

Parish Constables of Berkhamsted

by Linda Rollitt

At Berkhamsted Museum, the Local History Society is caring for an old Constables' Accompts book, which tracks the activities of the various incumbents of this challenging role from 1748 to 1819. The book sets out the accounts of each pair of constables, elected at the regular Vestry meeting, as they took their turn each year from Michaelmas (in September).

In 1885, the book belonged to William Philbey of High Street Berkhamsted, a boot-making son of Eliza Philbey, a laundress. Henry Bussell proudly wrote his name in the front of the book as "Constable for the King". He took the post for two years from 1785 to 1786.

If you were called upon to serve the community as a parish constable in 1748, you might earn a meager one half penny in the pound, but this had risen to three pence in the pound by 1819. For this you were expected to keep law and order in the parish, which ranged from relieving the poor to attending whippings and hangings.

Most of the Vestry sessions were attended by the Church Warden, the Overseers of the Poor, the constables and other local worthies; their inky signatures appear as proof of their presence in the pages of the Accounts book.

Poor & Sick

According to the Poor Law (established by the Poor Relief Act of 1601 and in place for two centuries), each parish was responsible for its own poor. Only the "idle poor", the so-called "sturdy beggars", were to be whipped and returned to their place of birth.¹

The Overseers named in the book were appointed by the Vestry into this unpaid post, with mainly financial duties, to supervise the collection and distribution of the poor rate. Poor men, women, children, saylors, soldiers, a soldyers widow, a disbanded soldier, a traveling family, an old weaver, ill women, women with a pain – each received a few pence in relief.

Berkhamsted was a singularly unhealthy town, described by a contemporary account as a truly miserable place to live "stretching as it did along the southern side of a swamp".² The Pest House was "a very necessary institution when small-pox, cholera and other diseases were rife".³ Here are a few examples where the sick and injured were relieved:

- ◆ Relieved a Big belly'd woman & child, 1s. 6d.

¹ *Hutchinson's Encyclopaedia* gives an interesting account of the Poor Law

² *Berkhamsted An Illustrated History* by Scott Hastie

³ *A Short History of Berkhamsted* by Percy Birtchnell

- ◆ Expenses taking up Forster on Nashes Acct when his leg was brock, 1s. 8d.
- ◆ Expenses concerning Wm Tomlin son being brought from Denham with the small pox and going to Albury, 6s.
- ◆ Relieving people going from the Pest House, 6d.
- ◆ Gave a Poor Man Discharged Out of St Thos Hospital Uncurable, 4d.
- ◆ Expenses Man bad at the Gaol in fits, 2s. 6d.

It was only people that were officially “settled” in Berkhamsted that were entitled to claim poor relief. It was the constable’s job to check settlement qualifications and some people were forcibly returned to their own parish:

- ◆ Gave Jos Trolls Boy to go home to his Parish & Expenses, 5s.

The Workhouse Act of 1723 required parishes to build workhouses to accommodate the poor. In 1767, George Hoare was appointed Governor of the Berkhamsted Workhouse⁴. He was given £28 per calendar month with which to feed and clothe the inmates, pay for their medicines and undertake “to deliver them up to the parish authorities in a good condition for work”. He must have been a busy man because George Hoare did a stint as a constable in 1767-1768 and his name also appears as keeper of the Bridewell prison. Things did not always run smoothly at the Workhouse:

- ◆ Attending of the Workhouse on account of a Riot 2 Nights, 2s.

Trades folk

One of the first constables to enter his accounts in 1748 was John Maletrott. He was a barber and inn holder who was born about 1721 in Hemel Hempstead and died in 1795 in Great Berkhamsted. Many of the pubs of Berkhamsted are mentioned in the accounts book, particularly the King’s Arms which was used as a meeting place. Lists were kept by the constables of victuallers, tenants, lodgers, jury men and even “substantial housekeeps”.

There are entries in the book where someone was “paid for crying the hogs down” in 1769 and “paid Potter for crying the hogs” in 1804, perhaps from Berkhamsted Common. He got sixpence for his trouble. By 1811, Thomas Matthews recorded that he “Recd a letter from Mr Groves to put up paper to keep Hogs in”. Maybe Potter became a nuisance with all that shouting. He appears again in 1814 though, still crying hogs. Maybe this was just a euphemism for town criers, as he appears again “crying down fireworks”.

Robert Harcourt Loader was an active participant in the Vestry meetings. He took office as constable, Overseer and was Church Warden for many years. By trade, he was a carpenter, so his bills are recorded in the accounts book. He was paid £33 to strengthen the Bridewell, but desperate men still broke out. The handcuffs, keys and locks to the “cagge door” and the stocks needed to be mended and replaced on a regular basis:

⁴ *A Short History of Berkhamsted* by Percy Birtchnell

- ◆ Paid Jos Hoare for a Lock for ye Stocks, 2s. 6d.

Jeremiah Pocock was called upon to help out “when ye bridge was repairing”. In fact the bridges of the town seem to have needed a lot of maintenance over the years and some of the repairs were quite expensive:

- ◆ Paid Richd Bunn for repairing St John’s bