labourer and craftsman in Gloucestershire barely held their own in general throughout the century, if their standard of living is measured in terms of bread".<sup>95</sup> When, after a long day's work and probably a far from adequate evening meal, the workers sought escape from a domestic hearth that offered few attractions they would turn to the local inn or beer-house. Most contemporaries condemned these heartily: "It is there they spend their time and money; there their morals are corrupted; there the sot, the poacher, the petty thief and highwayman are gradually formed, and to those seminaries of vice we chiefly owe the evils complained of among the lower class of people."<sup>96</sup> Few wrote with the sympathetic insight of Miles who recognised that "the labouring man has only a turnpike road to walk on, or a beerhouse to sit in". Poverty, drunkenness and rioting were the natural outcome of such conditions.

The spasmodic rioting which marks these years reflects the economic distress of the workers. Their protests, whatever their outward form (the workers in the cloth industry for example always protested against the introduction of machinery) must be seen as an attempt to draw attention to the hardship they suffered in times of high prices and food shortage. The years 1756 and 1802-6 saw really bitter struggles between masters and men in the Stroud valley;<sup>97</sup> 1795 was a year of widespread disturbance throughout the country.<sup>98</sup> These were only the more dramatic reminders of the unrest smouldering beneath the surface. When harvests were bad and grain scarce the poor simply took the law into their own hands, attacking houses and intimidating farmers, seizing barges laden with corn, selling bread belonging to millers and bakers at reduced prices. On such occasions the powers of the Justices had to be reinforced

by the presence of the military. This was local government in the face of one of the gravest threats to law and order. But in general the problems which faced the J.P.s were less dramatic, and it is with them that this study will be chiefly concerned.

## NOTES

<sup>1</sup> William Marshall, *The Rural Economy of Gloucestershire*, 1789, I, pp. 14-5.

<sup>2</sup> *Ibid.*, II, p. 9.

<sup>3</sup> R. J. Sullivan, *Observations made during a tour through parts of England, Scotland and Wales in a series of letters*, 1780, p. 117.

<sup>4</sup> Archdeacon Plymley, *General View of the Agriculture of Shropshire*, 1803, p. 286. See also petition, 8 March 1785, JHC, XL, p. 614.

<sup>5</sup> JHC XXXIII, p. 589.

<sup>6</sup> W. Barrett, *History and Antiquities of the City of Bristol*, 1789, p. 189.

<sup>7</sup> JHC XLIV, p. 261.

<sup>8</sup> The Act was passed in 1792. Its promoters numbered only three. They were empowered to raise £5000 towards what they were pleased to call "this scheme of Great Public Utility".

<sup>9</sup> In the end it was left unfinished. Thomas Rudge, *History and Antiquities of Gloucester from the earliest period to the present time*, 1811, p. 126. See also a report of 1795 on the progress of the work, GCL JX 14.22.

<sup>10</sup> A scheme for a cut of eight and three quarter miles had been put forward as early as 1730. This was followed by a series of abortive schemes. See, for example, John Dallaway's *Scheme for Making the Stroudwater Navigable*, 1755, GCL JR 14.3, or an article by Josiah Tucker in the *Annual Register*, 1760, III, p. 144.

<sup>11</sup> This had had an equally long genesis. It had been a favourite project since the seventeenth century, and the first Earl Bathurst in 1722 had considered the possibility of a tunnel under Cirencester Park in which the waters of both rivers should mingle romantically. See H. G. Household, *Early Engineering of the Thames and Severn*, paper read at the Steel Institute, 11 January 1950, GRO pamphlets CA/3. In 1783 its promoters were "several opulent persons", chiefly London merchants, according to the *Gentleman's Magazine*, 1789, LX, pp. 109-10. W. Jackmann, *Transportation in Modern England*, 1916, I, p. 374.

<sup>12</sup> Jackmann, *op. cit.*, I, p. 373.

<sup>13</sup> GRO TS 21-2, 30-37, 109-15.

<sup>14</sup> See Gwen Hart, *A History of Cheltenham*, 1965.

<sup>15</sup> Quoted Samuel Rudder, *New History of Gloucestershire*, 1770, p. 25. After this there is constant comment from Michael Drayton, *Poly-Olbion*, 1622, pp. 229-30 to Cobbett, *Rural Rides*, 8 November, 1821.

<sup>16</sup> Thomas Rudge, *General View of the Agriculture of the County of Gloucester*, 1807, Appendix, pp. 391-404.

<sup>17</sup> See W. E. Minchinton, *Agriculture in Gloucestershire during the Napoleonic Wars*, BGAS, 1949, LXVIII, pp. 165-84. What follows is largely based on this article.

<sup>18</sup> I, p. 137.

<sup>19</sup> W. E. Minchinton, "Bristol—Metropolis of the West in the Eighteenth Century", *Trans. Royal Hist. Soc.*, 1954, 5th series, 4, p. 74.

LOCAL GOVERNMENT IN GLOUCESTERSHIRE

<sup>20</sup> See W. E. Tate, "Gloucestershire Enclosure Acts and Awards", *BGAS*, 1943, LXIV, pp. 1-71.

<sup>21</sup> G. Turner, *General View of the Agriculture of the County of Gloucester, with Observations on the means of its improvement*, 1794, p. 10.

<sup>22</sup> Rudge, *General View*, p. 89.

<sup>23</sup> Minchinton, *BGAS*, 1949, p. 172.

<sup>24</sup> William Marshall, for example, was moved almost to flights of poetry in describing "peas languishing under a canopy of corn—marigold, and poppies; —barley with scarcely a stem free from the fetters of the convolvulus; —and wheat, pining away, plant after plant, in thickets of couch and thistles," *op. cit.*, I, pp. 71-2.

<sup>25</sup> *Op. cit.*, pp. 21-2.

<sup>26</sup> See A. R. Beddows, *The Ryegrass in British Agricultural History: A Survey*, University College of South Wales, Bulletin Series H, no. 17, 1953, pp. 18-21.

<sup>27</sup> See p. 10.

<sup>28</sup> *Op. cit.*, I, p. 211; II, p. 130.

<sup>29</sup> VCH Glos, I, p. 230.

<sup>30</sup> C. E. Hart, *The Free Miners*, 1953, pp. 137-8.

<sup>31</sup> PP 1839 XXIX, p. 569.

<sup>32</sup> H. G. Nicholls, *The Forest of Dean, an Historical and Descriptive Account*, 1858, p. 224.

<sup>33</sup> T. S. Ashton, *Iron and Steel in the Industrial Revolution*, 1924, p. 15.

<sup>34</sup> Extract from MSS "Observations on the iron cinders found in the Forest of Dean and its Neighbourhood", *BGAS*, 1878, II, p. 233.

<sup>35</sup> *Op. cit.*, p. 36.

<sup>36</sup> Rhys Jenkins, "Iron Making in the Forest of Dean", *Trans. Newcomen Soc.*, VI., p. 61.

<sup>37</sup> *History of the County of Gloucester*, 1803, II, p. 96.

<sup>38</sup> Nicholls, *op. cit.*, p. 237.

<sup>39</sup> Rudge, *General View*, p. 21.

<sup>40</sup> T. S. Ashton and J. Sykes, *The Coal Industry in the Eighteenth Century*, 1929, p. 54.

<sup>41</sup> *Ibid.*, p. 47.

<sup>42</sup> Nicholls, *op. cit.*, pp. 239-40.

<sup>43</sup> The prices of coal varied. House coal might sell for 4/- or 4/6 a ton; smith coal for 2/6, and lime coal, which was used largely for manure, for 1/6. Third Report Dean Forest Mining Commission, JHC XLII, p. 627.

<sup>44</sup> J. U. Nef, *The Rise of the British Coal Industry*, 1932, I, p. 97.

<sup>45</sup> See B. C. L. Johnson, "New light on the Iron Industry of the Forest of Dean", *BGAS*, 1953, LXXXII, p. 129-44.

<sup>46</sup> *Fourth Report Dean Forest Mining Commission*, PP 1835, XXXVI, p. 27.

<sup>47</sup> *Ibid.*, p. 20.

<sup>48</sup> *Fifth Report Dean Forest Mining Commission*, PP 1835, XXXVI, p. 215.

<sup>49</sup> JHC 1788, XLIII, p. 572. See the criticisms of the administration of the timber of the forest in the *Third Report of the Commissioners appointed to enquire into the State and Condition of the Woods, Forest and Land Revenues of the Crown*, JHC 1788, XLIII, pp. 562-632.

<sup>50</sup> *Op. cit.*, p. 26.

<sup>51</sup> LIX, p. 1098.

<sup>52</sup> A. Redford, *Labour Migration in England*, 1926, p. 5.

<sup>53</sup> GRO D421/T109.

- <sup>54</sup> GRO D421/E21.
- <sup>55</sup> *Op. cit.*, p. 63.
- <sup>56</sup> A. Raistrick, *Quakers in Science and Industry*, 1950, p. 194.
- <sup>57</sup> H. Hamilton, *Brass and Copper Industries*, 1926, pp. 156, 250.
- <sup>58</sup> Raistrick, *op. cit.*, p. 192.
- <sup>59</sup> Charles Yorke to his brother Jack, 17 Sept. 1776, Yorke papers.
- <sup>60</sup> See 1767 lease GCL R 135.2 and 1824 sales particulars GCL RR. 135 (1-2).
- <sup>61</sup> *Op. cit.*, p. 452.
- <sup>62</sup> Hamilton *op. cit.*, pp. 156-7.
- <sup>63</sup> See Rhys Jenkins, "The Copper Works at Redbrook and at Bristol", *BGAS*, 1942, LXIII, pp. 145-63.
- <sup>64</sup> H. T. Ellacombe, *History of Bitton*, 1881, p. 231.
- <sup>65</sup> Eleanor Adlard, *A Short History of the Postlip Mill, Winchcombe*, 1949.
- <sup>66</sup> JHC XXXVIII, pp. 335-6.
- <sup>67</sup> Rudder *op. cit.*, p. 63.
- <sup>68</sup> J. Bennett, *History of Tewkesbury*, 1830, p. 202.
- <sup>69</sup> For a fuller discussion see my article "The Gentlemen Clothiers: a Study of the Organization of the Gloucestershire Cloth Industry, 1750-1835", *Gloucestershire Studies*, ed. H. P. R. Finberg, 1957, pp. 225-267.
- <sup>70</sup> *Travels through England*, II, p. 270.
- <sup>71</sup> *Instructions to Travellers*, 1757, p. 37.
- <sup>72</sup> PP 1806, III, p. 8.
- <sup>73</sup> The correspondence of the Gloucestershire clothier William Phelps with the London firm Hanson and Mills has much to say about the sending down of wool supplies to the county. See *Gloucestershire Studies*, *op. cit.*, pp. 234-7.
- <sup>74</sup> See Jennifer Tann, *Gloucestershire Woollen Mills*, 1967, also my article "Cloth Mills of the Stroud Valley", *History Today*, May 1959, IX No. 5, pp. 319-326.
- <sup>75</sup> W. Lawrence, *Stroudwater, A Poem*, 1824.
- <sup>76</sup> See Jennifer Tann, "Some Problems of Water Power—a Study of Mill Siting in Gloucestershire", *BGAS*, 1965, LXXXIV, pp. 53-78.
- <sup>77</sup> This is set out in a diagram *ibid.*, p. 76.
- <sup>78</sup> Rudder *op. cit.*, p. 61.
- <sup>79</sup> These conflicts are discussed in *Gloucestershire Studies*, *op. cit.*, 255-61.
- <sup>80</sup> See W. E. Minchinton, "The Beginning of Trade Unionism in the Gloucestershire Woollen Industry", *BGAS*, 1951, LXX, pp. 126-42.
- <sup>81</sup> *Wages in Eighteenth Century England*, 1934, p. 134.
- <sup>82</sup> PP 1803, VII, p. 368.
- <sup>83</sup> PP 1806, III, p. 353.
- <sup>84</sup> William Hirst, *History of the Woollen Trade for the Last Sixty Years*, 1844, p. 12.
- <sup>85</sup> PP 1803, VII, p. 141.
- <sup>86</sup> PP 1840, XXIV, p. 465.
- <sup>87</sup> See Rudder *op. cit.*, p. 63.
- <sup>88</sup> PP 1840, XXIV, p. 398.
- <sup>89</sup> PP 1840, XXIV, p. 433.
- <sup>90</sup> PP 1802-3, VII, p. 87.
- <sup>91</sup> For a transcript of the seventeenth century copy of the "Laws and Privileges" see C. E. Hart, *op. cit.*, pp. 37-45. See also Russell J. Kerr, "The Customs of the Forest of Dean", *BGAS*, 1921, XLIII, pp. 63-78.
- <sup>92</sup> PP 1835, XXXVI, p. 127.
- <sup>93</sup> See descriptions given by Mr. Miles Hartland, Assistant Deputy Sur-

LOCAL GOVERNMENT IN GLOUCESTERSHIRE

vevor, examined before the Dean Forest Commissioners in 1788, quoted Nicholls *op. cit.*, pp. 77, 82.

<sup>14</sup> PP 1840, XXIV, p. 403.

<sup>15</sup> *Op. cit.*, p. 120.

<sup>16</sup> Rudder *op. cit.*, p. vii.

<sup>17</sup> See *Gloucestershire Studies, op. cit.*, pp. 254-60.

<sup>18</sup> Discussed more fully pp. 244-48.

## CHAPTER II

### GLOUCESTERSHIRE SOCIETY

*Aristocracy—Squirearchy—Merchants—Clothiers—Clergy  
Religious situation—Social activities—Political affairs  
The unity of the county.*

ANY study of Gloucestershire estates in the eighteenth century must begin with some high-sounding titles, for, to a great extent, property lay in the hands of aristocratic owners. Many resided outside the county; in 1800 there were ten non-resident peers owning lands assessed to the Land Tax at over £100, and about twenty with lands of lesser value.<sup>1</sup> In some cases this Gloucestershire connection was of long standing;<sup>2</sup> in others the properties were recently acquired.<sup>3</sup> The part these men played in county affairs varied greatly. The Gages and the Duke of Norfolk tried to intervene in local politics.<sup>4</sup> But the great majority showed little interest in the county, and regarded their estates as an investment which they were only too glad to leave in the hands of their stewards. The Rev. Richard Cumberland described the state of a neighbouring village (he was doubtless referring to Lord Eliot of Down Ampney): "The Proprietor of the Estate never comes near it, and as one of his Tenants observ'd neither knows nor cares whether there is a Church in it. He sold the Living which consists intirely of Glebe, the Purchaser considers how to make the best interest of his money."<sup>5</sup> Their political support might be solicited at election times, but otherwise they never figure in contemporary correspondence and they contributed little to the life of the county.

Gloucestershire had its own local resident aristocracy, which played a greater part in local affairs. The Tracies, who had held Todington since the twelfth century, were advanced to the title of Viscount Tracy of Rathcole in Ireland by Charles I in 1642. The others were eighteenth century creations: the Ducies were raised to the peerage in 1720; John How was created Baron Chedworth in 1741, and Edward Southwell, Baron Clifford, in 1777. James

Dutton was the most recent comer in 1784. "I must take shame to myself so far as to owne, that, tho' I am a Country Gentleman the better half of the year I have not a very general knowledge of the County and can't say anything to purpose on the Subject of it."<sup>6</sup> Lord Ducie's apology might well have been echoed by many other members of these families. In the case of both Ducies and Duttons the line had become extinct during the eighteenth century and the title had passed to another branch with no Gloucestershire connections. The Southwells and Duttons shared a common interest in Irish affairs; the Ducies maintained their connections with Lancashire, while John How lived in comparative seclusion, and seldom visited his large landed properties in Gloucestershire and Wiltshire. His later life he spent in the house of a Yarmouth surgeon, where he devoted himself to a study of Shakespeare.

Three great families however have dominated the Gloucestershire scene: Berkeleys, Beauforts, and Bathursts. Most illustrious, both in descent and in the marriages they formed, were the Berkeleys, who traced their descent beyond the Norman Conquest. The Lordship of Berkeley had been granted to their ancestor Robert Fitz-Harding by Henry II.<sup>7</sup> They had been summoned to Parliament as barons from the time of Henry III, and George, the fourteenth baron, was advanced in 1679 to the titles of Viscount Dursley and Earl of Berkeley for his loyalty to Charles II. Until Frederick Augustus, the fifth earl, married a butcher's daughter, the family had married well.<sup>8</sup> Their wealth came mainly from landed property, although both the first earl and his son had been connected with the East India and the Levant Companies. In Gloucestershire their estates lay partly in the Forest of Dean, and partly in the Vale of Berkeley and the clothing villages, Cam, Uley, and Wotton. They were assessed at £698 for these lands in 1800, but this can give only an approximate idea of their total wealth, for they also held lands in Sussex, Surrey, and Middlesex.<sup>9</sup>

The Dukedom of Beaufort was created in 1682, but the family traced their descent through Charles Somerset, illegitimate son of Henry Duke of Somerset, to John of Gaunt. They had been settled in the county since 1608 when the fourth earl of Worcester purchased the manor of Badminton.<sup>10</sup> They too have a record of good marriages.<sup>11</sup> They paid £681 in land tax on the Gloucestershire property, but again this is no indication of their real income. They alone of these three families seem to have owned considerable industrial undertakings. Rudder refers to their coal-pits in Kingswood "of a prodigious depth", 107 feet, and said that a fire engine was in use there.<sup>12</sup> In South Wales they had coal in Pembrokeshire which was worked by local landlords,<sup>13</sup> besides two colliery districts

in Brecon called Dukestown and Beaufort,<sup>14</sup> and they leased a furnace in Glamorgan to Kendalls the ironmasters.<sup>15</sup> They also apparently had some property in the Bahamas.<sup>16</sup>

The Bathursts were comparative newcomers: they bought their Gloucestershire estate in 1695. Benjamin Bathurst, father of the first earl, was elected governor of the Royal African Company under the Duke of York, became governor of the East India Company in 1688, then treasurer of the Household, and later cofferer to Queen Anne. Their marriages were on a humbler plane.<sup>17</sup> Most of their Gloucestershire property was acquired in the early years of the eighteenth century, and lay near Cirencester. This was assessed at £352 in 1800. But they also owned much property outside the county, in Nottinghamshire, Derby, Surrey, and London.<sup>18</sup>

The Bathursts played a more active political role than either the Berkeleys or the Beauforts. Sir Benjamin had been treasurer to Princess Anne of Denmark, and his son was treasurer to the Prince of Wales in 1757. Henry, the third earl, attained the highest office held by any member of the county in the eighteenth century. An eminent lawyer, he was Justice of Common Pleas in 1754, one of the Commissioners of the Great Seal in 1770, and the following year Lord Chancellor, an office which, however, he held without any great distinction: "As far as the public could observe, he performed almost decently the duties of the office, in which, to the surprise of mankind, he was placed; affording a memorable example of what may be accomplished by a dull discretion."<sup>19</sup> His successor, Lord Campbell, observed that the building of Apsley House was perhaps the most memorable act in the life of Lord Chancellor Bathurst.<sup>20</sup> He resigned the Great Seal in 1778, and became President of the Council until, with the fall of North, he virtually retired from politics. His son, who represented Cirencester 1783-94, also had a public career of forty years. He was Lord of the Admiralty 1783-9, Lord of the Treasury 1789-91 and finally became Secretary of State for the Colonial Department.

The Beauforts, as extreme Tories, had played little part in political affairs at the beginning of the century; the second duke refused to go to Court until 1710. The fourth duke, according to Rudder, distinguished himself in Parliament by a steady opposition to corrupt and unconstitutional measures, and endeared himself to mankind by his social virtues.<sup>21</sup> The only office held by Henry, the fifth duke, was that of Master of the Horse to the Queen Consort from 1768-70 when he was aged twenty-four to twenty-six.

The political interests of the Beauforts in Gloucestershire will be discussed later. In addition they had considerable influence in South Wales. In the Glamorganshire election of 1789 Charles Edwin

commented that the duke's interest died away in great measure with the death of his steward, who at his own expense had been grand support.<sup>22</sup> Their Monmouthshire position was stronger. Henry, the fourth duke, represented the county in 1731-4, and the borough in 1734-45; Henry Charles Somerset sat for the borough in 1788-90, and Robert Edward Henry Somerset in 1799-1805.<sup>23</sup> Henry the sixth duke was Lord Lieutenant of Monmouthshire from 1771 and of Brecknock from 1787, and also held a long succession of militia and lieutenancy positions in the two counties.<sup>24</sup>

The Berkeleys distinguished themselves mainly in military or naval activities. Augustus, the fourth earl, had been colonel of a regiment which fought the Jacobites in the '45; James, the third earl, was Vice Admiral of Great Britain in 1717, and his career was later paralleled in that of his grandson, George Cranfield Berkeley, who saw active service under Palliser and Keppel, was present with Howe in 1794, and rose from the position of Rear Admiral in 1799 to full Admiral in 1810.

But in the later eighteenth century none of these families was represented by any really outstanding figure. Earl Bathurst after 1782 took little further part in public affairs, and apart from his electioneering interests and the establishment of a Court of Requests at Cirencester, played no part at all in the life of the county. A quiet, nervous figure and a bad speaker, he failed to distinguish himself in the public eye. "Who was Bathurst? It is difficult to say. . . . He was one of those strange children of our political system who fill the most dazzling offices with the most complete obscurity."<sup>25</sup> George III wrote kindly of him to Lord Grenville on hearing that he had acquitted himself well in the House of Lords: "His talents are certainly known to those acquainted with him; if he can conquer his natural diffidence he cannot fail of making that figure which would be particularly agreeable to me for my regard for the memory of his grandfather."<sup>26</sup> Frederick Augustus Berkeley held the Lord Lieutenancy and other county offices,<sup>27</sup> probably more on account of the military traditions of his family than because of any personal qualification. He was well-known amongst his contemporaries mainly for his art-collecting and his amours. But Mary Cole, the butcher's daughter whom he seduced in his forty-first year gradually acquired complete ascendancy over him and managed not only his nursery and his household, but also his estate, far more competently than he could have done himself. Finally in 1796, a few months before the birth of their eighth child, he married her in London, the bishop of Gloucester officiating.<sup>28</sup>

In 1712 Sir Robert Atkyns declared gloomily that very few families continue to flourish above three generations, and said that he could

not find many of more than a hundred years' standing. But he was hardly in a position to appreciate the fact that the future lay with these new families which had appeared in the sixteenth and seventeenth centuries, and that it was they who were to form the backbone of the eighteenth century landowning class. In any case he had hardly done justice to his native county, for a number of Gloucestershire families were medieval in origin, proud possessors of their acres from Norman times, firmly rooted in the soil, and never venturing further afield in search of other fortunes. Such were the Kingscotes of Kingscote, described by the vivid and sympathetic pen of John Smyth of Nibley early in the seventeenth century: "Hee and his lineall ancestors have continued in this little manor nowe about 500 yeares, never attained nor dwellinge out of it elsewhere nor hath the tide of his Estate higher or lower flowed or ebbed in better or worse condition; But like a fixed starre in his firmament, to have remained without motion in this his little orbe without any remarkable change."<sup>29</sup> Other Gloucestershire families of medieval origin were the Guises, the Estcourts, the Cliffords, the Hyetts and the Daunts.<sup>30</sup>

The sixteenth and seventeenth centuries were the great age of the foundation of county families. Wealth made in London when transplanted to the country made its owner a country gentleman. As Lambard said: "From which citie (as it were from a certeine rich and wealthy seed-plot) Courtiers, Lawyers and Marchants be continually transferred and do become new plants amongst the auncient stocks."<sup>31</sup> These newcomers were enterprising and energetic men, who, having achieved their fortunes by their own skill, brought the same vigour to play in the new role of country squire. They can be seen continually adding to their estates, holding county office as Justices of the Peace or Sheriffs, taking a keen interest in the management of their lands without forgetting their investments elsewhere. In the sixteenth century the majority, like the Duttons, Chamberlaynes, Hicks, Leighs, and Masters, owed their success to wealth gained from office, especially from positions at Court or in the royal service.<sup>32</sup> In the following century the merchants, men like the Crawley-Boevcys of Flaxley or the Wanleys of Eyford, come to the fore.<sup>33</sup> The lawyers also form an impressive phalanx: Job Dighton of Clifford Chambers, John Prinn of Charlton Kings, Thomas Stephens of Lypiatt, Robert Hale, the father of Lord Chief Justice Hale of Alderley, Richard Colchester of Westbury.<sup>34</sup> The eighteenth century made few changes in the pattern. New names still appear fairly steadily: some, like Samuel Blackwell or Sir William Strachan, married Gloucestershire heiresses; others, such as James de Visme of Newent, a Huguenot immigrant, or Samuel

Peach Peach of Tockington, a London silk merchant, defy classification.

All this time Bristol continued to supply new blood to the country. The movement whereby men, having made their fortunes in trade or business in the city, sought landed property in the neighbouring county, had been continuous since at least the fifteenth century. Some were content to do no more than migrate to the outskirts of the city and build there the houses and villas "in modern taste" which Rudder lists so frequently. Others, of whom the Chesters are typical,<sup>35</sup> showed greater enterprise, and by acquiring land and making "good" marriages, without ever completely severing their Bristol connections, rose to important positions in Gloucestershire society.

The clothiers formed a distinctive and most important section of society.<sup>36</sup> There were constant fluctuations in their ranks. Small businesses rose and fell, for among the lesser clothiers who had frequently only a very rudimentary organisation, bankruptcies and failures were common. The majority however were men of substance. In 1712 Atkyns spoke of the good estates in their hands, and a century later Timothy Exell described them as "rich and opulent men; they were not only worth their thousands, but their tens of thousands, and their scores of tens of thousands".<sup>37</sup> With increasing wealth came growing social ambitions. A Handloom Commissioner in 1839 noticed that "the clothiers of Gloucestershire were indulging in the habits and mixing with the gentle blood of the land".<sup>38</sup> Many indeed could claim to have been as long established in the county as some of the purely landed families. The Clutterbucks had two main branches; one had been at Berkeley from the mid-fifteenth century, and the other, at Frampton, Eastington, and Leonards Stanley, had originated with a Thomas Clutterbuck whose will is dated 1551.<sup>39</sup> The Holbrows had been settled in Wiltshire in the fifteenth and sixteenth centuries. William Holbrow moved to Kingscote in the seventeenth century, and his son went to Uley, where he prospered, bought Uley House in 1681, and was included by Atkyns among the gentry of the village with "a good house and estate". His son married into another old clothing family, the Phillimores, who had been established at Dursley from 1465, and had a branch at Cam from the sixteenth century.<sup>40</sup> Rudder commented on the transition from trade to land: "Very large fortunes have been acquired . . . in this business (i.e. the woollen industry) and it is an observation of Mr. Camden's that several of the most ancient families among the nobility had their rise from it." The process can be seen at work in the history of the Clutterbuck family. In 1616, Richard, who had been referred to as a yeoman in 1660, leased a messuage to his son, Thomas, a broadweaver. In 1662, Richard,

describing himself as a broadweaver, leased a messuage to his son Nathaniel, gent, who, in a lease of 1652, had been referred to as of Oxford University.<sup>41</sup>

These clothiers took a keen personal interest in pleasure in the conduct of their business, and prided themselves on any new inventions or improvements which they introduced. Sir Onesiphorus Paul was well-known for his invention of the napping-mill. He seems to have been regarded as one of the leading clothiers of the district and others learnt from him, for Playfair claimed that the cloth in that part of the county "owes much of its unrivalled excellence to his ingenious and spirited improvements".<sup>42</sup> The great success of the Playnes and Shepphards undoubtedly owed much to the enterprise of members of the family. Early in the nineteenth century when German wool began to be used in the industry, William Playne used to make an annual visit to the continent. He kept a carriage and horses at Calais for his drive across Europe to Dresden and Breslau, stopping to buy the wool directly from the proprietors of the great estates, who used to entertain him and his broker on their journey.<sup>43</sup> Many must have spent their time like the Clutterbucks of Kings Stanley in supervising the workers, attending to the dyeing of cloth, and visiting the widely scattered spinning stations.<sup>44</sup>

At any time of crisis in the industry the clothiers never failed to present a united front. In times of prosperity they held meetings to consider measures for the general good of the trade.<sup>45</sup> More important was a habit, which can be traced back to the early eighteenth century, of concerted action in any emergency. In 1727, when the weavers had been rioting and threatening anyone who worked for lower wages, thirty clothiers had engaged "by all lawfull ways and means to discountenance and suppress the said riotous and disorderly Assembly", and decreed that any of their number who paid increased wages should forfeit £100.<sup>46</sup> In 1756 the Parliamentary committee which considered the petition of the weavers about wages was forced to recognise that they had been at the mercy of their masters, who had "entered into an Association not to pay by that order".<sup>47</sup> When wool prices were mounting in 1792 sixty-eight clothiers signed an agreement based on a common policy.<sup>48</sup> Their organisation was perfected in the prolonged crisis of 1802-6, when Gloucestershire joined a movement embracing the whole south-west. The first agreement, drawn up in 1802, was signed by eighty Gloucestershire clothiers, but the real direction of policy lay with a committee of twenty who sent delegates to Bath, and were in communication with Yorkshire. It is interesting to find that when they decided to defray the expenses by subscription, the Gloucestershire clothiers divided themselves into three distinct classes "accord-

ing to the extent and magnitude of the trade carried on by them". The proportion was 20:12:6, and there were ten names in the first class, twenty-three in the second, and forty-four in the third.<sup>49</sup> The minute books of the committees are a carefully kept record of financial transactions, dealings with solicitors, the drawing up of memorials and petitions, and the sending out of circular letters, which suggest an efficiency gained through long traditions of co-operative effort.<sup>50</sup>

To speak of "the clergy" as though they formed a separate or distinct class of society might easily create a false impression. For neither from a social nor an ecclesiastical point of view had they any real unity or cohesion. They ranged in social status from scions of the aristocracy to curates who, lacking social and academic influence, spent their lives serving non-resident pluralists, languishing so long in remote cures that they became almost perpetual deacons. Patronage changed hands frequently; it was bought and sold, and regarded as a good investment.<sup>51</sup> The aristocracy, gentry, and Oxford colleges shared between them a fair proportion of the Gloucestershire livings—in 1763 the colleges held twenty-four, of which twelve belonged to Christ Church.

The Diocesan Visitations for the period show that the majority of the clergy were resident; of the ten non-resident clergy recorded in the 1776 Visitation four were Oxford dons. Others, holding several livings, generally resided at the most important themselves, and put in a curate to serve the others.<sup>52</sup> In cases where the livings were very poor, worth under £100 a year, the incumbent might farm the glebe himself and live very much like his neighbouring cottagers—there are numerous entries among the Land Tax Assessments of the smaller parishes in which the clergy appear both as proprietors and occupiers. But most of them enjoyed a more comfortable existence. In many cases, as the son or younger brother of the lord of the manor, they took their place naturally amongst the landowners. Most clergy joined in the social life of the neighbourhood. Mrs. Smart wrote with approval of the new Rector of Wotton-under-Edge: "Our new neighbours Mr. and Mrs. Tattersall are Much liked about here they are Very Socible Joyn in all the Clubs and in everything they appear with great Propriety and a Proper Conduct to the Charickter of a ClergyMan."<sup>53</sup>

The Rev. Richard Cumberland, vicar of Driffield and Harnhill, was probably typical of many. Ecclesiastical duties did not weigh too heavily upon him, though during Lent he used to hold Sunday evening lectures, which "succeeded beyond my expectation as they attend consistently, and are Very Attentive". When his farmers came to pay their tithes he entertained them to a "Farmers' Feast":

"I have been busied in Calling together my Neighbours, fleecing some and feasting all, according to the ancient custom of the place at Easter," and the poor were given a dinner too, "Men, Women, and Children, they had plenty of Beef Roast or Boild, and as much Ale as they chose". He had converted the house for the purpose of receiving pupils, and one can imagine him giving his neighbours' sons a good grounding in the classics. And then, parochial duty done, he enjoyed the company of "a pretty Circle of Acquaintance in this Neighbourhood". It was an agreeable existence, and Cumberland was well pleased with his lot as a Gloucestershire country parson: "I am more and more attached to My Situation the longer I stay in it."<sup>54</sup>

James Yorke, Bishop of Gloucester, making a tour of his new Diocese in 1780, was glad to find "no claims about the progress of Popery, and universal abhorrence of the reproachful affectation of them".<sup>55</sup> The Roman Catholics never formed a numerous or influential section of Gloucestershire society. Of the eighty persons recorded in the "Register Book of Popish Estates" for the county in 1716, over half were non-resident.<sup>56</sup>

Dissent was stronger. 190 places of Dissenting worship were licensed for the county between 1689 and 1800, the majority early in the eighteenth century, and only sixteen after 1750. Of the three largest groups, the Quakers had fifty-four meeting houses, the Presbyterians fifty-two, and those calling themselves "Protestant Dissenters" twenty-six. From a survey of the Diocese made in 1750 it appears that almost every small town or large village had a Dissenting group of some description. Wesley's journal records frequent visits to the county, especially to Gloucester, Cheltenham, Painswick, Tewkesbury, and Stroud. But more important was his long connection with Kingswood, and his school there which became practically a missionary centre for the country.<sup>57</sup> The greatest number of Dissenters however, was to be found either in the industrial villages in the south of the county, Bitton, Frenchay, Wick, and so on, where he had exercised a great influence, or else in the clothing areas of the Stroud valley, for nonconformity made a strong appeal to those engaged in industry. The Rev. William Lloyd Baker was seriously alarmed, not only by the growth of Dissent in Uley, but by the organisation among all the local sects. In August 1793 he felt compelled to write to the Bishop about "The great activity of the Dissenters who are gaining much ground in wealth through trade and (perhaps from thence in great measure) in proselytes. . . . They have lately built a meeting-house calculated to hold between 400 and 500 people, and in most respects I believe by far the first in this neighbourhood, at least none in Wotton-under-Edge that can com-

pare with it. But it may not have come to your Lordship's knowledge that on laying the first stone five ministers from five different persuasions were present, from whence it was called the Union Chapell. I believe there was a Presbyterian, Anabaptist, an Independent and 2 Methodists of 2 different sects. In short, My Lord, except that of Rome, the Church of England was the only one that seemed to be left out intentionally, and it wore the face of an united attack against her . . ."58

Bristol had early been a Quaker centre, and some of the leading Quaker industrialists, such as William Champion, who built an ideally planned village for the workers in his brass and copper works at Warmley, were connected with the county. He tried to make the village as attractive as possible, and arranged the furnaces in lines facing each other like houses in a street; he built cottages for all the workpeople, and made a village centre, with a group of shops and a clock tower, and placed a great figure of Neptune, with the body made from the rough black cinders from the works, in the centre of the lake.<sup>59</sup> More than the other Nonconformist sects the Quakers formed a closely-knit society, linked both by ties of religion and industrial interest to their co-religionists elsewhere, especially to the iron-masters of South Wales and the Midlands. They had meeting-houses in most towns, and in Tewkesbury and Cirencester at least, they were strong enough to constitute a political force to be reckoned with. Pope, when planning the gardens at Cirencester Park in 1735, solved at once the problems of landscape gardening and of the Quakers. If the steeple of the church were lowered, "that would bring matters to some uniformity and ye Dissenters and Quakers be greatly obliged, as it is ye high tower itself which, above all, they hold in abomination; whereby your lordship's interest in the next election might vastly be strengthened . . ."60 The Quakers put forward a candidate at the Tewkesbury election of 1792, but he later withdrew.<sup>61</sup>

As he travelled the length and breadth of the county collecting materials for his history, Rudder found widespread rebuilding and improvement, and the laying out of parks and gardens. Allen, the first Earl Bathurst, had led the way at the beginning of the century, and the grounds of Cirencester Park remained unrivalled. But before long others were following his example. The Codringtons employed James Wyatt at Dodington, and John Nash built the fantastic Blaise Hamlet for the Harfords. Some were devotees of the romantic movement: at Newland, Charles Wyndham "has a very handsome house, built by his father in the Gothic stile, with a large estate, and fine plantations", and at Adlestrop Rudder found James Leigh "hath greatly repaired and enlarged the old family seat in

the Gothick taste". The style chosen by the clothiers varied. While Gatcombe Park, built by Edward Shepphard, was severely classical, a well-proportioned and spacious house, his neighbour, George Hawker, with a great show of spirit erected a folly, the Fort—a "pleasure-house" as Rudder called it—standing high on Rodborough Hill. But, Rudder complained, many of these seats "in complaisance with the taste of the present age are left by their owners for the greater part of the year, to partake more of the pleasures of the metropolis, and other places of public entertainment".<sup>62</sup> The pleasure seekers no longer needed to look as far as London. The growth of the spa towns had worked a revolution in the countryside which the puritanical Archdeacon Thomas Dudley Fosbroke regarded with the utmost distaste: "Bath and Cheltenham occupy the toy and dissipation trade, indeed, the latter is a very shouldering unpleasant neighbour".<sup>63</sup> Many families spent at least a part of the year away from home. Mrs. Van reported of her neighbour Giles Gardiner: "He has taken a house at Bath to spend the winter months, and three quarters of a years Income as he games very High, and it is generally thought he will hurt his family unless the Rich Man at Bristol will support them."<sup>64</sup> One wonders if he ever met his neighbour William Hayward Winstone of Quedgeley there, and if so, what they thought of each other. "When I look upon the poor Victims of Ennui who are continually Sauntering about these Streets, Uncomfortable to themselves and Burdensome to Others, I reflect with pride and pleasure that No Member of my Family is necessitated to depend on the daily chance Medley of Promiscuous Society, or to have recourse to those trifling Amusements which debilitate the Mind, and degrade the understanding . . . I am infinitely more gratified with these Family Circles than I could be at any of the Puppet Shows which the Giddy throng around us are perpetually pursuing. We have been reading Waverley, and Alicia de Lacy, both above the style of the Novels of the present day . . ." <sup>65</sup> The lists published in the *Gloucester Journal* of visitors to Cheltenham record its growing popularity after the visit of George III and Queen Charlotte in 1788. Here the small country squire or the prosperous clothier would rub shoulders with the élite of London society, and would try to talk of finer things than crops or the prospects of the East India Company markets. A few undoubtedly went to extremes. George Augustus Selwyn, the London wit, was amused at the sight of a *nouveau-riche* clothier trying to cut a dash at Bath: "Sir Onesiphorus Paul and his Lady are the finest couple that has ever been seen here since Bath was built. They have bespoke two whole length pictures, which some time or another will divert us. His dress and manner are beyond my painting; however, they may

come within Mr. Gainsborough's."<sup>66</sup> But if there were pitfalls there were also opportunities: "I suppose Cheltenham is very full this summer. I admire one effect such public places have, namely that of bringing people together who would not otherwise meet: it sometimes also occasions people to meet together so that they cannot separate again for life . . ."<sup>67</sup>

Many local festivities and entertainments drew all the elements of society together. The Three Choirs Festival with its balls and races was as much a social as a musical event. William Hayward Winstone complained bitterly when ill-health prevented him from going: "For I still dread the trial of warm rooms and crowded assemblies . . . and nothing but *flight* will probably secure me. I have been so much in the habit of attendance."<sup>68</sup> We have a full account of the Festival for 1781, the year in which Mary, the wife of James Yorke, Bishop of Gloucester, was steward. From the moment when, on the first Tuesday night, the Race Ball was opened by Lord Worcester and Mary Yorke's own daughter, until the Saturday when the visitors took their leave, she lived in a whirl of entertainment, dinners, dances, and receptions. The list in the *Gloucester Journal* of "the leading and noble characters which gave a lustre to this meeting", headed by the Duke of Beaufort, includes almost every name of note in the county.

Race-meetings were equally important social functions. Tetbury always announced: "Balls and Publick Breakfasts as Usual", and James Dutton, when he was Steward in 1782, paid six guineas for "A Band Of Musick".<sup>69</sup> The stewards changed annually, and we know from the subscribers' book of the Tetbury Races that they included most of the leading county figures.<sup>70</sup> Keen followers who attended all the local races at Cirencester, Monmouth, Ludlow, Bath must have had a large circle of acquaintances. The racecourse became a common *rendez-vous*, almost as important as the Bench for settling the affairs of the county. The Earl of Berkeley would summon the neighbouring gentry to attend him there: "I can venture to assure you that Lord Berkeley desires to confer with you about County Matters, and wishes it may be at the Gloucester Races. I had not resolved upon going to the Races, but I will certainly come to have the pleasure of meeting you there." Sir John Dutton, arranging a meeting with Mr. Tracy, begged "to be excused on the 18th of this month as the Tewkesbury Races are fixed for those days, and it will be absolutely necessary he should be there in support of your Lordship's scheme".<sup>71</sup>

This sketch of the social structure raises a fundamental question: Was the county a self-conscious unit? Was there, in fact, such a thing as a Gloucestershire society?

Certainly in political affairs the situation was dominated by local rather than national issues. Sir George Onesiphorus Paul, Chairman of the Reform Association of 1780, found the county hard to rouse on matters of national importance: "In this County the Public Sense of Political Questions can scarcely be taken pure and unmixed with the influence of provincial parties. . . . Two great interests (i.e. the Berkeleys and Beauforts), opposed from generation to generation, have almost equally divided the county into opposite factions. It is next to impossible to obtain unanimous concurrence on any political truth, however obvious to sense and reason. On the late Petition the most that could be expected was done: we had the active support of the one, and the silent acquiescence of the other. *Great active exertion* is difficult to obtain from even one party, on any proposition that does not contain in itself a provincial interest. Our zeal exhausts itself in the county cause, and leaves us cold to more Public questions. Accustomed to consider National politics as involved in county interests, disappointment in the one is decisive to the other."<sup>72</sup>

As long ago as 1739 Sir John Dutton had hoped that the county's internal political conflicts might be settled: "I take this to be the Crisis which is to determine the State of the Two Interests in this county for our times at least if not to all perpetuity."<sup>73</sup> But passions were still strong in 1763: "The whole County is in a ferment, scarce a single vote but interests itself. Political Party is out of the question amongst the Principals 'Tis Private Quarrel and Resentment they canvass in large Parties . . ."<sup>74</sup> The great crisis of the century came with the Election of 1776, the year in which William Bromley Chester defeated George Cranfield Berkeley after a poll of eleven days and an expenditure of £100,000. A House of Commons committee took three months to determine what was, in Oldfield's words, "only a contest between those two noblemen for parliamentary patronage."<sup>75</sup> In 1784, when James Dutton was raised to the peerage, a coalition was arranged, and it seemed as though all animosity was at last to be forgotten: "My Master is desired by the Duke of Beaufort to inform you that his Grace and Lord Berkeley have settled the Peace of the County of Gloucestershire, as far as in their power, by Mutually Agreeing to One and One, so that Mr. Geo. Berkeley is to come in without any opposition. These conditions are such in his Opinion as cannot fail of Meeting with the Approbation of all parties."<sup>76</sup> But the issue was not yet buried, and political rivalry was still liable to raise its head at even a purely social function, as Mary Yorke found at the Three Choirs Festival: "Invited Mrs. Guise (Mr. Guise being the great leader hereabouts of the Berkeley party) to Dine with me at *any* of the Three Days—if

she comes we will take in Triumph to the rooms, but if she refuses *me, all of them, I shall say, fye upon Politicks amongst the Ladies!*"<sup>77</sup>

Fully occupied with its internal struggle for power the county maintained a sturdy independence in the face of parliamentary influence from outside the county or political opinions dictated by London. In 1780 when Gloucestershire declined to support the proposal for annual parliaments Paul told Granville Sharp that the resolution passed had been "well deliberated on, and was a general opinion", and he added that though the Common Council of London was certainly "a most respectable Authority, *no* authority should outweigh the deliberately self-formed opinions of each county respectively".<sup>78</sup>

Representation of the four seats in the county remained in the hands of local men, many of them members of families with long traditions of county representation, Guises, Codringtons, Masters, Chesters, Duttons. Even the new names that appear had some family connection with the county. James Whitshed, who represented Cirencester in 1761-83, had married Frances, eldest daughter of the first Earl Bathurst, and was merely keeping the seat warm until Lord Apsley came of age, and Samuel Blackwell had married Anne, daughter of James Dutton. Many of the members were related to each other. The two sisters of James Dutton married Samuel Blackwell and Thomas Masters respectively; William Dowdeswell was returned for Tewkesbury through the influence of his brother-in-law Sir William Codrington; Elizabeth, wife of William Bromley Chester, left the Chester estates to her cousin Thomas Masters. Outsiders stood little chance. George Augustus Selwyn noted with some amusement the vain attempts of the Duke of Norfolk to make some impression on the city: "He takes so much pains to recommend himself to my Corporation that we are at a loss to know the source of his generosity. I have no personal acquaintance with him, but as a member of the Corporation have permission to send for what venison we want."<sup>79</sup> He had little success. In 1792 Oldfield reported, "the city is at present independent: a remarkable instance of which was given upon the death of Sir Charles Barrow in 1789, when the citizens opposed the interest of the Duke of Norfolk, and after a poll of fifteen days obtained a victory by a majority of one vote".<sup>80</sup> In the other boroughs the story was similar. Peter Moore, a "Bengal Nabob", who was able to spend between £20,000 and £30,000 on an election, twice contested Tewkesbury unsuccessfully. Thomas Bayly Howell, a London merchant, although he built the "Tontines" on a hill above Cirencester in an attempt to establish an interest there, fared no better.

A study of the political situation, in revealing the dominance of local rather than national issues, and the opposition to any external influence, seems to suggest that the county, in the eighteenth century at least, was living to a large extent a self-sufficient life. This impression is borne out by the petty personal and social gossip of contemporary correspondence, with a record of balls and concerts, hunts and race-meetings, which draw all elements of society together.<sup>81</sup> For the links between one class and another were far stronger than the divisions. Educated together (the names on the register of the King's School, Gloucester, include the sons of most county families, whether landowners, clothiers, clergy, or Gloucester city merchants),<sup>82</sup> allied by marriage, joining in social pleasures, whether in their immediate neighbourhood or at Gloucester and Cheltenham, and, when exiled in London, dining together as members of the "Gloucestershire society",<sup>83</sup> they found the ties of personal friendship and connection no less compelling than common political and economic interests. It is hardly surprising therefore to find that these men willingly joined their neighbours on the county Bench.

## NOTES

<sup>1</sup> Lord Coleraine, Kempsford and Driffild, £301; The Duke of Dorset, Weston on Avon and Deerhurst, £224; Lord Hardwicke, Hardwicke and Haresfield, £220; Lord Foley, lands in the Forest of Dean, £193; Lord Craven, many scattered manors, the most important of which were Gotherington and Churchdown, £190; Viscountess Hereford, Naunton, Stanway, Toddington, and Alderton, £182; Lord Gage, lands in the Forest of Dean, especially Staunton and English Bicknor, £180; Lord Rivers, Sudcley, £140; Lord Liverpool, Hawkesbury, £110; The Earl of Salisbury, Pebworth, £107; The Earl of Coventry, Postlip, Mickleton, and Woolaston, £104; Lord Elliott, Down Ampney, £100; The Earl of Guildford, Sezincote, £99; Lord Wentworth, Mickleton, £97; The Earl of Gainsborough, Campden, £91; The Duke of Norfolk, Llanthony and Hempstead, £74; Lord Radnor, Ampney Crucis and Pucklechurch, £73; The Marquess of Bath, Buckland, £70; The Countess of Talbot, Great Rissington and Barrington, £63; Lord Somerville, Aston Somerville, £50; Lord Harrowby, Ebrington and Cheringworth, £50; Lord Willoughby de Broke, Itchington and Tytherington, £50; Lord Knollys, Yate, £50; Lord Essex, Cheltenham and Tewkesbury, £46; The Earl of Newburgh, Westbury and Floxley, £39; Lord Petre, Todenham and Sutton, £27; The Earl of Warwick, Frocester, £33; Lord Edgcumbe, Brimpsfield, £20. These figures are taken from the Land Tax Assessments for 1800.

<sup>2</sup> The manors of Sutton and Todenham had been granted to Sir William Petre in 1572, Ebrington had been bought by John Fortescue, Lord Chancellor under Henry VI, and Lord Fortescue when created a viscount took his title from his Gloucestershire property although his seat remained at South

#### LOCAL GOVERNMENT IN GLOUCESTERSHIRE

Molton, Devon. The manor of Thornbury had been with various members of the Stafford family since 1324. See J. H. Longston, "Old Catholic Families of Gloucestershire", *BGAS*, 1953, LXXII, pp. 79-104. It remained with this branch of the family until 1727 when the castle and manor were conveyed to Edward Duke of Norfolk, who settled them in 1776 on his nephew Henry Thomas Howard.

<sup>3</sup> Philip Yorke, for example, had bought the manor of Hardwicke in the early eighteenth century while he was still Attorney General, and he took his title from it when he was created a baron in 1733. On his marriage with Elizabeth, daughter of the Earl of Berkeley, in 1767 Lord Craven came into much scattered property in the county.

<sup>4</sup> The Gages seem to have taken little interest in Gloucestershire affairs after the loss of their seats at Tewkesbury in the election of 1753. J. Bennett, *History of Tewkesbury*, 1830, p. 258. W. R. Williams, *Parliamentary History of the County of Gloucester*, 1898, p. 249. Earlier in the century they had also been active in the Forest of Dean, the central figures in a succession of disputes and law-suits. See for example their dispute with Lord Berkeley about the building of Coleford Chapel, 1739-42, or their correspondence with John Probyn about the election to the Forest offices in 1742, as closely contested as any general election. GRO D23/661-5. The Duke of Norfolk, Recorder of the city of Gloucester 1792-1815, and Mayor on three occasions, tried to insinuate himself into its politics with little success. See p. 52.

<sup>5</sup> *The Cumberland letters: being the correspondence of Richard Dennison Cumberland and George Cumberland between the years 1771 and 1784*. Ed. Clementina Black, 1912, pp. 274-5.

<sup>6</sup> Ducie to Lord Hardwicke, 3 June 1754. BM Add. MS. 35, 604, f. 181.

<sup>7</sup> See W. J. Smith, "The Rise of the Berkeleys of Berkeley Castle", *BGAS*, 1951, LXX, pp. 64-80; 1952, LXXI, pp. 101-122. H. P. R. Finberg, "Berkeley of Berkeley", *Gloucestershire Studies*, 1957, pp. 145-59.

<sup>8</sup> George 1st Earl married the heiress of a London merchant, treasurer of the East India Company. His daughter married William Pulteney. Charles d. 1710, married Elizabeth the daughter of Baptist Noel, Viscount Campden; James d. 1736, married Lady Louisa Lennox daughter of the 1st Duke of Richmond; Augustus d. 1755, married Elizabeth daughter of Henry Drax of Dorset, Lady of the Bedchamber to the Princess of Wales, and his daughter Elizabeth married Lord Craven. While George Cranfield Berkeley, in marrying Lady Emily Charlotte Lennox, made the sort of alliance expected of a Berkeley, his brother Frederick Augustus made himself notorious by his marriage with Mary Cole of Wotton.

<sup>9</sup> The 1st Earl had been Custos Rotulorum of Surrey 1689-98, and Lord Lieutenant 1702-16. It is interesting to see that Lord Berkeley's second, or at any rate, his public marriage, took place in Lambeth Church, Surrey, 1796. At his death he left personal property worth about £30,000 to his eldest son. His other five sons received £700 a year each, and £5,000 at 21; his three daughters £400 a year, and a £100,000 marriage portion. The Countess was given £2,000 a year for life, £1,000, the Middlesex estates, and a leasehold in Spring Gardens. The Sussex estates went to his son Maurice. *Gentleman's Magazine*, 1811, LXXXI, part 2, p. 84.

<sup>10</sup> See Horatia Durant, *The Somerset Sequence*, 1951.

<sup>11</sup> The first Duke married Mary, daughter of Lord Capel, and widow of Henry Beauchamp; his brother married Rebecca daughter of Sir Josiah Child; the 2nd Earl married a daughter of the Earl of Gainsborough; the 3rd married

Frances daughter of Sir James Scudamore of Holme Lacy, Hereford, and Viscount Scudamore of Ireland; the 4th married Elizabeth, the heir of her brother Norborne Berkeley, Lord Botetourt, from whom at his death, the Beauforts inherited the Stoke Gifford property; the 5th Elizabeth, niece of Viscount Falmouth, and daughter of Admiral Boscawen; the 6th Charlotte Leveson Gower, daughter of the 1st Marquess of Stafford.

<sup>12</sup> *Op. cit.*, p. 459.

<sup>13</sup> A. H. John, *Industrial Development in South Wales, 1750-1850*, 1950, p. 35.

<sup>14</sup> W. R. Williams, *op. cit.*, p. 69.

<sup>15</sup> A. H. John, *op. cit.*, p. 9. Charles Edwin in a letter to John Parsons in 1789 estimated that the Duke's landed property in Glamorgan did not exceed £1,000 a year, GRO D214/130.

<sup>16</sup> The name of the Duke of Beaufort appears in a list of the proprietors of the Bahama Islands in 1785, BM. Add. MS. 24, 322, f. 100.

<sup>17</sup> Sir Benjamin himself married Frances Apsley, Allen 1st Earl married Catharine heir to Sir Peter Apsley; Henry, 2nd Earl, married Tryphena daughter of Thomas Scawen of Maidwell, Northants. His daughters did not make any very brilliant matches; all married commoners. But Henry the 3rd Earl married Georgiana daughter of George Lennox and sister to Charles, 4th Duke of Richmond (whose sister Emily married George Cranfield Berkeley).

<sup>18</sup> A folio volume of 1779 lists a total of 7,765 acres in Notts and Derby; GRO D16/59. The account book of the Carshalton estate, Surrey, shows a decreasing rent-roll: £4,000 in 1783 compared with £7,900 in 1779. GRO D16/F94. In London their richest asset was Apsley House, mortgaged for £5,000 in 1794. It appears that they also held land in Cambridge, Oxford, Yorks, and Northants. GRO D16/D20-38.

<sup>19</sup> Vicary Gibbs, *Complete Peerage*, II, p. 30.

<sup>20</sup> Quoted D.N.B.

<sup>21</sup> *Op. cit.*, p. 265. Tindal's opinion, quoted by Vicary Gibbs, II, p. 55, is rather different: "A man of sense, spirit and activity, unblameable in his morals, but questionable in his political capacity."

<sup>22</sup> Charles Edwin to John Parsons, 23 May 1789. GRO D214/130.

<sup>23</sup> In his parliamentary list for December 1783 John Robinson, noting that the present member for Monmouth was abroad, added that he "would be returned again until a son of the Duke of Beaufort comes of age". *Parliamentary Papers of John Robinson*, ed. Laprade, p. 74. See also Appendix I, pp. 175-80.

<sup>24</sup> W. R. Williams, *op. cit.*, p. 69.

<sup>25</sup> Lord Roseberry, *Napoleon, the Last Phase*, ed. 1922, p. 155.

<sup>26</sup> 9 October 1796, *HMC Fortescue*, III, p. 259.

<sup>27</sup> As well as being Lord Lieutenant he was *custos rotulorum* for the city and county; constable of St. Briavels; warden of the Forest of Dean; high steward of the city of Gloucester; colonel of the county militia and of the Bristol and Gloucester militias. See Chapter VI.

<sup>28</sup> "Berkeley of Berkeley", *Gloucestershire Studies*, ed. H. P. R. Finberg, pp. 155-6.

<sup>29</sup> *The Berkeley Manuscripts. The Lives of the Berkeley lords of the honour, castle and manor of Berkeley in the county of Gloucester from 1066 to 1618 with a description of the hundred of Berkeley and its inhabitants.* By John Smyth of Nibley. Ed. Sir John Maclean, 1883, III, p. 252. See H. P. R.

Finberg, "Kingscote of Kingscote", *Gloucestershire Studies*, 1957, pp. 159-74.

<sup>30</sup> See pp. 73-4.

<sup>31</sup> *Perambulation of Kent*, 1596, p. 12.

<sup>32</sup> The Chamberlayne family of Maugersbury originated with Sir Thomas Chamberlayne, successively employed as ambassador by Henry VIII, Edward VI, and Elizabeth. He was also a member of the commission of Henry VIII for surveying the religious foundations in Gloucestershire and Bristol, and, together with Richard Pate, bought many of their lands himself. *Visitation of Glos. 1682*, Harleian Soc., 1884, p. 36-9. Details are given of the other families in the following chapter.

<sup>33</sup> Nicholas Wanley came from Basle in the mid-sixteenth century. *Ibid.*, p. 194. For the Crawley-Boeveys see p. 47.

<sup>34</sup> Job Dighton settled at Clifford Chambers in 1639, buying the manor and advowsons from the Raynsfords, a ruined Royalist family. Conway Dighton, *The Dightons of Clifford Chambers*, 1902. Richard Colchester, who bought the manors of Westbury, Abenhall, and Mitcheldean, was a member of Grays Inn, and one of the "Six Clerks in Chancery". *Ibid.*, p. 45. The Hales with their long family connection with Lincolns Inn, settled in Alderley early in the nineteenth century. *Ibid.*, p. 87. John Prinn, who bought the manor of Charlton Kings some time in the reign of Charles II, was a lawyer of the Inner Temple, Norman, *History of Cheltenham*, 1854, p. 96. Thomas Stephens was a Middle Temple lawyer, whose "State Book" shows that, in addition to the manor of Lypiatt which he bought in 1610, he owned lands and houses in Ludgate Hill and Cornhill. GRO D745. The Sandys who settled at Miserden early in the seventeenth century neither entirely merchants nor land-owners, were typical of those gentry who ventured into mercantile projects. William Sandys, known as "Waterwork Sandys", had made the Avon navigable, and proposed to improve the Tame, but the work was checked by the civil war. In 1662 with his cousins Henry and Windsor, he was appointed undertaker of the Wye and Lugg, but the work of making them navigable was never completed. T. S. Willan, *River Navigation in England, 1600-1750*, 1936, p. 57.

<sup>35</sup> See pp. 49-50.

<sup>36</sup> The term "clothier" had a loose connotation: a "respectable Man" was reckoned to provide work for thirty or forty looms, but Daniel Lloyd of Uley had 150 weavers on his books, and George Austin of Wotton claimed to employ between two and three hundred.

<sup>37</sup> *Brief History of the Weavers of Glos.*, 1838, GCL J. 13.8.

<sup>38</sup> Quoted by E. Lipson, *History of the Woollen and Worsted Manufacture*, 19—, p. 251.

<sup>39</sup> M. E. N. Witchell and C. R. Hudleston, *Account of the Family of Clutterbuck*, 1924.

<sup>40</sup> W. P. Phillimore, *Some Account of the Family of Holbrow*, 1901.

<sup>41</sup> GRO D149/72-85.

<sup>42</sup> *British Family Antiquity*, 1811, VII, Appendix, p. ix.

<sup>43</sup> A. T. Playne, *A History of Minchinhampton and Avening*, 1915, p. 154.

<sup>44</sup> See *Journal of a journey with my wife and daughter, Sally, into Gloucestershire on a visit to my cousin Clutterbuck at King's Stanley, 1773*. GCL JF.22.2.

<sup>45</sup> *Glos. Journal*, 18 March 1793.

<sup>46</sup> GRO D149/980.

<sup>47</sup> JHC XXXVII, p. 503.

GLOUCESTERSHIRE SOCIETY

- <sup>48</sup> GRO pamphlets, C.15.
- <sup>49</sup> GCL JF. 13.24.
- <sup>50</sup> GCL JF. 13.25.
- <sup>51</sup> James Atcherley wrote to John Parsons of Kemmerton about the living of Brecon, sold for £8,040 to a London banker: "I should be glad if you could inform me whom he bought it for, or, if he bought it upon speculation, whether you think the living capable of all the improvements set forth in the advertisement, and upon the whole whether you think it a great bargain." 28 October 1793. GRO D 214/229.
- <sup>52</sup> Glos. Diocesan records 381 and 382, G.C.L.
- <sup>53</sup> Mrs. M. Smart to John Blagden, 31 May 1779. GRO D1086.
- <sup>54</sup> Clementina Black, *op. cit.*, pp. 180, 229, 239.
- <sup>55</sup> James Yorke to Lady Bell, 26 July 1780. Yorke papers.
- <sup>56</sup> These included such well-known Roman Catholic families as the Petres, Staffords, and Jerninghams. The two most important resident families were the Gages of Highmeadow, and the Webbs of Hatherop. GRO Z/RRp.
- <sup>57</sup> See "A Plain Account of Kingswood School", by Wesley. *Armenian Magazine*, 1781, IV, pp. 381-4, 432-5, 486-93.
- <sup>58</sup> William Lloyd Baker to the Bishop of Gloucester, 24 August 1793. Lloyd Baker papers.
- <sup>59</sup> H. T. Ellacombe, *History of the Parish of Bitton*, 1883, pp. 229-30. A. Raistrick, *Quakers in Science and Industry*, 1950, p. 194-5. See pp. 16-17.
- <sup>60</sup> Quoted St. C. Baddeley, *History of Cirencester*, 1924, p. 272.
- <sup>61</sup> J. Bennett, *op. cit.*, p. 260.
- <sup>62</sup> *Op. cit.*, p. 420.
- <sup>63</sup> *An Original History of the City of Gloucester*, 1819, p. 213.
- <sup>64</sup> Mrs. K. Van to Miss Jackson, 13 July 1764. GRO D153/165.
- <sup>65</sup> William Hayward Winstone to his daughter Lucy, 2 December 1814, GRO D123/F4
- <sup>66</sup> Gilly Williams to George Augustus Selwyn, 1 November 1764. J. H. Jesse, *George Selwyn and his Contemporaries*, 1882, I, pp. 312-3. Charles Yorke, son of the Bishop of Gloucester, divided his time between his country home at Forthampton Court and Cheltenham with better success: "At Cheltenham he gets some fine parties by means of his acquaintance with Mr. Hatzel, where he met the Duchess of Gordon, her daughters, Lord Mount Morris, and Lady Archer, and her Grace is the true enlivener of such a sort of place." Mary Yorke to Lady Bell, 6 October 1790, Yorke papers.
- <sup>67</sup> George Embury to John Parsons, 24 June 1792. GRO D214.
- <sup>68</sup> William Hayward Winstone to his daughter Lucy, 20 June 1817. GRO D123/F4.
- <sup>69</sup> GRO D678/96G.
- <sup>70</sup> GCL 300.2.
- <sup>71</sup> Lord Ducie to Sir John Dutton, 1 September 1739. GRO D678/57D.
- <sup>72</sup> See my article "The Gloucestershire Association for Parliamentary Reform, 1780", *BGAS*, 1956, LXXV, pp. 171-93. Sir G. O. Paul to Christopher Wyvil, 6 December 1782. Wyvil, *Political Papers*, IV, p. 243.
- <sup>73</sup> Sir John Dutton to Jonathan Blackwell, 24 October 1739, GRO D678/57D.
- <sup>74</sup> John Pitt to Lord Hardwicke, 8 October 1763. BM Add. MSS. 5,692, ff. 157-8.
- <sup>75</sup> *History of the Boroughs*, 1816, II, p. 475. See John Cannon, "Gloucestershire Politics, 1750-1800", *BGAS*, 1960, LXXIX, Part II, pp. 293-9.
- <sup>76</sup> John Terrett to John Parsons, 10 April 1783. GRO D214/17.

#### LOCAL GOVERNMENT IN GLOUCESTERSHIRE

<sup>77</sup> Mary Yorke to Lady Grey, September 1781. Yorke papers.

<sup>78</sup> 4 May 1780. Correspondence of Granville Sharpe with the Chairman of the county committees. Lloyd-Baker papers.

<sup>79</sup> Selwyn to Lord Carlisle, 13 August 1774. *HMC Carlisle*, VI, p. 277. See John Cannon, "The Parliamentary Representation of the City of Gloucester, 1727-1790", *BGAS*, 1959, LXXVIII, pp. 137-52.

<sup>80</sup> Oldfield, *op. cit.*, II, p. 45. From 1795 to 1818 however, the city was represented by his nephew, Henry Thomas Howard, the owner since 1776 of the Thornbury estates.

<sup>81</sup> See, for example, the descriptions of the celebrations at Lord Dursley's coming of age in 1807 when a masque performed in the evening included many of the leading clothiers, Wellingtons, Shepphards and Austins, among the players. Mary Baker to Mrs. Sharp, 28 December 1807, Lloyd-Baker papers.

<sup>82</sup> Dean and Chapter Library, Gloucester.

<sup>83</sup> The society was instituted in 1767 "for the laudable purpose of apprenticing the children of the laudable Poor belonging to the county who might otherwise be destitute of the means of acquiring a comfortable subsistence through life". The yearly subscriptions were collected at the annual Anniversary dinner. "We had a very pleasant Day," reported John Martin to John Parsons in 1787, "the principal gentlemen there were his Grace the Duke of Beaufort the members for the county, Mr. Richard Masters, Mr. Edwyn, Mr. Wyndham, Mr. Delabere, Mr. Musgrave, Mr. Estcourt, and in all about Fifty Pounds." 9 May 1787. GRO D214.

### CHAPTER III

## THE JUSTICES OF THE PEACE

*The office—The Commission of the Peace—The acting Justices—Attendance—Family origins: Landowners—Clothiers—Bristol Merchants—Professional men—Clergy—Marriages—Property and interests outside the county—Income—Estate management—Education—Intellectual pursuits—Politics—Attitude to property—Social conscience.*

"WHAT manner of men the Commissioners of the Peace ought to be", Lambard had asked—a question that men repeated with ever-growing concern as they watched yet more work being heaped upon the shoulders of these amateur servants of the state. The commission, settled by the Elizabethan statesmen of 1590, and since then handed on almost unchanged from reign to reign, commanded "jointly and severally, and every one of you, our Justices . . . to keep and cause to be kept all ordinances and statutes for the good of our peace" and "to chastise and punish all persons that offend against the form" of those ordinances and statutes. As successive statutes multiplied the duties of the Justices this warrant was given an increasingly wide interpretation. Hussey, Chief Justice to Henry VI, had found them sufficiently burdened; Lambard in his day exclaimed, "how many Justices (thinke you) may now suffice (without breaking their backs) to bear so many, not Loades, but stackes of statutes, that have since that time bene laid upon them". As their tasks grew heavier it became a matter of ever greater concern that a Justice should "containe himself within the listes of the law, and (being soberly wise) doe not use his own Discretion, but onely where both the Law permitteth and the present case requireth it."<sup>1</sup> London lawyers or country squires, recognising that "it is a worke verie hard and laborious for Gentlemen not conversant in the studie of Lawes (although otherwise very industrious) to proceede as by the Commission they ought, and are prescribed",<sup>2</sup> wrote manuals in which they gave their fellow magistrates the benefit of both practi-

cal and moral advice. In the former case, the easiest solution lay in long lists of statutes, arranged alphabetically from "Admeasurement of Keels" to "Wine" and "Witness", which often concluded with "authentic, useful precedents in all cases".<sup>3</sup> But just as frequently they produced lengthy harangues on the moral virtues expected of a Justice. Lambard had drawn a picture of a man "furnished with three of the principall ornaments of a Judge; that is to say, with Justice, Wisdome and Fortitude, for to that summe the wordes Good, Learned, Valiant, do fully amount".<sup>4</sup> Others, like Edmund Bohun, went into even greater detail, and described the Natural and Civil Abilities, Religious Dispositions, Moral and Political Qualifications, that befitted a magistrate.<sup>5</sup>

The simplicity of the requirements made by the government stands in striking contrast to these moral demands. In 1689 the only qualification for office demanded of J.P.s was that they should be "of the most sufficient knights, esquires and gentlemen of the law" resident within the county, and possessing there an estate of not less than £20 a year. A later Act, 12 Geo. 11 c. 20, stated in its preamble that "by many Acts of Parliament of late years made the Power and Authority of the Justices of the Peace is greatly increased, whereby it is become of the utmost consequence to the Commonwealth to provide against persons of mean Estate acting as such", and raised the value of the estate to £100. The intending Justice had also to receive within three months "the Sacrament according to the usage of the Church of England on the Lord's Day", and formally to take the oaths of allegiance and supremacy. By 1689 the quorum clause, which had ensured that a certain number of Justices should have a proper knowledge of the law, had become a mere formality, and all Justices in the Commission were automatically named of the Quorum.<sup>6</sup>

By the mid-eighteenth century, pamphleteers were expressing alarm at the increasing numbers, and what they regarded as the decreasing standards, of the members of the Bench. As one of them put it in 1748: "In this kingdom any booby is invested with the ensigns of magistracy, provided he has as many acres of land as are necessary to qualify him under the Act . . ."

The J.P. was in fact considered fair game for the novelist, the satirist, and the writer of cheap tracts. Fielding and Smollett painted lurid pictures of the country justices; writers to the *Gentleman's Magazine* frequently expostulated on the "trading Justices" or the "good-natured fox-hunter who spends his days on horseback, and his evenings in eating and drinking".<sup>7</sup> Yet, though individual Justices might be criticised, the machinery of appointment to the Bench was rarely discussed. Not until 1819 was the subject raised in the

House of Commons. Then a Norfolk man questioned the unchallenged powers of the Lord Lieutenant, but before the debate had developed the Speaker intervened to stop a discussion which he considered had gone further than parliamentary decorum would allow.<sup>8</sup> Ten years later, in 1828, Brougham made his famous speech in the Lords in which he asked if some amendment were not desirable to the method of appointment "merely by the Lord Lieutenants of the counties without the influence of the Crown's responsible ministers? . . ."<sup>9</sup>

This system can be seen at work in Gloucestershire. Here the practice continued much the same throughout the century as it had been in 1739 when William Yonge reported from London to Sir John Dutton: "Yesterday morning I waited on my lord chancellor and delivered him the list signed by my Lord Berkeley of the Gent<sup>n</sup>. to be in the Commission of the Peace for the County of Gloucester and at the same time let his lordship know it would be agreeable both to Lord Berkeley and you, if no addition was made thereto, unless he deigned to add his own son . . ."<sup>10</sup> A few days later he wrote to say that the letter asking for the insertion of Mr. Bayly's name had arrived too late, but he again stressed the point that "no other Person but what was in Lord Berkeley's List" had been included.<sup>11</sup> Admission to the Bench lay in the hands of the Lord Lieutenant, the royal representative in the shire, and in the last resort his decision was final. But he was willing to recognise public feeling in the county, and was always open to suggestions from those already on the Bench. It was natural for him to turn for advice to those on the spot who knew the workings of local affairs. In 1810 the Duke of Beaufort asked Charles Bragge Bathurst for the names of any men he thought suitable for the Commission either from his own neighbourhood or from Bristol, "for though I do not wish to add any great number to the present Commission which is already numerous yet from your knowledge of the country I would accept your suggestions."<sup>12</sup> On one occasion disaster was averted when the Duke of Beaufort wrote to Lord Sherborne asking to be allowed to retract "my Promise of putting Mr. Davies into the new Commission . . . I understand his Temper was frequently so warm that other Magistrates might decline acting with him."<sup>13</sup>

In the middle years of the eighteenth century politics played an important part in the composition of the Bench. The issue of every new Commission was the signal for the battle to begin afresh. As a Whig supporter put it, "it was extremely properly judg'd that filling up the intended commission of the peace was of great moment to the Whig cause in the county".<sup>14</sup>

As the moment for a new Gold Seal grew closer, lists and letters were passed round the county; proceedings were carried out in an atmosphere of intrigue and secrecy lightened occasionally by comments such as those of George Augustus Selwyn when he returned a letter of Lord Berkeley to Lord Hardwicke, "which if you will allow me to be merry I will say has a great deal of the Style, Dignity and Spelling observ'd to be sometimes inherent in our antient nobility".<sup>15</sup> In the list which Ducie sent Hardwicke in 1754 he marked the exceptionable, that is to say, non-Whig names, with a T, and those particularly so with a double T, while two names at the end were firmly labelled "improper". He also included "names of proper persons recommended by my Intelligencers but not insisted upon by me".<sup>16</sup> Obviously he had the whole thing well organised. In 1750 Sir Francis Fust prepared a list "on the Whigg scheme", but on showing it to Lord Berkeley was told "he must have some gentlemen of the opposition Party in". Fust expostulated at this, and although Berkeley assured him "that he would take care to have a majority on the right side", he still feared, as he confessed to Lord Hardwicke, lest "Anti-Ministerial people artefully slip (unawares to you) into the new Commission", and the Whigs party should thus become "quite unhinged".<sup>17</sup> No wonder that a "spy", a Justice employed by Lord Ducie to help him in this affair, reported, after attending a "tedious sessions", that he found the gentry alarmed at the plotting of the nobility: "There was a good deal of talk and I find a good deal of uneasiness among ye Gentlemen abt. the new Commission".<sup>18</sup> Some of this alarm was undoubtedly due to the fear that social standards were giving way to political intrigue, and that the socially unacceptable were being admitted to the Bench. James Dutton complained bitterly to Lord Hardwicke of a list prepared by Lord Berkeley "Many of them are Persons who are not entitled to such a Trust from their Rank, Fortune or Capacities so that that list can be calculated only for improper Purposes: for in truth I believe he could not have picked out such another set of Determined People who hardly give themselves the trouble in common conversation of saving Appearances, in the whole county".<sup>19</sup> George Augustus Selwyn insisted firmly that a line must be drawn somewhere. "To sav the truth I believe we have descended as Low already in filling up the Commission as is right".

But political manipulation died away towards the end of the century. In any case the great majority of Justices needed no political incentive as an inducement to join the Bench. Their fathers before them had been magistrates and it was both natural and

#### THE JUSTICES OF THE PEACE

convenient that they should follow in their footsteps. This was accepted as a matter of course, and the average country Justice owed not a little to the guidance he received from his father's practical experience. John Small asked Sir John Dutton to nominate his son: "Sir, I would not ask the honour for my only child were I in the least distrustful of his Ability, but as he had the advantage of a Liberal Education, has good parts and is an Honest man, he may by Application and Addition of my Assistance while I am living become duly qualified for that office."<sup>20</sup> The Rev. William Lloyd Baker stressed this same point, the value of parental guidance, when he wrote to Lord Berkeley in 1799, about his son Thomas: "He is now going to leave college, and as his residence will probably be with me for some years it is my wish to introduce him to such situations as I trust he will hereafter be of service in, while he will be under my eyes, and, of course, it will be more in my power to advise and assist him." Thomas himself seems to have agreed; he wrote to his father: "I want your opinion about the time of my beginning to act as a magistrate . . . for I conceive I shall get more useful knowledge of the business by acting with you for a month than by acting by myself for three—may it not therefore be a matter of importance to me to begin immediately and pick your brains for as long a time as I can?" He apparently took his position seriously, for a little later he confessed that he had been fully occupied in reading Hume and he promised to begin reading the Rev. Richard Burn, writer of one of the most popular handbooks on the duties of a J.P. on the understanding that his father would introduce him immediately to as much Justice business as he chose.<sup>21</sup>

One does not have to look far for the motives which drew men to the bench. Maitland summed them up: "Patriotism, a love of public affairs, the honour and glory of the thing have supplied names enough for the Commission of the Peace."<sup>22</sup> Outwardly the position may have had few attractions. As the Webbs have said, it "had become an onerous, unpaid office, which entailed great loss of time, some out of pocket expenses, and not a little pecuniary risk."<sup>23</sup> Yet complaints were only occasionally heard. On the whole service on the Bench was popular. In the two or three days he spent at Quarter Sessions, a Justice could be sure of a good dinner, and of meeting old friends. Charles Edwin apologised to John Parsons in 1798 about his delay in answering a letter, "but I was in hopes of meeting you at our old Shop: the Quarter Sessions, where we had many Gentlemen and spent a very agree-

able time during my stay there."<sup>24</sup>

Provided he had the proper qualifications, there were few difficulties in the way of any man who wished to serve. The Commission issued in 1762 contained 262 names, not counting such merely honorary figures as the Privy Councillors who headed the list, but who never sat.<sup>25</sup> The Commission however gives no true picture of the Bench, for many of those men never took out the writ of *Dedimus Potestatem* without which they could not act. Possibly they were content to have had the honour of being named in the Commission; possibly some were deterred by the expensive and troublesome process of presenting themselves to the Clerk of the Peace, taking the prescribed oaths, and paying fees of £6 or £7.<sup>26</sup> This was something the Whigs had forgotten to take into account when they planned their Commission so carefully in 1750. Robert Tracy told Lord Hardwicke that the government had benefited little: "For every Tory in it has qualified himself almost to act as a Justice of the Peace, whose zeal is commendable whatever knowledge there may be in it, and from a certain Indolence and Supineness unfortunately too common on our side of the Question but few of the Whigs have taken out their *Dedimus* to act."<sup>27</sup> Towards the end of the century there was apparently some tightening up of this very loose procedure. Lord Berkeley explained to John Wallington in 1799: "Whenever it shall be convenient to you to act as a Magistrate you will signify the same to me, as I cannot insert any Person's name in the Com: until I have it under his signature that he will, as by agreement and acquiescence of the Chancellor.—I mean this only as an explanation of why your name is not inserted 'till you Act."<sup>28</sup>

Between 1750 and 1800 the number of acting Justices exactly doubled. From 1750 to 1755 the Quarter Session Order Books give the names of thirty-four Justices attending Sessions; in the last five years of the century this had grown to seventy. Except for an unaccountable drop for the years 1780–1785 when membership decreased to twenty-three, and the years 1765–70 which saw an unexplained increase to 70, this growth was steady. The average attendance at every sessions reflects much the same pattern on a five-yearly average. Between 1775 and 1780 the numbers averaged thirteen, they dropped to eight from 1780 to 1785, and then increased again steadily, until between 1795 and 1800 the average had risen to 20.5 at every sessions. This is considerably higher than the number the Webbs considered normal. They quoted the Rev. Richard Burn who said, "I have known many a Quarter Sessions where not above two or three Justices attended—many

adjournments of a Sessions which were never attended at all," and they concluded that "right down to the last quarter of the 18th century it was evidently unusual for the Bench at Quarter Sessions to consist of more than three or four Magistrates. . . . All the evidence in fact goes to show that the assembly was neither large nor imposing."<sup>29</sup> Gloucestershire was certainly among the largest Benches of the country, but even then it appears that the Webbs grossly underestimated the numbers. A study of the Estreat of Fines for 1795 gives some idea of attendances towards the end of the century. Only Middlesex, Surrey and Essex rivalled it.<sup>30</sup>

In order to find the yearly average attendance of every magistrate on the Bench, I have analysed the attendance of the Gloucestershire J.P.s. In the case of men who appear for only a short number of years during the period (c.g. Nicholas Hyett who died in 1777, or the Rev. Charles Sandiford who first sat in 1798) this average has been estimated from their attendance over ten years (i.e. either 1767-1777 or 1798-1808); for the others it has been calculated on their total number of appearances during the period. The results show that there was a small knot of regular members; that many men attended twice in the year or more often; that the greatest number apparently took their duties more casually and might put in an appearance once a year, or possibly less frequently. Between 1775 and 1800 there were twenty-two Justices who attended three or more sessions annually,<sup>31</sup> sixteen twice,<sup>32</sup> twenty-seven once a year,<sup>33</sup> sixteen once in two years,<sup>34</sup> and thirty-two only very rarely—men who might turn up about half a dozen times in their lives.<sup>35</sup>

These figures show the great importance of that fairly constant nucleus of twenty-two Justices who gave stability, direction, and co-ordination to the policy of the Bench. In 1750 there were three who attended three times or more in the year and this little knot grew with the increase of the Bench as a whole until by 1785-90 there were four, and by 1795-1800 eight. Such a nucleus was only to be expected when Quarter Sessions were held regularly in the same town, and here Gloucestershire was fortunate for many counties suffered much from the perpetual migration of the Bench.<sup>36</sup>

An analysis of the members who actually sat on the Bench in these years will show to what extent they were drawn from the aristocracy, the squirearchy, the merchants, the clothiers and the clergy and enable us to see how far the J.P.s were representative of the county as a whole. One of the most immediately striking features of the Bench at this period is the almost complete absence of any members of the aristocracy. Edward Southwell sat about

once a year, but he was a comparative newcomer, and had only received the title of Baron Clifford in 1776. Over a period of twenty-five years members of the Beaufort, Berkeley, or Bathurst families between them made fourteen appearances; the Duke of Norfolk and Lord Ducie sat once. The third Earl Bathurst who succeeded in 1794 attended the most frequently, for he sat five times between 1795 and 1800, and once in 1787 when he was still heir apparent; Frederick Augustus Berkeley appeared four times, the Duke of Beaufort once only. It is perhaps significant that the three appearances of Henry Charles Somerset, Marquis of Worcester, date from 1796, the year in which he became M.P. for the county.

Of the non-clerical members of the Bench by far the greatest number were members of landowning county families. In nine cases it has not been possible to trace the date at which the family settled in the county,<sup>37</sup> but, apart from John Webb, M.P. for the city of Gloucester, these nine were men who attended very rarely, and played no great part on the Bench. The great majority of the gentry came from families founded in the sixteenth and seventeenth centuries; twelve in the former<sup>38</sup> and thirteen in the latter.<sup>39</sup> Six were of early medieval origin,<sup>40</sup> six of the fifteenth century,<sup>41</sup> while eleven were comparative newcomers, some of them settling in the county only in the eighteenth century.<sup>42</sup> There were two other important groups: twelve who were clothiers,<sup>43</sup> or whose income was derived mainly from the woollen industry, and ten men who came from Bristol, nearly all of them merchants.<sup>44</sup>

There were few of the old Gloucestershire families that did not have a member on the Bench. The great county names are there: Guises, Kingscotes, Hicks, Masters, Leighs, rubbing shoulders with the equally ancient but less distinguished: the Nelmes, who, though they might proudly trace their line back to William Nelme and his wife Tibeta at Cam in the time of Edward III, never achieved a position of any great importance,<sup>45</sup> or men like John Bayly whose family had been at Wheatenhurst since the sixteenth century and had made small unpretentious marriages in their immediate neighbourhood.<sup>46</sup> The Kingscotes had been settled at Kingscote ever since the twelfth century when the founder of their family married a daughter of the house of Berkeley.<sup>47</sup> Elmore had been the property of the Guises since 1274, when Hubert de Burgh granted the manor to Anselme de Guise.<sup>48</sup> The Cliffords who had been in Herefordshire since the time of Henry II began their long connection with Frampton on Severn with Walter de Clifford in the twelfth century.<sup>49</sup> Walter de la Estcourt died in 1325 seized of the manor of Shipton,<sup>50</sup> and the Hyetts of Painswick were descended from a family settled at Lydney in the fifteenth century.<sup>51</sup>

The sixteenth century origins prove more dramatic: they were nearly all from London, men whose wealth was founded on Court patronage or office under the Crown. Richard Masters, physician to Queen Elizabeth, was rewarded with a grant of the site of Cirencester Abbey.<sup>52</sup> His son, M.P. for Cirencester and High Sheriff for the county, began that tradition of county service which marked successive generations of the family. Sir Thomas Leigh, Knight, Lord Mayor of London, was granted the manors of Adlestrop and Bledington at the Dissolution.<sup>53</sup> Thomas Dutton, Surveyor of Crown Lands in Gloucestershire to Queen Elizabeth, bought the manor of Sherborne in 1551, and later entertained the Queen there.<sup>54</sup> Sir Baptist Hicks who bought the manor of Campden very early in the reign of James I was the younger son of a Cheap-side silk mercer, but he made his fortune as a banker. It was probably owing to the influence of his younger brother who became secretary to Burghley that he enjoyed dealings with the King and Court. Writing to his brother for help in obtaining repayment of a loan of £4,000 to the King he referred to the "mayne debt due from his maty" as "up to the point of £16,000". He was later knighted, created a baronet in 1620, and in 1628 raised to the peerage as Baron Hicks of Ilmington, and Viscount Campden of Campden.<sup>55</sup>

In the following centuries fortunes founded in trade predominate. Andrew Boevey, of Flemish origin, was described by John Aubrey as "Master Cash-Keeper to Sir Peter Vanlore in London", a Protestant refugee from Utrecht who became a celebrated London merchant. His son William, who called himself in his will a resident of St. Dunstan's in the East, and a merchant, was a joint purchaser with his half-brother James of Flaxley Abbey. When, at the end of the century, the estate passed to a cousin, Thomas Crawley, he too was a merchant.<sup>56</sup> The Barrows and the Codringtons were already settled in the county by the seventeenth century, but both launched themselves into mercantile enterprises. The Codringtons had owned the manor of Dodington since the fifteenth century, but in 1648 Christopher took his family and went to live in the Barbadoes. In 1674 his son of the same name moved to Antigua and founded there the first sugar plantation on the island. In 1684 he was granted the island of Barbuda, which the family held in fief for over two centuries.<sup>57</sup> Edward Barrow, who died in 1570, held property in Awre, Etloe, and Blakeney, but his descendant Sir Charles was born in 1707 in the island of St. Christopher where his father was a West Indies merchant, and his mother a daughter of the governor of the Leeward Islands.<sup>58</sup> Robert Ducie, who bought Tortworth, was a merchant of the company of Merchant Taylors, a Sheriff for the city in 1620, Lord Mayor, was knighted,

became banker to Charles I, and died a baronet worth £400,000.<sup>59</sup> Sir Robert Southwell, who bought King's Weston in 1679, was employed in state affairs by Charles II, and later served as Principal Secretary of State for Ireland under William III.<sup>60</sup>

Two of the newcomers in the seventeenth century had legal connections: John Prinn who bought the manor of Charlton Kings in the reign of Charles II, was an Inner Temple lawyer;<sup>61</sup> Richard de la Bere of Lincoln's Inn bought Southam from Robert Cecil in 1608.<sup>62</sup>

Many of the families founded in the sixteenth or seventeenth centuries remain obscure, with undramatic beginnings, which are difficult to trace. The Baylys of Wheatenhurst have already been mentioned.<sup>63</sup> The Smalls are first heard of with Giles Small of Cirencester who died in 1620; the family were granted arms in 1628.<sup>64</sup> The Haywards were settled at Forthampton in the seventeenth century, for arms were granted to a Thomas Hayward in 1666.<sup>65</sup> There must have been many like the Pyrkes of Abbenhall who, although they might boldly declare on a monumental inscription in Abbenhall Church that they had been "in the neighbourhood since the Conquest", cannot be traced any earlier than a Richard Pyrke of Mitcheldean who died in 1605.<sup>66</sup>

The new names in the eighteenth century are frequently of men who married Gloucestershire heiresses; there are fewer cases of men making fortunes elsewhere and retiring to the country to found a county family. Typical is Dodington Hunt, the son of a Somerset clergyman who married Elizabeth, only daughter and heiress of William Prinn. He settled at Charlton Kings, and after the death of his father-in-law became lord of the manor there.<sup>67</sup> Samuel Blackwell married a daughter of the Duttons and bought up considerable property in the county, including Williamstrip Park, which was sold at his death to Michael Hicks-Beach. The Cresswell family had been settled at Sidlebury in Shropshire from 1390, until a Richard Cresswell married into the family of the Estcourts, and his son Thomas Estcourt Cresswell, the father of Estcourt Cresswell who sat on the Bench at this period, married an heiress of the Warnefords and inherited their considerable estates at Bibury.<sup>68</sup>

It is, however, difficult to generalise about those who bought Gloucestershire estates in the eighteenth century for they remain a miscellaneous collection of men. They include James de Visme, whose father Philippe, a Huguenot immigrant descended from the Counts of Ponthieu, had settled in England in 1716; Sir William Strachan, a Nova Scotia baronet whose father, Sergeant William

Strachan of Doctors Commons, London, had owned land at Bishop's Cleeve, married a Tewkesbury heiress, and lived there; and John Snell, of the city of Gloucester, who bought Guiting Grange in 1720 and whose son, establishing himself on his country property, "inclosed the antiant grange within a park stock'd with deer", and married into old Gloucestershire families, first the Yates of Colthrop, and later the Bathursts of Lydney.

The close connection of the county with Bristol has already been mentioned. The Bristol merchants who lived in the city itself or on its borders, will be discussed later. But every century saw the process by which men whose fortunes had been founded in trade or business in the city established themselves among the county families, buying estates, making "good" marriages and taking an active part in county affairs. We first hear of the Haynes family in connection with Thomas, of Westbury-on-Trym, at the end of the fifteenth century. His grandson, who in his will called himself a Bristol grocer, had a house at All Saints, Bristol, bought Wick and Abson in 1665, and left £3,000 to his son Thomas to be laid out in the purchase of lands. His son was Sheriff of the county in 1760, and the family continued to hold property outside the city at Bitton, Wick and Abson.<sup>69</sup> In the eighteenth century we find a man like Dr. Peter Hardwicke, who had been Surgeon of Bristol Infirmary, leaving the city to live in Chipping Sodbury, and his son firmly established there, supporting the local grammar school. The Chester family were descended from Henry Chester, a Bristol merchant and Sheriff of the city, who died in 1470. His sons followed in his steps, and were also merchants, bailiffs, and sheriffs. Thomas, who was sheriff for the city in 1559 and one of its M.P.s in 1567, lent large sums on mortgage to the owners of Barton Regis, and in 1566 bought the manor and hundred with its coal-mines and claypits. He also purchased lands in Almondsbury and Alveston. Although maintaining his Bristol connections (he contributed to the second expedition of Martin Frobisher in his search for the North West passage) he turned his attention to the county, and in 1573 became Knight of the Shire and 1577 High Sheriff. His son married Katherine Dennys, of Pucklechurch, and added considerably to the social stature of the family, for she was related to the Berkeleys. It was he, the first of the family not to be a merchant, who built Knole Park. Then came a succession of "good" marriages: Thomas (d. 1687) married Elizabeth, daughter of Sir John Howe; Thomas (d. 1705) Elizabeth Astry, by whom he gained the Henbury estate; Thomas (d. 1763) first married Lady Sarah Harriet Howard, daughter of the Earl of Suffolk, and secondly

Mrs. Garnet, a widow with a fortune of £30,000. As Justices, Deputy Lieutenants, and M.P.'s, the Chesters became one of the most active Gloucestershire families.<sup>70</sup>

There does not seem to be any sharp social cleavage between these members of the landowning classes and the clothiers who sat on the Bench with them. The two clothiers most regular in attendance, Sir George Onesiphorus Paul and Nathaniel Winchcombe, having inherited fortune enough to bear "the port and carriage of a gentleman", had really put trade behind them. Nathaniel Winchcombe's diary is more frequently a record of hunting, partridge shooting, and tea-drinking with the local squires and their families than of personal supervision of his mills; it is only about once in ten days that he "stays at home and superintends men".<sup>71</sup>

The easy transition in Gloucestershire from trade to land is seen particularly clearly with reference to Sir George Onesiphorus Paul. His father, Onesiphorus Paul, had been a well-known clothier, taking a keen personal interest in the management of his mill at Woodchester, where he invented a new type of napping mill, and perfected several other technical improvements in the dyeing and finishing processes. He established a position for himself as one of the leading clothiers of his district. He built a handsome house at Rodborough; in 1750 entertained the Prince of Wales; ten years later, as High Sheriff of the county, he presented a loyal address to George III, which brought him a knighthood, and in 1762 he was created a baronet. His son, having inherited a large fortune and having received one of the best educations of the day, could put trade behind him, hand over the Woodchester Mill to a cousin, Obadiah Paul, and settle down to play the part of a country gentleman. On his return from the Grand Tour in 1768 he divided his time between London (where he kept a town house and was a member of Boodle's and of the Dilettante Society), Bath, and Gloucestershire. He kept a stable of about a dozen horses, and was a regular supporter of all the local races. Enjoying an annual income of about £2,500, he continued to live extravagantly until 1780,<sup>72</sup> the year in which he was pricked as High Sheriff, and was called upon to serve the county to which he afterwards devoted the rest of his life.

The other clothiers sat more rarely on the Bench: three came once a year on the average, three once in two years, and the others less frequently still. Probably some of the most successful of them found their time fully occupied in the management of their business. It is perhaps significant that when Lord Berkeley wrote to

John Wallington, a clothier of some importance, asking whether he would serve if his name was inserted in the Commission of the Peace he refused, "my own concerns at present requiring so great a Portion of my time".<sup>73</sup> Certainly in the Shepphard family, for example, it was not Edward Shepphard, the head of the firm, and one of the leading clothiers of the county, who appeared on the Bench, but Philip, easy-going and extravagant, who raised and equipped at great expense his own troop of yeomanry in 1795, kept a pack of hounds, on his own confession spent £100,000 in thirteen years, and ended by fleeing to Dunkirk to escape his creditors, after selling off portions of the estate in a vain attempt to prevent the crash.<sup>74</sup> It was not that the clothiers were excluded from the Bench, or that the landowners objected to sitting side by side with men engaged in trade. The Commission of 1762 contained such well-known names as Holbrow, Purnell, three members of the Clutterbuck and Adey families respectively, and Sir Onesiphorus Paul himself. Yet Anthony and Isaac Austin, Thomas Griffin, or Thomas Pettat can hardly be called very illustrious representatives of what was after all one of the most important sections of society in the county, and one which might have been expected to have very pronounced views on many problems of local government. It may be that those whose interests remained chiefly economic and whose honour was satisfied by the knowledge that their names had been included in the commission, found their interests were better served by their own organisations, than by machinery limited by county boundaries.<sup>75</sup>

Among a Bench composed mainly of landowners and parsons the group of Bristol men provided a valuable commercial connection, for most of them were members of merchant families, if not merchants themselves. Their presence on the county Bench is explained by the fact that they all held property in the south of the county, the boundaries at that time going up into the heart of the city, and including Clifton and other residential areas. To sit on a county bench was probably the accepted thing to do, for other well-known Bristol names, Elton, Colston, Brickdale, are found on the Somerset Bench.<sup>76</sup> Some made a fortune in the city and then, like the Chesters, bought themselves an estate in the county, but many more compromised by building themselves great houses on the outskirts of the city (the Harfords' Blaise Castle standing as the most conspicuous of all), where they could play the part of country gentlemen on a smaller scale. In spite of having property as far away as South Cerney, Thomas Bush "though commonly residing in the country", continued to come into Bristol

on Wednesdays and Saturdays.<sup>77</sup> In this he was typical, for they all remained closely connected with the city itself. Thomas Farr and Alexander Edgar were mayors in 1775 and 1787 respectively; Jeremy Baker once and Joseph Harford twice, sheriffs for the city; Jeremy Baker a member of the city common council. They were active in promoting the interests of the city, too. Jeremy Baker, Alexander Edgar, and Joseph Harford helped to establish the theatre in 1764, and Harford was Treasurer of the Royal Infirmary 1779-91, and took part in founding the Bristol Library Society.<sup>78</sup> Almost without exception their wealth came from trade. The Tyn- dales, for example, had been settled at Stinchcombe since the fifteenth century, and they remained Gloucestershire yeomen until 1674 when Tyndale came to the city, as apprentice to a drysalter, and finally became a successful merchant, engaging also in West Indian trade, and in 1725 entering into partnership with Isaac Hobhouse in the slave trade. His son followed him: he is found in 1773 among the other merchants signing a memorial to the King asking for the cessation of the American war.<sup>79</sup> Joseph Harford and Thomas Farr were both masters of the society of Merchant Venturers: Charles Joseph Harford was warden in 1791 and Master in 1806. Samuel Peach's large fortune was derived from investments in slave traffic and West Indian produce. Henry Creswicke's family had been one of the wealthiest in the city during the seven- teenth century, but had since wasted all their fortune in litigation, and now lived in comparative obscurity at Hanham Abbots. But they were not dependent on trade alone; many were also connected with various industrial undertakings in the city. Jeremy Baker, Joseph Harford and Thomas Tyndale were all bankers;<sup>80</sup> Jeremy Baker and Samuel Peach were both linen-drapers; Joseph Harford in 1768 took part in the formation of the Bristol China works, and Thomas Tyndale was probably connected with the Elton and Tyn- dale Copper Company. It is hardly surprising that such men should have an economic interest in the county and that Jeremy Baker and Joseph Harford should both be members of the original com- mittee of twenty-one appointed to consider the possibility of a canal from Bristol to Gloucester. They were all lively men, active in politics and with pronounced views on many subjects. They mostly sat infrequently, but when they did their presence must have had a stimulating effect on the Bench.

Only three J.P.s engaged in trade other than as a clothier or a merchant. These were Joseph Cripps, who was a Cirencester banker and also concerned with brewing and carpet manufacture;<sup>81</sup> Henry Wyatt, a Stroud brewer,<sup>82</sup> and John Hollings, a mercer of the same

place, who was a partner in 1779 with three others in establishing a bank there.<sup>83</sup>

The Bench included a number of professional men, whose expert knowledge must have been particularly valuable to their fellow-magistrates. George Hardwicke and George Talbot were both doctors. Benjamin Hyett and Winchcombe Henry Hartley had both studied at Lincoln's Inn; Nicholas Hyett, Charles Tirrell Morgan, and Dodington Hunt had been at the Inner Temple; George Talbot was a B.C.L. They probably did not all practise in later life, though Charles Tirrell Morgan certainly was known as an "eminent barrister".

It is interesting to notice that the Bench included practically all the M.P.s for the four seats in the county. One of the few exceptions was James Whitshed who represented Cirencester until 1783, but then he had no connection with the county except that he was holding the seat as a dutiful son-in-law until Henry Bathurst should come of age. As might be expected neither John Pitt nor Henry Howard, members for the city, sat on the county bench, and James Dutton, and George Cranfield Berkeley followed the general aristocratic tradition of absence. The presence on the Bench of these men with knowledge and experience gained at Westminster (for the Journals of the House of Commons reveal their constant presence in the House, and the important part they played in the promotion of local bills), must have proved valuable both when the local Bench was drawing up petitions or bills, and when it found itself called upon to put new legislation into action.

"The Magistracy" consists in many parts of the clergy. In this county (Gloucestershire) the business could not be done without them; "indeed, they do nearly the whole", wrote Lord Redesdale to Lord Colchester in admiration.<sup>84</sup> The Webbs found the clerical justices in general distinguished for their superior knowledge of the law, their great philanthropy and their higher standards of integrity: "In county after county we find the rectors and prebendaries coming to the front as competent Chairmen of Quarter Sessions."<sup>85</sup> Their numbers grew steadily during the late eighteenth century. Between 1750 and 1755 the names of only five clerical Justices appear, by 1765 they had increased to nine, by 1775 to twelve, by 1795 there were fourteen, and by 1800 sixteen. Seven out of the twenty-two Justices who have been called the nucleus of the Bench were clergy, all of them interesting men, one or two men of great ability. Most of them were settled parochial clergy holding livings worth about £300 a year. The Rev. Samuel Pickering at Bishop's Cleeve, and the Rev. John Pelly at Weston-Sub-

Edge, both held livings of £500. Others were less fortunate; Stephen Phillips at Bisley got £150, and William Dechair Tattersall at Wotton only £100.

Many Gloucestershire livings were University or college presentations. Two of the most interesting Justices, William Holwell and William Dechair Tattersall, were presented by Christ Church to Thornbury and Wotton respectively; Benjamin Grisdale, a Fellow of Queen's College, Oxford, was given the College living at Chedworth; Thomas Chamberlayne Coxce held North Cerney from University College, and William Sandford, Hatherop from Oxford University.

Patronage frequently lay with the incumbent himself or some members of his family. Lewis Clutterbuck was incumbent, lord of the manor, and patron of Ozleworth; Fretherne and Bromesberrow belonged to the Yates; Stanton and Snowhill remained the family living of the Wynniatts from 1771 to 1838, and Thomas Leigh was Vicar of Broadwell, Adlestrop, and Longborough while his elder brother was lord of the manors. Frocester and Nympsfield, although the presentation lay with Lord Ducie, came to be held continuously by the Hayward family. In 1796 George Hayward wrote to Lord Ducie thanking him for his promise that his son should be his successor at Frocester, and asking if he might succeed him at Nympsfield too; he would in fact like to resign the latter to his son who was soon to be married, "And should you grant it, and should you proceed in your inclosing plan, you may depend upon his acting as I should do."<sup>86</sup>

Many of the clerical Justices were hardy distinguishable from the ordinary run of country squires. The family living tended to be regarded as family property and treated as such. If the vicar was not actually the lord of the manor himself, he was probably the lord's son or brother, so that the spiritual and material needs of the parish equally concerned him, and enclosure, for example, was to be almost as important as his strictly ecclesiastical duties. At this period the Leighs, Delaberes, Haywards, Smalls, and Yates, all of them old county families, had one lay and one spiritual representative on the Bench.<sup>87</sup> But, on the other hand, the clergy were the greatest source of new blood, for many of them, presented by Crown or college, were unconnected with the county. It was not merely that they came from parts of the country so distant as Cumberland (Benjamin Grisdale), Suffolk (John Warren), or Devon (William Sandford); their families and backgrounds were rarely of the county landowning class. James Benson's father was "of the Customs House, London", and William Dechair Tattersall's of

Covent Garden and Streatham, Surrey; at one extreme there was Benjamin Grisdale whose father appears in the *Alumni Oxonienses* as "pleb"—at the other William Shippen Willes whose father had been a judge and his grandfather a bishop. They had no special ties of allegiance with the county, and it was exceptional for any of them to settle down as William Lloyd Baker did, buy property, and found a family which is still in the county today. Even for the others, connected by birth and family ties with Gloucestershire, service in the Church widened their horizons and gave them contacts outside their native county. Many held livings in plurality in neighbouring counties: Henry Gorges Dobyns Yate at Bishop's Frome, Herefordshire; John Warren of Ripple in Worcestershire and Kenwarton in Warwickshire; Charles Jasper Selwyn at Blockley, Worcestershire;<sup>88</sup> James Webster at Cowarne Magna, Herefordshire, and William Shippen Willes at Uphill, Somerset. Some were even farther away: Joseph Atwell Small, for example, was Rector of Burnsall, Yorkshire, and William Dechair Tattersall was the sinecure chaplain of Westborne, Sussex. Another connection outside the county, although it probably did not mean much in practice, was the position of chaplain to the King or to the nobility. Thus Joseph Atwell Small, William Holwell, and William Dechair Tattersall were royal chaplains; Benjamin Field was chaplain to Lord Olyphant, John de la Bere to Lord Dynevor, and Joseph Martin to the Earl of Rochford. It must be noted, however, that such offices should not be regarded as "rather uncertain investments towards preferment, for chaplains to the nobility were legion, and the way was thronged by a multitude of competitors."<sup>89</sup>

The Episcopal Visitations<sup>90</sup> for the period show that the great majority of clergy held two or three parishes. Few were as hard-headed as Joseph Atwell Small who discussed the whole business rather as though it were a matter of bargain and sale.<sup>91</sup> Cases of complete non-residence are rare. The Visitation records show that men who held several benefices generally lived in the most important themselves, and left a curate to serve the others. Charles Bishop, who, although he held four livings,<sup>92</sup> continued to live in Gloucester, was exceptional, but then he kept a private school at Elmore and probably found his week days fully occupied with teaching the sons of his brother clergy.

Many of these clerical Justices held leading ecclesiastical positions in the diocese. James Benson was Chancellor 1775-85; Thomas Chamberlayne Coxe the representative of clergy in Convocation, John Warren and Joseph Atwell Small both Prebendaries of the Cathedral. Slightly lower down the scale come four Rural Deans:

Charles Coxwell, William Sandford, Charles Sandford, and John Warren. Altogether they present an impressive array of ecclesiastical office-holders, for several also held important posts in other dioceses. Charles Sandford was Chancellor of Bath and Wells, and Archdeacon of Wells. Prebendaries abounded: William Holwell and Joseph Martin were prebendaries of Exeter, Charles Jasper Selwyn of Salisbury, Joseph Atwell Small of Bristol, William Shippen Willes of York, and Henry Gorges Dobyns Yate of Hereford.

As parish priests they all had in common the not very onerous duty of serving their village churches either in person, or through a curate. Thomas Leigh was probably typical of most; he held a weekly service on Sunday, celebrated Holy Communion four times a year, and catechized the children in church during Lent.<sup>93</sup> We have a picture of one country parson from his own pen, "A Narrative of the life of the Rev. Chs. Coxwell A.M. written by Himself; which, though little interesting to others may not be wholly so to his Widow and Children". With its combination of parochial duties and simple hobbies, it was a good life. "He passed with peculiar Pleasure the Time which he devoted to the reading of the Scriptures or to other Useful Learning in his study; and a Turn for Mechanics afforded him at proper sessions no small Amusement in his Laboratory. He was never fond of Cards; though he would sometimes join with his Friends and Family at playing them; but chose rather when he could be excused, to dedicate his Evening Hours to Reading and the Improvement of his Mind. Being but a timid Rider, he declined the Exercise of Hunting, tho' situated in the Neighbourhood of Hounds; but was fond of Shooting, albeit he was a very indifferent Marksman as being near-sighted and obliged to make use of Glasses. He had some knowledge of Music and performed but poorly on the Violin; having never had the benefit of any regular Instruction nor opportunities of playing in Concert; through his Residence in a Country Village: And for Singing he had no Talent at all. Having been blest with a good and prudent wife he left the management of Domestic Affairs chiefly to Her Care, that he might have the more Leisure to attend to his other Engagements." And these he fulfilled with great care. The presence of an itinerant preacher in the village he took as a personal affront: "humbly conceiving myself and my Curate sufficiently competent to instruct the People committed to our care in the Doctrine and Duties of Religion we do not need the assistance of any Preacher".<sup>94</sup>

The diary of Henry Gorges Dobyns Yate presents a contrast.<sup>95</sup>

He was a clergyman of a higher social rank who moved in rather more exalted circles. He was generally absent from his parish for two months or more in the year. In 1786 he visited York and London; the following year he was in London, working in the British Museum and attending debates in the House of Commons; another year he spent May and June in Malvern. His friends appear to have included Lord Courtenay, Lord Somers, the Countess of Northampton, and the Honourable Mrs. Boscawen. Yet he did not entirely neglect his parochial duties. His family were the lords of the manor, and the church was partly rebuilt by his brother during his incumbency.<sup>90</sup> It is good to find that in 1782 he revived the custom of perambulating the bounds of Bromesberrow after an interval of twenty years, and that in August 1793 he arranged the papers in the church chest. Tithe dinners, "an entertainment to the Landholders of Fretherne", and gifts to the poor at times of "dearness of grain", as well as a succession of county meetings about Turnpikes, canals, or militia were the sum of an activity in parish and county affairs that must have been typical of many clerical members of the landowning family.

This analysis of the Bench will have been misleading if it gives the impression that social barriers existed among the Justices. In Gloucestershire, a county with a closely knit social life, many J.P.s were related to each other, and brothers-in-law, sons-in-law, and cousins, once or twice removed, were common on the Bench.<sup>97</sup>

Marriages frequently give some indication of social status. Some Justices were allied to members of the aristocracy.<sup>98</sup> The Talbots, allying themselves with the Beauforts, found this a step up in the social world. Matthew ADean, writing to John Blagden Hale, May 6 1796, reported the news: "I have just heard that Lady Elizabeth Somerset is going to be married not much to her *advancement*, but perhaps happiness, it is quite a love match, the Gentleman is in the Church, a younger brother of Mr. George Talbot of Barrington, I believe a good kind of young man without much fortune, but some preferment, however the Lady was determined and the Duke consented, and I hear the ceremony is soon to take place at Badminton."<sup>99</sup> Other J.P.s married heiresses. Sir John Guise married Elizabeth Wright, a London heiress, sister and heir of Sir Martin Wright the judge; Joseph Cripps made a good marriage with Elizabeth, daughter of Benjamin Harrison, of Lee, Kent, Treasurer of Guy's Hospital, and Michael Hicks married the Wiltshire heiress Henrietta Maria Beach, whose name he afterwards took.

But many made only local marriages in Gloucestershire or in the

neighbouring counties. Roynon Jones married a Cook of Highnam; Lewis Clutterbuck, Catherine Partridge of Hilsley; Nathaniel Winchcombe, whose mother was Ann the daughter of John Phillimore, a Cam clothier, himself married Mary daughter of Daniel Packer, a clothier of Painswick. The Rev. Reginald Wynniatt took a wife from Herefordshire, and the Rev. Charles Jasper Selwyn, one from Oxfordshire.

Yet, although they were bound closely to the county by marriage, estate, or parish, it would be wrong to think of these men as concerned only with one county and rarely looking beyond its borders. The ties and outside interests of the clergy have already been discussed. But both clerical and lay Justices owned property scattered widely throughout the country. The clergy held a surprisingly large amount of private property outside Gloucestershire.<sup>100</sup> Among the laity the Southwells had Irish connections, the Hyetts owned a warehouse at Deptford, and Benjamin referred in his will to his leaseholds in Glamorganshire; Dodington Hunt was connected with Somerset; Sir William Guise owned several manors in Wiltshire; and from 1790 when he inherited the Cann estates, Thomas Masters had much Somerset property.<sup>101</sup> One wonders how many of them felt about it as did one member of the Hicks family, surveying the scattered lands of the family in Chigwell, Norfolk and London, "I more and more hate Essex, and think I shall sell my dwelling house, offices and gardens. . . . I can make a Great Advantage in the sale, and wish it gone, for none of our Family, Elder Branch or Younger, ever got anything by London Affairs."<sup>102</sup>

It is by no means easy to measure the resources, in property, rents and other forms of income, of these families. Few of the personal returns made under Pitt's Income Tax of 1798 are to be found,<sup>103</sup> and the Land Tax Assessments for the county have proved exceptionally difficult to handle.<sup>104</sup> Only rarely have rent rolls survived—another most valuable form of evidence. We know, for example, that the Guises were receiving £2,776 annually in rents in 1805 when a survey was taken and it was recommended that this should be raised to £3,000.<sup>105</sup> Michael Hicks-Beach when living at Netheravon received £1,450 from his estates in Essex, Norfolk, London and Minety. By 1818 when he had moved to Williamstrip his rent roll had grown to £2,784.<sup>106</sup>

Most landowners, however, had some connection with industrial undertakings as well as with agriculture. Paul again is typical. Although he had leased his father's mill at Woodchester to a cousin, he held collieries at Ferry Hill, Durham, from the Dean

and Chapter of Durham, worth about £230, and noted in a valuation made in 1784 that he owned £1,300 in bonds and securities.<sup>107</sup> The papers of Edmund Probyn include bills spent in his brick-making enterprises at Huntley.<sup>108</sup> Sir William Guise was apparently concerned in the ironworks at Redbrook, for his papers include particulars of ballast made there at the Abyl furnace in 1779.<sup>109</sup> Thomas Haynes encumbered his estates in Bitton and Wick for the purpose of taking part in two trading companies, one which was working coal seams in Bitton, the other carrying on the iron trade at Wick and Bitton.<sup>110</sup> The Rev. John Warren, spoke in his will of his "money in the Foundry Trade", though without specifying what this was. A great part of the wealth of the Codrington family came from their estates in Antigua and Barbuda in the Barbadoes, those "Islands, Plantations, Castles, Lands and Tenements, Negroes, Slaves, Plantation Utensils, Cattle, Stock, Hereditaments and Premises" recorded so splendidly in Sir William Codrington's will. The family took a great personal interest in the management of the estates, and one member at least was always out there. This was in fact carefully stipulated in the will: the property was to go to Sir William's nephew Christopher on condition that he went out to the island for at least six months to learn the business of planting. Their correspondence shows their acquaintance with the problems of running a sugar plantation, the difficulties of slave labour, the frauds practised by the managers and attorneys, the shortage of English servants. We do not know the total income from the estate, but the business must have been extremely lucrative if the manager of the Antigua estates could write in 1780 with observations on how to make Barbuda show a profit of £3,000 a year.<sup>111</sup> Others with trading interests, in addition to the group of Bristol merchants, include Joseph Cripps who was an East India Company proprietor.<sup>112</sup> John Webb whose father had commanded a London East Indiaman, and who represented the East India Company interest in Parliament,<sup>113</sup> and Sir Charles Barrow, who was born, according to his own statement at the Heralds College in 1783, on the island of St. Kitts, where his father was a West India merchant.<sup>114</sup>

The only J.P., apart from members of the great aristocratic families who derived any money from office holding, appears to have been George Talbot, Paymaster of the King's Household, an office created in 1783 with a salary limited to £450. No additional fees were ever taken, and Talbot complained to Lord Liverpool in 1812 of the "inadequacy of income to the respectability, duties, and trust of this office".<sup>115</sup>

Samuel Hayward, who spoke in his will of "ready money in the Publick Funds", was probably typical of many more who invested some at least of their capital. Wills are the most fruitful source of evidence here, especially the wills of the clergy which give the appearance of having been drawn up by the testators themselves, and which are as a result more naïve and detailed in approach than the more formal documents of a lawyer. Of the laity John Parker is the only man who speaks of his investments: "£10,000 in 5% Annuities, part of my stock in the Bank of England." Of the clergy James Benson referred to some reduced annuities at 3% consolidated, and Charles Jasper Selwyn to New South Sea and Bank Annuities. The figures, when they are given, show that quite large amounts were invested.<sup>116</sup>

One thing at least is revealed by wills, and that is the vast range of wealth on the Bench. There is a striking difference between, for example, Joseph Cripps, whose bequests to his family totalled £82,000, and Dodington Hunt who left bequests of no more than £450. Sir William Codrington left his "reputed daughter" £2,000 in cash, a marriage portion of £20,000, and an annual allowance of £1,500. The Rev. Charles Coxwell left altogether £20,000 to his family; Sir John Guise £10,000 to his children. Men of more moderate means include Thomas Estcourt who left £10,800; Sir Howe Hicks £10,000 in legacies and £2,000 each to his children; Edmund Probyn £9,000; Thomas Tyndale £8,000, and the Rev. Joseph Martin £5,000 each to his daughters. Then we come to the lesser men: the Rev. W. D. Tattersall £3,000; Thomas Baghot de la Bere and Sir William Guise £3,500 each; the Rev. Stephen Philipps gave his son a marriage portion of £1,500; the Rev. Charles Sandiford £1,250; Charles Tirrell Morgan left £1,000 to his wife and £800 in annuities elsewhere; Robert Kingscote £1,300 to his nephews and nieces, and Winchcomb Henry Hartley £1,000.

The majority of Justices seem to have taken a serious, frequently an expert, personal interest in the management of their property. "My Chief Employment is endeavouring to improve my little Farm," boasted Charles Edwin in 1789.<sup>116a</sup> Gloucestershire landowners undoubtedly benefited from the proximity of the Bath and West Agricultural Society, and Rudge in fact remarked: "It is so near the borders of Gloucestershire, and so many gentlemen of the county are members of it that it may almost be considered a Gloucestershire Society."<sup>117</sup> Paul was one of its more prominent members, and took the Chair at the General Meeting in 1797.<sup>118</sup> Some local landowners experimented with new machinery. The Cripps had just purchased "Cook's drill plough" when Arthur

Young toured the county in 1786.<sup>119</sup> Thomas Estcourt wrote to thank the Board of Agriculture for a new plough in 1795: "It is much lik'd by those farmers who have seen it work—it is different, and on the whole superior, to any plow we have hitherto seen here. I should be glad," he added, "to be informed how I may obtain such papers as are publish'd by the Board from time to time, or if the Board will transmit them to me."<sup>120</sup> He might call himself a "Gentleman Farmer", but he discussed his sheep and the prospects of the wool market in a most businesslike manner,<sup>121</sup> and George Talbot, though protesting himself merely "an unlearned Agriculturist" could criticise an agricultural pamphlet of Warren Hastings with a certain acumen.<sup>122</sup> Samuel Blackwell was his own surveyor, and dealt with many of the affairs of his estate himself.<sup>123</sup>

Since the Rev. John Foley and the Rev. Thomas Leigh both held family livings, they were naturally concerned to look after the family property. The Court at Newent was held in the name of William Andrew Foley but John Foley actually presided, and the court rolls and correspondence which survive bear testimony to his conscientious work. Thomas Leigh, who played a leading part in the enclosure of Adlestrop, was much concerned about handing on the property for future generations. He wanted to level the ground and put it in good order, "so that when my Nephew comes of age it would be got to a good sward and ready to hand", and although worried about the "Expense that will accrue to my Nephew" thought this was well balanced by "the advantage which will arise from it". He kept a notebook in which he recorded his payments "disburs'd on account of the enclosure", and another with scientific observations on the nature of the ground, "when the land be laid down in grass sow it with Dutch clover or trefoil", or on hedges, "plant elms in great hedgerows, and oaks and elms in the corners of the ground". His final care was to leave one or two acres in case cottages had to be replaced, and he toyed with the idea of using "the materials from tumbling down cottages to build very light ones, which could be paid for by renting out upon lives".<sup>124</sup>

Paul disclaimed any scientific knowledge of agriculture, but remarked à propos of Turner's report to the Board of Agriculture "the principles of his general observations relative to the poor are so diametrically opposite to everything I have ever said or done in my life, that I cannot so far appear to countenance them as to be the means of their circulation."<sup>125</sup> His correspondence with his estate agent Howard dealt as much with the selling of horses, or the sending of cheese to Bath and London, as with his local

charities, gifts of mutton and coal, or payment for a funeral. His pamphlet, "Observations on a Bill before Parliament for facilitating the Division and Inclosure of Waste Lands and Commons by Agreement among the Parties," makes interesting reading, as showing his real care for justice to the poor. He was not afraid to charge his fellow landowners with "prejudices and attachments" in this matter and to declare that there was no subject on which "an English gentleman sitting down with a determination to do justice, needed so carefully to guard his mind against prepossession as on this question of manorial Rights and Pretensions". He had alternatives to offer, for he said that in no Inclosure Bill that he had read, had he found any Clause, or even the hint of any design, to build hamlets or villages as an encouragement to the residence of the agricultural population. With no faith in "Bounties and Benefactions" which only tended to make the poor idle and dependent, he preferred that they should be enabled to supply their necessities, and to derive their comforts through the means of their own industry, and he therefore suggested that they should have their own garden ground, at least one-third of an acre to cultivate on their own, and that cottages should be improved both in number and in condition.

But in fact there were few who did not care for their tenants or their villagers, and it would merely be tedious to recount all their activity in establishing charity schools, or helping to relieve the poor. At Barnsley the Rev. Charles Coxwell handed over two cottages belonging to him as Vicar as houses for the poor, stipulating no poor should be lodged there without his consent.<sup>126</sup> Michael Hicks-Beach, while living at Netheravon, the Wiltshire property of his wife, assisted by Sidney Smith who was then tutor to his children, tried to help the poor of the village. The papers at Williamstrip contain lists of the Netheravon poor with brief comments, "deceitful but decent", "weak witless people". A letter from Sidney Smith describes how he had been carrying out this plan, and had organised the school of industry by selecting about twenty girls from every family in the parish whose poverty entitled them to such relief and setting them to work to make canvas bags. He promised that whatever regulations he established either for this, or for the Sunday school, should be submitted to them for their criticisms.<sup>127</sup> Thomas Estcourt after the years of scarcity in 1795 and 1799 when the parish had given its poor a weekly allowance of half a peck of barley per person, devised an alternative plan of relief, founded, as he said, on the idea that the best charity to the poor was one which would most promote their industry and

cleanliness and at the same time relieve their necessities. He fitted up a farmhouse, and appointed a wool-worker as assistant overseer, with a salary of £35, who was to instruct the children in spinning, and buy and retail articles in the shop. Apparently they received the amount of their earnings, found their own provisions, worked from 6 a.m. to 7 p.m., and then returned to their own homes.<sup>128</sup> Parliamentary moves in such matters were followed and criticised. The Rev. William Lloyd Baker had very strong ideas on the working of the Poor Law, and criticised Pitt's proposals in 1797 for setting the poor to work: "I cannot help thinking that the laws as they now exist are full as adequate thereto as they will be after the Bill has passed. The great cause of their failure at present is want of Public Spirit and public activity in their enforcement." He spoke from experience for in the past year he had made a habit of visiting some of the workhouses in the neighbourhood, and he was insistent, as a result of what he had seen, that trade should not be forced, and that the man who would not be active for himself would be less so for his parish.<sup>129</sup>

It is clear that men such as these are far removed from Macaulay's country squire of half a century earlier, who had "scarce attained learning enough to sign his name to a *Mittimus*", and "who passed among his neighbours for a great scholar, if *Hudibras* and Baker's *Chronicle*, *Tarleton's Jests* and the *Seven Champions of Christendom* lay in his hall window among the fishing rods, and fowling pieces."

The clergy naturally formed the greatest part of the intelligentsia of the Bench, but a good number of the lay magistrates had been to the University, and enjoyed that "liberal education" of which John Small had boasted to Sir John Dutton: William Bromley Chester, Sir William Codrington, Winchcomb Henry Hartley, Sir William Hicks, Dodington Hunt, Benjamin and Nicholas Hyett, Thomas Masters, Charles Tirrell Morgan, Sir George Onesiphorus Paul, George Talbot had been to Oxford; Edward Southwell had been at Pembroke, Cambridge. Of these only Charles Tirrell Morgan had a really distinguished academic career: he became a fellow of Exeter College in 1764-5, proctor 1771, and professor of moral philosophy in 1772, presumably returning to the University after spending some time at Lincoln's Inn where he had been called to the Bar in 1768. So far as is known, only two completed their education by making the conventional Grand Tour. Benjamin Hyett's obituary referred to him as a man "in whom were united the elegant scholar, the man of the world and the polished gentleman. On his leaving the University he went abroad and, having

finished his travels, returned to London, where for a time he resided among his co-acquaintances in superior life, which Christchurch and Westminster school had rendered extensive."<sup>130</sup>

We know very much more about Sir George Onesiphorus Paul, for his carefully kept account books enable us to follow his journeys.<sup>131</sup> His route was by no means the conventional one, for he saw more of Eastern Europe than of France and Italy. After crossing to the Hague in June 1767 he spent the winter in Hanover, and the following spring he visited Brunswick, Berlin, Potsdam, Leipzig, Dresden and Vienna, finally making south through Hungary and Moravia to Venice. According to the Dictionary of National Biography he was living in 1767-8 at the courts of Brunswick and Vienna. There are no clues in his notebooks to explain such unexpected exploits for the son of a Gloucestershire clothier, except for a curious reference to a payment "for a scheme for Prince Mauritz in Moravia". Possibly he was journeying with some rich Oxford friends. Certainly his expenses seem to suggest that he enjoyed a gay life: a succession of concerts, plays and masques; payments to a French cook; "lost a Bett in a dozen of Rum—lost a Bett in Champagne." On reaching Italy he spent six weeks in Venice where he hired his own gondolier, and took lessons from an Italian master. He then went on to Florence and Rome, and bought there the art treasures that were later sent home as trophies of his travels: "An Antique of Galba", a Madonna by Crespi, a picture by L. Carrache, and some prints of Piranesi.

A high standard of education is found among the clergy, for they had all, almost without exception, been to the University. They numbered in their ranks several B.D.s and D.D.s; John Pelly and Thomas Leigh were B.C.L.s and John Warren and Henry Gorges Dobyns Yate D.C.L.s. Three had held Fellowships at their colleges: Benjamin Grisdale at Queen's, Joseph Atwell Small at Exeter, and Charles Sandiford at Sidney Sussex and Trinity Hall. The latter attained the highest academic distinction among the clerical Justices, for he had been third wrangler, gained a prize for Latin dissertation, and was joint Tutor with Jowett, Regius Professor of Civil Law.

When they left the Universities, they did not all shake the dust of learning from their feet. The record of books they read in the Dean and Chapter's Library testifies to the range of their literary interests. Theology and classics were most popular, but history, especially the county histories, and books of travel, were also widely borrowed. Macaulay's stricture on the squire's library is rather harsh: the inventory of Paul's house has survived and we therefore

know in detail what his library contained—a library which was probably pretty typical of the best among the Gloucestershire gentry. He combined a good foundation of the classics with books revealing an extensive knowledge of contemporary English and European literature, from Molière, Beaumarchais, Voltaire and Rousseau to Johnson, Fielding, Smollett, Gibbon, and Scott. A large section on local government included all the leading authorities on the office of Justice of the Peace from Lambard's *Eirenarcha* to the Rev. Richard Burn's treatise published in his own day, as well as tracts on the duties of sheriff or constable, and numerous contemporary pamphlets. A taste for politics and economics is reflected in Adam Smith, Defoe and Necker, Bolingbroke and Godwin. The Grand Tour had its mementoes in the *Decamerone de Boccaccio* and *Le Pitture di Balogna*. Hogarth's *Analysis of Beauty* and Uvedale Price's study of the Picturesque suggests a continued interest in the arts. There was one important and specialised section, however, which would hardly be found on his neighbours' shelves. Blackstone's *Principles of Penal Law* or Howard's *State of the Prisons* were perhaps not so very unusual, but they were accompanied by many of the leading European authorities on criminal law and penal reform: Beccaria's *Dei Delitte e Delle Pene*, De Vilaine's *Moyen de Corriger les Malfaiteurs* and *Théorie des Peines et de Recompenses*, the *Commentaire Criminelle* and the *Commentaire Civile* of 1767.

In Benjamin Hyett and the Rev. William Holwell the Bench included two members of the Royal Society. Joseph Harford, another outstanding figure, was praised by Burke, who said, "A man of more honour and of more ability in every respect is not of my acquaintance." He was a man of literary tastes, an advocate of the theatre as a means of education, renowned for a good memory and his knowledge of languages (he spoke Greek, Latin, Italian, French and Spanish), and on one occasion had visited Paris with letters of introduction to Benjamin Franklin from Burke.

There were a number of would-be authors, particularly among the clergy. The Rev. James Benson spoke in his will of his "MSS Memoirs and useless papers", but others took themselves a little more seriously. The Rev. Charles Coxwell's papers show a great range of literary exploits: notes from a book on the French Revolution; a life of Edmund Burke; extracts from a shooting directory; something about chemistry and a paper with notes on the Jews. Powell Snell, according to Fosbroke, indulged in literary *jeux d'esprits* and published two volumes in 1803.

The antiquarian studies and field work which flourished with

such vigour at the end of the eighteenth century found their greatest supporters among the local gentry and parsons. Interest in archaeology grew enormously, helped both by a revival of interest in classical antiquity, and by the Romantic movement. For those who could not travel abroad, Roman remains at home offered a substitute, and others who preferred to turn from classical light to barbarian gloom and romanticise the Ancient Britons and the Druids, could enjoy the local British antiquities attributed to them.<sup>132</sup> No one was more delighted than the squire who was fortunate enough to discover a Roman site on his estate, as when William Hicks helped Samuel Lysons with the excavation of the Witcombe villa in 1818. Natural history, too, was becoming fashionable: it counted men like Gilbert White or Sir Joseph Banks among its supporters, and in the country at large local societies were being founded among its humbler followers. The Rev. William Lloyd Baker was a well-known botanist. The Rev. Peter Hawker collected fossils and minerals, and in 1817 published a catalogue which showed that his interests were not confined to his own country but extended to Germany, Athens, and the West Indies.<sup>133</sup> The Rev. William Holwell epitomises all that is generally caricatured as the typical country parson lost in his classical and antiquarian pursuits. Horace Walpole exploring Thornbury Castle, disturbed him at work: "I saw a paltry house that I took for the Sexton's at the corner of the Close and bade my servant ring and ask who could show me the castle. A voice in a passion flew from a casement and issued from a Divine, 'What! What! was it his business to show the castle! Go and look for somebody else! What did the fellow ring for as if the house was on fire!' The poor Swiss (Walpole's servant) came back in a fright and said the Doctor had sworn at him. . . . As I returned through the close the Divine came running out of breath, and without his bearer or band, and calls out 'Sir, I am come to justify myself. Your servant says I swore at him; I am no swearer, Lord bless me!'" Then recognising Walpole he invited him to the house where he "found the inside ten times worse, and a lean wife suckling a child. He was making an index to Homer; is going to publish the chief beauties, and, I believe, had just been reading some of the delicate civilities of the pass between Agamemnon and Achilles, and that what my servant took for oaths were only Greek compliments."<sup>134</sup> He was "distinguished by very superior talents as a scholar, and a critical knowledge of the Greek language", and the list of his publications rolls forth impressively, "Selecti Dionysii Halicarnassensis de Priscis Scriptoribus Tractatus Graece et Latine"; "A Mythological,

Etymological and Historical Dictionary extracted from the Analysis of Ancient Mythology"; "Extracts from Mr. Pope's translation corresponding with the Beauties of Homer, selected from the Iliad."<sup>135</sup> John Wilkes had the greatest admiration for his classical learning, and sent him the proofs of his work. These Holwell returned with what he called "cursory observations", in fact most minutely detailed criticisms. He went deep into the matter of accents, aspirates, and apostrophes, was convinced that accents were a modern invention, and objected to capital letters at the beginning of sentences: "I am no military man, yet I love a military review, and my eye would be offended to see, here and there, prick'd up, a grenadier breaking the line, indeed I would allow an officer, pro dignitate, like a proper man to ascend in height. I have drawn a line through these Grenadiers . . ." <sup>136</sup> He also dabbled in genealogy and heraldry, and was a great friend of Isaac Heard, Garter Principal King of Arms. His researches were mainly concerned with his own family history, but he also copied into the register of the College of Arms a number of the pedigrees which he had compiled of local families.<sup>137</sup>

The interests of a neighbouring parson, the Rev. William Dechair Tattersall, lay in music and drama. His performance of the character of Phormio when he was at Westminster, which was praised by Garrick,<sup>138</sup> evidently began a life-long interest in theatricals, for in 1795 he drew upon himself the wrath of Rowland Hill for allowing strolling players and their theatre in his parish of Wotton. "You sir have been the principal agent in this unhappy business", actually encouraging "those offensive exhibitions . . . which you, both as a Minister and a Magistrate, are bound in duty most seriously to oppose."<sup>139</sup> His musical interests lay chiefly in psalmody and church music. He published his paraphrase of Merrick's psalms in 1789, hoping that it might "consequently be annexed by permission or authority, to our book of Common Prayer . . . and become a very pleasing and improving help to religious meditation and praise." He prevailed on his friends among the composers, including Haydn and Dr. Arnold, to furnish new tunes, for, treated in this way, he claimed, the psalms supplied "a variety of hymns . . . adapted to every possible state and condition of human life".

In a county dominated by local politics, and in which political allegiance made itself felt in every sphere of life, political issues could hardly be forgotten on the Bench. Quarter Sessions in fact seem to have been recognised as a most suitable time and place for political business. The important Reform Association of 1780 was inaugurated there, as its Chairman Paul told Berkeley William

Guise in 1809 when he was considering similar activity. "They particularly chose the Day of Quarter Sessions, and the place of naming it the Dinner Table; men who did not like it went away, but could not afterwards say that the meeting was secretly designed;—if you had thoughts of convening the county it is to be regretted that you did not in like manner take a similar opportunity to propose it."<sup>140</sup> Many justices were in any case Members of Parliament and others prospective Members, who could hardly escape political entanglements. Contemporary private correspondence frequently alluded to rumours that Paul was thinking of standing for Parliament. In 1796 Matthew Adeane sent a budget of local gossip to John Blagden Hale: "On Sunday Sir George Onesiphorus Paul declared his resolution to offer, and proposed coming into the country immediately to make his Intentions known, but on waiting on the Gent. in Town of principal Land and Property, and finding that they had already decided to support two candidates in the Ensueing Election he now thought better of it, and will now make his bow and declare he will not disturb the peace of the county." In 1809 he apparently made another attempt, and Edward Somerset wrote to Charles Bragge Bathurst: "We have just heard that some Gentlemen are canvassing in Sir George Paul's name in the Electing part of the Country", and Lord Berkeley begged earnestly for the support of his brother: "you will oblige me the more as I hear our Friend Sir George Paul intends putting *aside the Peers*—I know *those* to be his very words."<sup>141</sup> Such ventures laid one open to enemies. Paul had been attacked by two fellow members of the Bench, and in 1809 asked Guise not to mention his political opinions to Dr. Small or Joseph Harford, "for they will be attacking me with their *squibs without fire*, and their *sarcasm without sting* as at the last Election". Nicholas Hyett, attempting to get his son returned for Tewkesbury in 1774, found himself deep in intrigue, again with men who were also Justices. He wrote to Sir Charles Barrow: "You know best what you design in regard to Gloucester; but be that what it will Mr. Guise would be a bar to my son's getting in there quietly. Pray had you and he any discourse on the subject before you left the country? . . . My intentions in this to you relates not to Gloster, but to ask you if you know any thing from Mr. Dowdeswell relative to Tewkesbury; whether Sir William is to come in there, and with whom. If they pursued their old schemes and a certain sum would do, and that sum did not exceed £1,500 I should be willing to stretch as far as that . . ."<sup>142</sup> William Buckle was one of the most active in political matters, though he never stood himself and gained a reputation as a most indefatigable canvasser.<sup>143</sup>

Election times were naturally the moments of greatest tension.<sup>144</sup> John Pitt reported to Hardwicke in 1763 that the whole County was in a ferment, with every voter taking an interest. He then described the position at that moment—two camps, which divided the Bench pretty equally between them. "*Sir Will Guise; Lady Berkeley; Chedworth; Ducie; Gage; Tracy; Barrow; Dowdeswell; Guise; Colchester; Kingscote; Hayward; Prinn; Hyett; Delabere; Yates; voters in Gloucester City and Tewkesbury. Southwell: Beaufort; Bathurst; Talbot; Col. Berkeley and corps; Sir John Guise (!); Sir F. Fust; Sir O. Paul; Ld. Coleraine; voters near Bristol and Cirencester; Masters; Snell; Probyn; Folcy.*"<sup>145</sup> But even in the normal routine of daily life the ties of patronage and dependence to Beaufort and Berkeley could not be forgotten. Charles Edwin was continually protesting his loyalty to the Beauforts, and offering his services to the Duke: "You may be well assured I shall do everything in my power to support my benefactor the Duke of Beaufort . . . On Sunday next I sett out for Badminton where Lord Worcester's birthday is to be kept . . ." <sup>146</sup> Other families closely connected with the Beauforts included the Haynes and the Estcourts: the Rev. Christopher Haynes was his private chaplain, and the Duke referred Lord Liverpool in 1793 to "my agent Mr. Estcourt of Lincoln's Inn".<sup>147</sup> On the other side were the J.P.s who were Berkeley supporters: William Vecl, "A Barrister known to Capt. Berkeley" heads a list of "Applications for appointments under the new Police Bill, 15 July 1792";<sup>148</sup> a son of the Rev. Charles Coxwell served in the fleet under Admiral Berkeley; the Rev. Joseph Atwell Small promised his vote in the Oxford election of 1805 to Admiral Berkeley.<sup>149</sup>

The J.P.s connected with Bristol held aloof from the county feuds—probably only because they were equally, if not even more deeply, involved in political complications at home. Thus at the end of the eighteenth century the presence of Edmund Burke in Bristol aroused strong political feeling. Burke found his chief supporters in Richard Champion, Joseph Harford, and Thomas Farr. Harford especially was a great friend, acting as his host while he was in Bristol, largely organising his campaign for him, and remaining with him constantly during the poll.<sup>150</sup> The party in opposition, Brickdale's, was led by Jeremy Baker and Sir Henry Lippincott, all of them connected with the Gloucestershire Bench, though Lippincott and Brickdale who had sat earlier seem to have ceased attending by 1775.

Paul once referred to "a Bench rather Tory and Ministerial". Possibly he was using "Tory" as a term of opprobrium for those who found themselves in opposition to himself. Certainly twenty-

nine of the forty-six members of the committee of the 1780 Reform Association were J.P.s,<sup>151</sup> and its three most constant supporters, Paul himself, Sir William Guise and Thomas Mee, were also among the most regular members of the Bench. But the name Whig or Tory tells us little of what these men really felt in political matters. In 1780 their politics were those of men who, though they might boldly declare that they were Whigs, immediately proceeded to qualify the term and interpret it in their own way. Paul, their chairman, may be taken as typifying their position; he assured Granville Sharp that the views he expressed were those of the county in general: "The part I have taken within the County where I live has been active but not dictatorial—No Resolution has passed under my Sanction but has been well deliberated on, and was a general opinion.<sup>152</sup> "I was by birth and education a Whig (although of the old school)," he declared, "and that I claim to be so considered, even in these times when the term has become, but too deservedly, a term of reproach . . .", and he went on to talk bitterly of "reformation urged in the language, and talked in the guise of revolution." He would label himself of the party of moderate men who chose rather "to bear the ills we have, than fly to others which we know not of . . . Before I begin to pull down my house, I will have fully considered and fixed on the plans for a new one."<sup>153</sup> He recognised the importance of economic reform, but "rejected the thought of any far-reaching parliamentary reform", "the evils of profusion and corruption are positive and indisputable . . . measures of established economy cannot be *dangerous*, cannot alarm, can tend to no constitutional Innovation". "I cannot think it necessary that every man should possess a Roman privilege unless he also possesses Roman Virtue to direct him in the use of it . . . Frequent Parliaments and *Universal Franchise* to elect, may in the abstract, be Rights of the People, but, in a free Constitution, there is no right without its correspondent Duty . . . I am convinced no man should possess a franchise who has not some pretensions to exercise it independent of any other man's opinion."<sup>154</sup> Any wider question was left untouched.<sup>155</sup> The county in fact did not interest itself in national political issues. There was, in fact, as little activity on the other side, and Paul had a certain gloomy satisfaction in telling Wyvill, "although the Friends of Reformation are superior in this County, the opponents are not more active in support of their opinion". After 1780 all reforming ardour appears to have faded completely: "The friends of former measures (the Whigs) are so lukewarm or rather so apprehensive, we dare not venture on their equivocal support . . ." Constitutional Society Publications distributed through-

out the county "have alarmed many, and caused them to shrink from their former zeal".<sup>156</sup>

Moderation distinguished the outlook of the other two Justices whose political views are known. Sir William Codrington in 1780 did not approve of any shorter duration of parliament. He thought that "frequency of Elections, upon their present footing would make the Gentry more dependent by their natural effects of a ruinous Expense to the Elected", and he objected to the admission of 40/- Freeholders "as also the loading upon our books in General Reform the most rural parts of the Kingdome". His own proposals for reform were distinctly reactionary, for he would have liked to see an increase in the number of Knights of the Shire "with higher qualifications by property than at present, and if they were to be chosen by a superior class of Electors, persons capable of judging, and above the reach of personal corruption, there would be a dignity of character introduced into Parliament very conducive to public virtue, not only in the Persons so honourably chosen but in the general mass of Members".<sup>157</sup> William Holwell occasionally broke off some learned discussion on Greek apostrophes to thank Wilkes for keeping him in touch with political developments: "I thank you for your communication concerning the Test Representation. As the former was lost before by so small a majority I thought it might now be hard run. But Meetings and Association are in fashion, and as Parson Adams says in Joseph Andrews, everybody thinks the church to be in danger, but no body knows why. For my part, as a moderate man, I am for making some concession with a good grace lest we should be compelled hereafter to make many with a bad one." Then, turning to Parliamentary reform, he wrote, "as to Representation, I cannot help smiling at old Sarum, No Body with two Heads, while Birmingham and Sheffield are great Bodies with no Head".<sup>158</sup> Possibly, with Wilkes as a friend, Holwell took a more lively interest in politics than he would otherwise have done, though it is interesting to see the extent to which he remains first and last the scholar. Thus he told Wilkes that when he resided in London he heard him speak, "and I am obliged to you for being the occasion of giving me an idea of the complete rout of an army. I was at Hercules Coffee House, Hyde Park, on the day of your famous Middlesex Election; and saw your Antagonist Sir Wm. B. Pr. almost unhors'd by a Brick Batt: But the dispersion of Gen Cook's army in Hyde Park was really wonderful; I have it now before my eyes, and it illustrates some battles in modern as well as in ancient times."<sup>159</sup>

Though the county appears to have been lukewarm over the

larger political issues, political allegiance must have caused many a stormy scene on the Bench which has found no place in the decorous reporting of the Order and Minute Books. But one need not look as far as politics: the quarrels of the hunting-field or the race-course could hardly be expected to be forgotten simply because men had entered the august portals of the Court Room. In 1822 the row between Colonel Berkeley and Thomas Lloyd Baker over fox-shooting came to a head on their accidentally meeting at the Quarter Sessions.<sup>160</sup> Before this, in 1798 Moreton had written to Lord Ducie referring to a quarrel over some military appointment which had led Robert Kingscote to decline any further communication, even official, with Lord Berkeley.<sup>161</sup> On such occasions the peace-makers would try to accommodate matters if possible. When a schism occurred on the Bench in 1795 concerning Horsley Bridewell, the Rev. William Lloyd Baker arranged with Nathaniel Winchcombe to go over there quietly and settle things before the affair became not merely prejudicial, but fatal, to relationships on the Bench.<sup>162</sup>

Yet this dominance of local politics did not breed a narrowly county outlook. The connections of Gloucestershire Justices, through property or personal interests, with other counties, has already been discussed. But it is interesting to find that during this period twenty men also sat on neighbouring Benches. This was allowed, in fact directly encouraged, by the Act "to enable J.P's to act as such in certain cases out of the Limits of the Counties in which they actually are, 18 Geo. III. c. 49". It stated in its preamble that "the Administration of Justice is frequently obstructed for want of Resident Justices", and it allowed a Justice to act for two or more adjoining counties.<sup>163</sup> Six Gloucestershire men sat on the Worcestershire Bench. This was natural enough for the Rev. Joseph Martin whose family connections lay in that county, and for the Rev. Charles Jasper Selwyn, who held the Worcestershire living of Blockley. The Rev. John Warren, rector of Ripple and Archdeacon of Worcester, sat most regularly, sometimes attending three or four times a year. Powell Snell and William Hicks each sat once only; William Bateson once or twice. He also sat once on the Evesham Bench, when he was Recorder of the City in 1789. The Wiltshire Bench laid claim to almost as many Gloucestershire Justices. Thomas Estcourt never missed the Marlborough Sessions, and frequently attended the Devizes. The Rev. Lewis Clutterbuck and Richard Nelves both sat once at Warminster; Michael Hicks-Beach and the Rev. William Lloyd Baker made occasional appearances at Wiltshire sessions. Winchcomb Henry Hartley was a regular sup-

porter of the Berkshire Bench, the county in which most of the family property lay and for which he was Knight of the Shire; and William Yarnton Mills and the Rev. John Hippisley also attended, though more rarely. There were two Gloucestershire men on the Herefordshire Bench: the Rev. Henry Gorges Dobyns Yate who held the living of Bishop's Frome, Hereford, and the Rev. John Foley who came of a Herefordshire family.

In contrast, the personnel of two borough Benches, Gloucester and Tewkesbury, remained almost entirely distinct from that of the county. There was in fact no link at all with the former until 1797 when Thomas Mee, who had first sat on the county Bench two years earlier, became a regular member of the city Bench, and after that never missed a session of either. As Recorder of the borough Sir Charles Barrow sat on the Tewkesbury Bench, and could act, as it were, as their representative on the county Bench. Unfortunately we do not know how many of the county J.P.s from Bristol also sat on the Bristol City Bench, for the *Estreats of Fines* in this case give only the formal record, the names of the Mayor, Aldermen "and others His Majesty's Justices of the Peace". The great aristocracy, who made rare appearances on their own county Bench, occasionally honoured neighbouring benches with their presence. The Duke of Beaufort and his son both attended the Monmouthshire Sessions once during the period, and Lord Ducie sat on the Wiltshire Bench at Devizes in 1800.

The mobility within the ranks of Gloucestershire society has been a central theme of this study. It is interesting to find not only that contemporaries recognised this, but that they recognised it with pride. "There exists no privileged order to whom the Statistics of Honour and Dignity exclusively belong," declared the Rev. John Foley, when as Chairman of the Bench he addressed the assembled court of Quarter Sessions, "but their Acquirement is Open to All who have energy to pursue them; and this Observation is confirmed by daily instances of Persons raising themselves from the most humble to the most elevated stations, by means honourable to themselves, and useful to the Community."<sup>164</sup> Thomas Estcourt said much the same thing: "One of the most agreeable circumstances of this happy country arises in my opinion from that imperceptible gradation of the different orders of society which puts every person at his case with the person who is a little above or a little below him; and for this reason, that no man can put his finger on any particular point of separation betwixt the one and the other."<sup>165</sup> His phrase "that imperceptible gradation of the different orders of society" aptly describes the social composition of the

Bench. For those slight, almost imperceptible distinctions of rank among his fellow-magistrates prevented a ruling class from becoming a ruling caste. The Bench was open to the man who had made his fortune in a Stroud cloth mill or in a Bristol merchant house. Ultimately both bought landed property, and found there a common bond, and it was of course this ownership of property which united these men whatever their family origins or the source of their wealth.

Foley rated "the full Enjoyment of Property justly acquired" high in his scale of values. Indeed the phrase "the security of your property and that of your neighbours" was a phrase constantly on his lips in his public addresses. For the structure of society was still based firmly upon landowning. The old hierarchical pattern with its scale of duties and responsibilities from the duke to the pauper was still unchallenged. New forces, it is true, were before long to threaten it: as the full effects of the industrial revolution began to make themselves felt it would become increasingly unrealistic to talk in terms of mutually dependent interests, and instead men would become more aware of "classes" and of the conflict between classes.<sup>166</sup> But the world based upon social deference still held sway in later eighteenth century Gloucestershire. In January 1795 the Bench could state quite categorically their belief in "the gradual scale of Dignity rising from the Peasant to the Prince".<sup>167</sup> This of course implied the subordination of the peasant, and indeed the position and duties of the lower ranks of society were matters which much concerned the Gloucestershire Justices. "Decorum, industry, and subordination" were the virtues they sought in the poor; "the sins of idleness and ignorance" must be replaced by "habits of industry and attention"; the importance of "obedience and submission of parents and superiors" was emphasised again and again, for "on a due sense of these society depends for its subsistence".

But there was at the same time a very genuine concern for those below them in the social scale for whom they felt themselves responsible. "Visit the Cottages of the Poor," said Foley, "and by gentle modes of persuasion inculcate the necessity of sobriety, diligence, neatness, and cleanliness, together with an economical management of the little earnings they obtain . . . and in this way will be established a firm and compact union between the different classes of society." He begged for more attention to their education. He compared the Scottish system which was "not confined as it is here to the higher and middling classes of life", and, firmly rejecting the idea that "the poor are inclined to abuse their knowledge", he asked his fellow-Justices to take this problem to heart, so that

"the mind whilst still tender be free from any bad tendencies, is impressed with sound principles of virtue, morality and religion". Perhaps his picture of the poor "spending their little leisure in the perusal of such books only as they shall have been taught by you to look up to with reverence" was rather unrealistic. But at least his wish "that the lower ranks may regard you as their real and true friends"<sup>168</sup> was completely sincere.

This is of course an almost classic statement of the creed of paternalistic benevolence. It shows a very real concern of the landowner for his tenants, the parish priest for his parishioners, the mill-owner for his workers. Frequently, in such positions, the Justices must have found themselves in situations in which they could all too easily have used their magisterial powers to play the petty tyrant. There is no evidence that they ever did so. But at the same time it must be admitted that their outlook was limited. While they might treat their immediate subordinates kindly enough they would allow a man to be transported for seven years for trapping a hare on their lands; they neglected the prisoners lying in fever-infested gaols; they turned a blind eye to the appalling conditions suffered by lunatics; they could discuss with an apparently quiet conscience, as Sir William Codrington did, whether or not eight hundred slaves were sufficient for a thousand acres, and whether freedom should be granted to a mulatto "one of Sir William's slaves who has borne many children for Mr. Redhead and now wants to retire".<sup>169</sup>

The advance from this patriarchal kindness to a real humanitarian conscience came only slowly. It took men a long time to realise that conditions of poverty, ignorance and crime were due not to the depravity of the poor but to the failure of society to realise its responsibilities towards its less fortunate members. Under the guidance of its prophetic leader Sir George Onesiphorus Paul, the Gloucestershire Bench was to be amongst the first body of men to take effective action to relieve the wretched state of one of the most ill-treated and neglected elements of eighteenth century society: the prisoners. Just what this involved, and how it was accomplished, can only be appreciated if the machinery through which the Bench could work is first discussed.

## NOTES

- <sup>1</sup> *Eirenarcha*. 1581, p. 60.
- <sup>2</sup> Michael Dalton. *The Countrey Justice, conteyning the practise of the justices of the peace and of their sessions*, 1618.
- <sup>3</sup> J. Bond, *Compleat Guide for Justices of Peace*, 1696.
- <sup>4</sup> *Op. cit.*, p. 33.
- <sup>5</sup> *The Justice of Peace. His Calling and Qualifications*, 1693.
- <sup>6</sup> "But learning being now greatly advanced and improved since the first institution of this office, this distinction is not of much use, but all or most of the justices are now equally assigned to be of the *quorum*; and by the statute of 26 Geo. II, c. 27 no act, order, adjudication, warrant, indenture of apprenticeship, or done or executed by two or more justices, which doth not express that one or more of them is of the *quorum*, shall be impeached, set aside, vacated for that defect done." Burn, *Justice of the Peace*, 19th ad. 1800, III, p. 16.
- <sup>7</sup> *Gentleman's Magazine*, April 1788, p. 315. Quoted Webbs, *op. cit.*, p. 343, n. 4; p. 346.
- <sup>8</sup> Parlt. Debates 7 December 1818. Vol. XLI, pp. 810-4.
- <sup>9</sup> Parlt. Debates 7 February 1828. New Series, Vol. XVIII.
- <sup>10</sup> 8 January 1739—GRO 57, D, No. 253.
- <sup>11</sup> 19 January 1739. *Ibid.*
- <sup>12</sup> 11 October 1810—GRO D 421/X 17.
- <sup>13</sup> 8 November 1810—GRO D 421/X 17.
- <sup>14</sup> Abraham Isaac Elton to Lord Hardwicke, 7 May 1754. BM Add MS. 35,604, f. 164.
- <sup>15</sup> BM. Add MS 35,602, f.375.
- <sup>16</sup> BM. Add MS 35,604, f.189.
- <sup>17</sup> BM. Add MS 35,603, f.253.
- <sup>18</sup> Ducie to Lord Hardwicke, 22 July 1754. BM. Add MS 35,604, f.232.
- <sup>19</sup> BM. Add MS 35,601, f.145.
- <sup>20</sup> GRO D 678/210.
- <sup>21</sup> Lloyd-Baker papers.
- <sup>22</sup> Maitland, *Justice and Police*, 1885, p. 82.
- <sup>23</sup> Webbs, *Parish and County*, p. 325. The customary wage of four shillings a day was never paid at this date. The money was placed in a common fund, and went towards the dinner.
- <sup>24</sup> Charles Edwin to John Parsons, 14 January 1798. GRO D214/337.
- <sup>25</sup> Between 8 July 1767 and 24 July 1809 no Commissions seem to have been issued for the county, and neither of these has survived. Apparently the names of the new J.P.s were added yearly. The bills of the Clerk of the Peace include payments for attending Lord Berkeley in London, drawing up the names to be inserted, and for the carriage of the Commission down to Gloucestershire. He notes, 14 July 1801: "letter from Lord Berkeley's agent apprizing me of his having sent down the Com. of the Peace for the Assizes, and desiring to have it returned after the Assizes to get the mis-nomers rectified." GRO Q/SF 1/1.
- <sup>26</sup> These writs were frequently taken out at an adjourned sessions, held in some more convenient part of the county, at some local inn, the local House of Correction, or at the house of Henry Wilton in Gloucester. A typical bill is that of Thomas J. Lloyd Baker in 1803:

To sucing out your Dedimus Potestatem, and fee

£5.5.0

THE JUSTICES OF THE PEACE

Private seal.	3.6
Drawing and engrossing oath of qualification and stamp	6.8
Fee on taking Oaths	2.0
Cryer	2.6
Certificate on receiving sacrament.	3.6
Subscription to dinner fund.	1.0
Fee on entering and filing your qualification as Deputy lieut.	2.6
Returning and filing your Dedimus as JP in Petty Bag Office, and paid certificate	8.6
Attendance for that purpose	6.8
Letters and postage.	7.6
GRO Q/CF 1/1.	£7.9.4

... This is considerably more than the account given by the Webbs of the expenses of a Wiltshire magistrate in 1743, *op. cit.*, p. 303, n. 3. To take an oath for another Bench would naturally be more difficult and expensive. The Rev. William Lloyd Baker and the Rev. William Dechair Tattersall found it a lengthy business to arrange to qualify for the Wiltshire Bench. They had to travel to Marlborough, Malmesbury, or Devizes, and as Lloyd Baker put it gloomily, "It seems a long way for the Deputy Clerk of the Peace to come, and I fear he will make us pay sauce for it." Lloyd Baker papers.

<sup>27</sup> 10 Sept. 1750. BM Add. MS 35, 603, f.251.

<sup>28</sup> 15 May 1799. GRO D149/F11.

<sup>29</sup> Webbs, *op. cit.*, p. 422.

<sup>30</sup> The returns for Gloucestershire have been checked with the attendances recorded in the Order Books, and the numbers recorded in the Estreats seem to be accurate, although it is of course impossible to say whether any magistrate present on the first day continued to attend throughout the sessions. They therefore seem to provide sufficiently reliable evidence for the general purposes of comparing the size of the various county Benches, even if when studied in detail they may prove to be "artificial . . . little more than a rough approximation to the true figures, and are to be taken only as the accountant's formal justification for his claim for an allowance on his account." Ratcliffe & Johnson, *Warwickshire County Records*, VIII, p. liv.

Middlesex with an average attendance of fifty J.P.s per session heads the list, then follow Surrey and Essex with 25 each; Devon 19, Shropshire 18, Kent 17 and Hertfordshire 16. Somerset, Northamptonshire, Oxfordshire, Bucks, Hertford, Worcestershire, Leicestershire, Berkshire, Dorset, Warwick and Monmouth had between 10 and 15. Smaller Benches, i.e. with an average of under 10 include Cornwall, Cambridgeshire, Stafford, Cumberland, and Wilts with 8; Northumberland, Cumberland, and Derby 7, and Westmorland 6. The smallest of all were those Benches with constant adjournments. In Lincolnshire for example, Lindsey had 6 and Holland 3; there were generally six at Suffolk adjournments, and from 4 to 7 in Nottinghamshire. PRO E. 362/125.

<sup>31</sup> Sir Charles Barrow; Robert Campbell; Thomas Baghot de la Bere; Sir William Guise; Thomas Hayward; Samuel Hayward; Sir William Hicks; John Hollings; Dodington Hunt; Thomas Mee; Sir George Onesiphorus Paul; Sir William Strachan; Nathaniel Winchcombe; William Vecl. Clergy: Rev. William Lloyd Baker; James Benson; John Foley; George Hayward; Stephen Phillips; Charles Sandiford; John Warren; Henry Gorges Dobyn Yate.

<sup>32</sup> William Bromley Chester; Sir William Codrington; Sir Thomas Crawley-Boevey; James de Visme; Alexander Edgar; Thomas Griffin; Sir John Guise; Charles Hayward; Charles Tirrell Morgan; George Talbot; John Webb; Clergy:

LOCAL GOVERNMENT IN GLOUCESTERSHIRE

Rev. Charles Bishop; Lewis Clutterbuck; Benjamin Grisdale; Samuel Pickering and William Sandford.

<sup>32</sup> Jeremy Baker; Thomas Bush; Joseph Cripps; Joseph Harford; Charles Joseph Harford; Sir Howe Hicks; Michael Hicks-Beach; Benjamin Hyett; John Parker; William Prinn; Samuel Shepphard; John Small; Edward Southwell; William Hayward Winstone; Henry Wyatt; William Yarnton Mills; Clergy: Rev. William Barry; Thomas C. Cox; Charles Coxwell; Peter Hawker; Benjamin Field, William Holwell; John Pelly; J. A. Small; William Shippen Willes; Reginald Wynniatt; W. D. Tattersall.

<sup>34</sup> Isaac Austin; Anthony Austin; Samuel Blackwell; Estcourt Cresswell; Henry Creswick; Wincombe Henry Hartley; Thomas Masters; Thomas Rottatsy; Joseph Pyrke; Powell Snell; Robert Timbrell; Samuel Peach; John Wall; Rev. J. Hippisley; T. Leigh; J. Martin.

<sup>33</sup> Earl Bathurst; Duke of Beaufort; Earl of Berkeley; Marquis of Worcester; Lord Ducie; William Bayly; William Buckle; Thomas Estcourt; Charles Edwin; Thomas Farr; George Hardwicke; Nicholas Hyett; Robert Jackson; Nigel Kingscote; Robert Kingscote; Charles Leigh; Richard Nelmes; Edmund Probyn; John Shepphard; John Selfe; Richard Selfe; Thomas Tyndale; Thomas Haynes; William Bateson; Francis Boughton; Roynon Jones; George Skipp; Thomas Walker; George Withers; Rev. J. de la Bere; C. J. Selwyn; Isaac Webb Horlock.

<sup>34</sup> In Wiltshire, for example, the adjournment of the Court to four different points of the county meant that there were virtually four bodies of magistrates. It was much the same in several other counties. In Derbyshire the court migrated between Derby, Chesterfield, and Bakewell (J. C. Cox, *Three Centuries of Derbyshire Annals*, 1890, I, p. 7), and in Nottinghamshire the Court met at Nottingham, and was then adjourned to Newark and East Retford (J. D. Chambers, *Nottinghamshire in the Eighteenth Century*, 1931, p. 51.) Justices restricted their attendance to the nearest courts, and "the result was that the administration of county affairs tended to become split up among three co-ordinated groups of justices, each responsible for its own district." In any major undertaking such a system could become a considerable handicap. The attempts at prison reform in Wiltshire, especially after the 80's and the disappearance of Lord William Seymour, show confusion and inability to sustain any clear policy. "The dispersal of effort native to Wilts administration had led to money being spent to no very good purpose." The story is one of "restless alternations, improvements, expense, and sudden economy" (W. R. Ward, *County Administration in Wilts 1660-1835*, V.C.H. Wilts.)

<sup>37</sup> William Buckle; Francis Boughton; Charles Edwin; Robert Timbrell; William Yarnton Mills; George Trubshaw Withers; John Wall; John Webb; Thomas Walker.

<sup>34</sup> William Bayly; Joseph Cripps; Sir Howe and Sir William Hicks; Michael Hicks-Beach; Charles Henry Leigh; Thomas Masters; Charles Tirrell Morgan; John Parker; Edmund Probyn; Roynon Jones; William Vecl.

<sup>35</sup> Thomas, Samuel and Charles Hayward; Lord Ducie; Sir Thomas Crawley-Boevey; Thomas Baghot de la Bere; William Prinn; John Small; Joseph Pyrke; Edward Southwell; William Hayward-Winstone; William Bateson; George Skipp.

<sup>40</sup> Thomas Estcourt; Sir William and Sir John Guise; Nigel and Robert Kingscote; Richard Nelmes.

<sup>41</sup> Sir Charles Barrow; William Bromley Chester; Sir William Codrington; Thomas Haynes; Benjamin and Nicholas Hyett.

THE JUSTICES OF THE PEACE

<sup>42</sup> Samuel Blackwell; Robert Campbell; Estcourt Cresswell; James de Visme; Dodington Hunt; Thomas Mee; Powell Snell; Sir William Strachan; Henry Wyatt; Samuel Peach; George Talbot; Winchcombe Henry Hartley.

<sup>43</sup> Sir George Oncsiphorus Paul; Nathaniel Winchcombe; Henry Winchcombe; Anthony Austin; Isaac Austin; Thomas Griffin; Thomas Pettat; John and Samuel Shepphard; John and Richard Selfe; John Hollings.

<sup>44</sup> Jeremiah Baker; Thomas Bush; Henry Creswicke; Alexander Edgar; Joseph Harford; Charles Joseph Harford; Thomas Tyndale; Thomas Farr; Samuel Peach; Robert Jackson.

<sup>45</sup> *BCAS* 1878, II, p. 36.

<sup>46</sup> *1682 Visitation*, p. 15.

<sup>47</sup> T. D. Fosbroke, *History of Gloucestershire*, II, p. 419; H. P. R. Finberg, "Kingscote of Kingscote", *Gloucestershire Studies*, 159-74.

<sup>48</sup> *Miscellanea Genealogica et Heraldica*, Fifth Series, Vol. V, Part X, 1925, pp. 313-25.

<sup>49</sup> Rudder, *op. cit.*, p. 622.

<sup>50</sup> A. T. Lee, *History of Tetbury*, p. 202.

<sup>51</sup> Francis Adams Hyett, *The Hyetts of Painswick*, Typescript vol. GRO.

<sup>52</sup> J. H. Brewer, *Declinations of Glos.*, 1824, p. 73.

<sup>53</sup> Rudder, *op. cit.*, p. 217.

<sup>54</sup> *Historical and Genealogical memoirs of the Dutton family*, 1895.

<sup>55</sup> E. S. Bartleet, "Manor and Borough of Chipping Campden", *BCAS*, 1884, IX, pp. 188-91.

<sup>56</sup> A. W. Crawley-Boevey, *The Perverse Widow*, 1898, p. 15; 75.

<sup>57</sup> R. Robson Lowe, *The Codrington Correspondence*, 1951, intro.

<sup>58</sup> "The Genealogist", Oct. 1913, Vol. XXV, Part 2, pp. 73-86.

<sup>59</sup> Vicary Gibbs, *Complete Peerage*, IV, p. 137; Rudder, *op. cit.*, p. 843.

<sup>60</sup> Rudder, *op. cit.*, p. 493.

<sup>61</sup> George Norman, *History of Cheltenham*, 1854, p. 96.

<sup>62</sup> Rudder, *op. cit.*, p. 370.

<sup>63</sup> See p. 48.

<sup>64</sup> *Ibid*, pp. 168-9.

<sup>65</sup> *Ibid*, pp. 49-51.

<sup>66</sup> Jones' Pedigree, p. 235.—GCL.

<sup>67</sup> Court Book of Court Baron of Charlton Kings, 1784-1803, GRO D 109.

<sup>68</sup> Burke, *Landed Gentry*, 1846, I, p. 281. An obituary in the *Gentleman's Magazine* referred to "their more retired station as country gentlemen" although it also paid tribute to them "as distinguished members of the British Senate". *Gentlemen's Magazine*, 1841. Cutting found among the private papers of the Rev. Charles Coxwell.

<sup>69</sup> *BCAS* 1884 LX, p. 281.

<sup>70</sup> R. E. C. Waters, *Genealogical Memoirs of the Chester Family*, 1881, pp. 1-47.

<sup>71</sup> GRO—D 149, ACC 980.

<sup>72</sup> His personal account books reveal betting losses of up to £300 annually. GRO D268. See *Gloucestershire Studies*, *op. cit.*, pp. 195-99.

<sup>73</sup> 13 May 1799, GRO D 149, F 11.

<sup>74</sup> GNQ, III, p. 510.

<sup>75</sup> See p. 25-6.

<sup>76</sup> *Estreats of Fines*, PRO E 362.

<sup>77</sup> Rudder, *op. cit.*, p. 676.

<sup>78</sup> See C. H. Cave, *A History of Banking in Bristol 1899*; Latimer, *Annals*

LOCAL GOVERNMENT IN GLOUCESTERSHIRE

of *Bristol in the Eighteenth Century*, 1893.

<sup>79</sup> George Parker, "Tyndall's Park Bristol", *BGAS* 1929, LI, pp. 123-141. J. H. Cooke, "The Tyndalls in Gloucestershire", *BGAS*, 1877-8, II, pp. 29-46.

<sup>80</sup> See C. H. Cave, *op. cit.*

<sup>81</sup> K. J. Beecham, *History of Cirencester*, 1887, p. 179.

<sup>82</sup> Will, Gloucester probate registry.

<sup>83</sup> GRO D 149, 956: 940.

<sup>84</sup> *The Diary and Correspondence of Charles Abbot, Lord Colchester*, London, 1801, Vol. II, p. 346. Ref. from Webbs MSS, Vol. 124, L.S.E.

<sup>85</sup> *Op. cit.*, p. 351. Cf. the situation in Oxfordshire, D. McClatchey, *Oxfordshire Clergy 1777-1869*, 1960, chapter XII *passim*.

<sup>86</sup> 13 Oct. 1796—GRO D 340, C 33.

<sup>87</sup> Charles Henry Leigh and the Rev. Thomas Leigh; Thomas Baghot de la Bere and Rev. John de la Bere; Thomas, Samuel, Charles and the Rev. George Hayward; John Small and the Rev. Joseph Atwell Small (father and son); Robert D. G. Yate, and the Rev. Henry D. G. Yate.

<sup>88</sup> Geographically an enclave of Worcestershire in Gloucestershire.

<sup>89</sup> N. Sykes, *Church and the State in the XVIII century*, 1934, p. 164.

<sup>90</sup> Diocesan Records, GCL.

<sup>91</sup> In 1796 he presented a memorial to the common council at Bristol asking for a guarantee that on his accepting two Vicarages in Monmouthshire he would not have to vacate either the living of Burnsall, Yorkshire, or the two livings he already held in Bristol. Three years later he had a further request: that he might exchange the living of St. James for the Vicarage of Congresbury and the chapelry of Wick St. Lawrence, and if this were granted he would also exchange the two Monmouthshire livings for the Rectory of Whitestaunton, Somerset, and he added that he also wished to keep St. Paul's, Bristol. Latimer, *op. cit.*, pp. 518-9.

<sup>92</sup> Rudford 1781-88; Elkstone 1779-99; Badgeworth 1779-80; Lower Guiting 1779-80.

<sup>93</sup> His replies to a questionnaire from the Bishops, 1790—GRO D 612.

<sup>94</sup> Coxwell papers, in the possession of Major G. A. Beale-Browne, Hasleton, Glos.

<sup>95</sup> GRO PE 85.

<sup>96</sup> W. Wynn Lloyd, "Bromesberrow", *BGAS*, 1923, XLV, p. 116.

<sup>97</sup> Samuel Blackwell and Thomas Masters were brothers-in-law, as were Sir George Onesiphorus Paul and Thomas Pettat; John Hollings was the son-in-law of Nathaniel Winchcombe, so was Winchcomb Henry Hartley of Samuel Blackwell. John Small's daughter married the Rev. Charles Coxwell, and his son married the sister of Joseph Cripps (whose own daughter married Richard the son of Estcourt Cresswell). Francis Boughton married the eldest daughter of Samuel Sheppard, George Skipp the daughter of Thomas Pyrke. James Webster was related by marriage to the Bathursts, and Benjamin Hyett to the Yates; the Codringtons were related to the Dowdeswells and the Foleys. The last of the Chesters, Elizabeth widow of William Bromley Chester, left her estates to her cousin Thomas Masters; in 1789 Thomas Crawley-Boevey succeeded to the Baronetcy on the death of his kinsman by marriage Sir Charles Barrow.

<sup>98</sup> The Rev. James Benson, for example, married Anne daughter of the second Earl Bathurst; Margaret, daughter of the Rev. Shippen Willes, married Lord Leigh of Stoneleigh; Thomas Estcourt married the Hon. Jane Grimston, elder daughter of James, second Viscount Grimston; James Henry Leigh

THE JUSTICES OF THE PEACE

married Julia, daughter of Lord Saye and Sele.

<sup>99</sup> GRO D 1086.

<sup>100</sup> William Barry owned the manor of Chew Magna in Somerset; Benjamin Field held Potsford from the Bishop of Worcester; Lewis Clutterbuck had lands in Wilts and Somerset; John Hippisley had property in four Berkshire villages; Benjamin Grisdale held the manor of Monhaigh, Mansfield, Notts., and William Lloyd Baker had lands scattered in Oxford, Cheshire, Worcestershire, and Herefordshire, as well as valuable property in Clerkenwell.

<sup>101</sup> Evidence from Wills.

<sup>102</sup> St. Aldwyn papers, PPC/131.

<sup>103</sup> I had hoped to be able to base a trustworthy estimate of the Justices' incomes on the records of the amount they had paid under Pitt's Income Tax of 1798. A search, however, of the sacks at the Public Record Office for the years 1798-1805 revealed that, apart from a very few cases in which individual personal receipts had survived, all that now remains are the totals for the parishes. Between sixty and seventy personal returns for the county included the following Justices:

The Duke of Beaufort	£1,120	Rev. Lewis Clutterbuck	£135
Charles Edwin	£405	Joseph Pyrke	£100
Thomas Masters	£360	Rev. Benjamin Grisdale	£66
Robert Kingscote	£181	Christopher Codrington	£878.
William Yarnton Mills	£174		

Subsidiary Documents of the Receivers Accounts, PRO E182/351-359.

<sup>104</sup> Even by 1800 the local assessors seldom used the printed forms. Though occasionally the names are arranged in alphabetical order, or in order of social status, more frequently the list lacks any system at all. The total holding of every individual owner is not given, but bits and pieces of his land will be recorded at intervals down the page. Quite apart from the appalling spelling, the references are often casual, "the Court House", may mean a whole family, "Mr. Sheppard" might refer to Edward, Samuel, or Philip. More serious is the confusion between tenants and proprietors, which may be responsible for the discrepancies in the taxes recorded for one man over a period of years in the same parish. A page of corrections found among the Dursley bundle for 1800 shows how wide a margin of error was possible, and such a note as this for Oldland in 1800 is hardly reassuring: "Esq. Winstone's Land Tax being Purchased and not known Untill this Late was Made out, and entered in the Name of Robt. Williams, Tenant." Occasionally there is a note from the assessor explaining that as the result of a recent enclosure it had not been possible to make any assessment that year. The returns have, in fact, proved extraordinarily incomplete, for not only are whole hundreds frequently missing, but the returns of many parishes have been lost. In some cases the nearest year to the missing date that I have been able to find has been eight years later, which makes any really accurate work impossible. The totals for the year 1800 are however set out in the appendix, and they may be used to give some general indication of the wealth of the Justices, though all conclusions to be drawn from them must naturally be only tentative.

<sup>105</sup> GRO D326/375.

<sup>106</sup> Lord St. Aldwyn's papers, EMM/10/2 and EMM/18/2.

<sup>107</sup> Evidence from his personal accounts, GRO D 589.

<sup>108</sup> GRO D23/38.

<sup>109</sup> GRO D326/375.

<sup>110</sup> BGAS, X, 1885, p. 227.

LOCAL GOVERNMENT IN GLOUCESTERSHIRE

- <sup>111</sup> R. Robson Lowe, *The Codrington Correspondence*.
- <sup>112</sup> W. R. Williams, *Parliamentary History of Gloucestershire*, p. 171
- <sup>113</sup> C. H. Philips, *East India Company 1748-1834*, 1940, Appendix 1.
- <sup>114</sup> *The Genealogist*, XXX, 1913, Part 2, pp. 73-86.
- <sup>115</sup> BM Add. MS. 38, 248 f.279.
- <sup>116</sup> William Barry had £1,400 in 3 per cent Consolidated Stock; William Holwell £800 in New South Sea annuities, and £4,500 in South Sea annuities; Charles Coxwell £7,600 in government securities, and £1,800 in 3 per cent consolidated bank annuities; John Hippisley £5,000 in 3 per cent, and £4,000 in 4 per cent Bank annuities, and two shares in the government tontine of 1739.
- <sup>116a</sup> Charles Edwin to John Parsons, 27 Sept., 1789. GRO D214/87.
- <sup>117</sup> *Op. cit.*, p. 368.
- <sup>118</sup> *Annals of Agriculture*, 1795, XXX, p. 61.
- <sup>119</sup> *Annals of Agriculture*, 1786, XXI, f. 136.
- <sup>120</sup> BM Add. MS 35, 127, p. 368.
- <sup>121</sup> 12 Aug. 1795, *HMC Verulam*, pp. 158-9.
- <sup>122</sup> BM Add. MS 29, 194 f. 126.
- <sup>123</sup> *Cumberland Letters*, ed. Clementina Black, 1912, p. 98.
- <sup>124</sup> GRO D612.
- <sup>125</sup> BM Add. MS 39, 194, f. 126.
- <sup>126</sup> GRO D269, Acc. 283, No. 61.
- <sup>127</sup> St. Aldwyn papers, PPG/123/1.
- <sup>128</sup> *Annals of Agriculture*, 1799, XXXIV, p. 48; pp. 151-5.
- <sup>129</sup> —to the Bishop of Lincoln, 23 Jan. 1797. Lloyd-Baker papers.
- <sup>130</sup> *Gentleman's Magazine*, Aug. 1810, p. 193.
- <sup>131</sup> GRO D589.
- <sup>132</sup> Glyn Daniel, *A Hundred Years of Archaeology*, 1952, p. 22.
- <sup>133</sup> A Catalogue of extraneous fossils, animal and vegetable minerals etc. in the possession of the Rev. Peter Hawker at Woodchester Rectory, Stroud, 78 pages, GCL R. 348, 4.
- <sup>134</sup> Walpole's Letters VI. p. 107. Inviting Isaac Heard to visit him, Holwell wrote: "You shall meet indeed with a most hearty welcome, but I will not promise for the entertainment . . . I am just now in one of the pleasantest spots in the Kingdom, with ye worst Parsonage House. My Curate lives in it, and I board." William A. Caffall, *Bulletin of Society of Thornbury Folk*, No. 20, pp. 263-6.
- <sup>135</sup> *Gentleman's Magazine*, 1798, p. 258.
- <sup>136</sup> BM Add. MS 30, 873, ff. 193, 202-8.
- <sup>137</sup> William A. Caffall, *op. cit.*, p. 266.
- <sup>138</sup> *Gentleman's Magazine*, 1823, XCIX, p. 88.
- <sup>139</sup> An Expostulatory Letter to the Rev. W. D. Tattersall A.M. in which the bad Tendency of the admission of stage amusements, in a religious and moral point is seriously considered. GCL R. 354, 4.
- <sup>140</sup> Paul to Sir William Guise, 2 May 1809—GRO D589. In January of the same year Nicholas Webb wrote to John Parsons: "A meeting of a few of Mr. Chester's friends is fixed to be held as privately as possible at Glos<sup>r</sup> on Thursday sennight, sessions weck." 4 Jan. 1780—GRO D214/14.
- <sup>141</sup> GRO D1018.
- <sup>142</sup> A letter in the possession of G. W. Counsel in 1830, and printed in Bennett's *History of Tewkesbury*, 1830, p. 259.
- <sup>143</sup> S. Whitcombe to John Parsons 18 Dec. 1780. GRO D214/137. A few days

THE JUSTICES OF THE PEACE

earlier he had made almost the same comment, "Mr. Buckle is now out upon a Canvass . . . Since writing the above Mr. Buckle has called—He has been at Tirley, Hasfield etc. and has had great success—I think near 5 and 20 out of 30." He was a supporter of Dutton. As returning Officer in the election of 17 he had been accused by the defeated candidates of conducting the poll "with undisguised partiality" in favour of James Martin and Sir William Dowdeswell. Bennett, *op. cit.*, p. 261.

<sup>144</sup> Agitation might begin as much as a year beforehand. Welles noted in his diary for October 2nd 1739: "A prodigious appearance of Lords and most of the topping gentlemen of the County in order to make an interest against the next Election for the Knights of the Shire, this not expected till May come twelvemonth." *Law Magazine*, 1861, XII, p. 117.

<sup>145</sup> John Pitt to Lord Hardwicke, 8 Oct. 1763. BM Add. MS 35, 692, 157-8.

<sup>146</sup> To John Parsons, 12 and 15 Dec. 1780. GRO D 214.

<sup>147</sup> BM Add. MS 38, 447, f. 104, 310.

<sup>148</sup> PRO HO 42/21.

<sup>149</sup> BM Add. MS. 37, 809 f. 51.

<sup>150</sup> See P. T. Underdown, "Burke's Bristol Friends", *BGAS*, 1958, LXXVII, pp. 127-50.

<sup>151</sup> Lord Berkeley, Sir William Guise, Sir G. O. Paul, Thomas Mee, Rev. Charles Bishop, Rev. J. A. Small, Benjamin Hyett, Sir Charles Barrow, Thomas Crawley-Boevey, John Webb, Powell Snell, Thomas Masters, Winchcomb Henry Hartley, Joseph Pyrke, Thomas Bush, Alexander Edgar, Edmund Probyn, Richard Selfe, Rev. Charles Coxwell, Rev. Peter Hawker, Rev. Reginald Wynniatt, Joseph Harford, Anthony Austin, Estcourt Cresswell, Thomas Parker, Charles Tirrell Morgan, Rev. Thomas de la Bere, Sir John Guise, Sir William Codrington. Minute Book of the 1780 Reform Association. The Association is discussed more fully, and set in the context of the national movement for reform in my article "The Gloucestershire Association for Parliamentary Reform, 1780", *BGAS*, 1956, LXXV, pp. 171-193.

<sup>152</sup> Paul to Sir William Guise, 2 May 1809, GRO D589.

<sup>154</sup> Paul to Wyvill 29 Oct. 1782. *Political Papers*, IV, p. 239.

<sup>155</sup> The petition as finally presented omits one of the resolutions made by the committee at a general meeting on 18 April 1780, where these good country Whigs protested violently at the "ruinous Expences of Elections, whereby Men of old and respectable Families, of approved Principles and Abilities, are frequently deterred from offering their services and (opulence being indispensable) the Representation falls Prey to Men without any other Pretensions . . ."

<sup>156</sup> Wyvill, *op. cit.*, pp. 241-3.

<sup>157</sup> *Ibid.*, pp. 206-9.

<sup>158</sup> Holwell to John Wilkes, 20 Feb. 1790. BM Add. MS. 30, 874 f. 8.

<sup>159</sup> BM Add. MS. 30, 873, f. 208. 12 Dec. 1783.

<sup>160</sup> "Can it be supposed Sir, that I who never hunt can possibly *wish* your hounds to draw my covers?" GRO D471/C1.

<sup>161</sup> GRO D340/C33.

<sup>162</sup> 27 Sept. 1793. Lloyd-Baker papers.

<sup>163</sup> In Wales where the dearth of J.P.s was acutely felt this had already been the practice from the sixteenth century. Sir John Wynn, in the commission of the Peace for two counties, felt himself "oppressed by the burden". In the late sixteenth century distribution in Pembrokeshire was very uneven, with two hundreds entirely without Justices, and the presence in the Commis-

LOCAL GOVERNMENT IN GLOUCESTERSHIRE

sion of men from Cardigan and even Radnor helped little. T. R. Lewis, *Local Government in Wales 16-18th Centuries*. Ph.D. thesis, London, 1941, p. 58.

<sup>164</sup> "Charges delivered to the Grand Jury 1798-1804", by the Rev. John Foley A.M., Chairman.

<sup>165</sup> *HMC Verulam*, pp. 164-6.

<sup>166</sup> This point is more fully discussed in my *Justice of the Peace*, 1968, chapter V, pp. 1-5.

<sup>167</sup> "Proceedings of Court, and Declaration by J.P.s of their Attachment to the Constitution", Jan. 1795. GRO pamphlets.

<sup>168</sup> Foley, *op. cit.*

<sup>169</sup> The activities of the reformers aroused mirth or scorn. "The Pamphlets you sent me are Indeed Replete with Ignorance and Falsehood—I at first laughed at the attempts of the Manchester Fanatics, but now find it is a serious business taken up warmly by Mr. Wilberforce and others." Samuel Span, Bristol skipper to Sir W. Codrington, 20 Jan. 1789, Robson Lowe, *op. cit.*, p. 31.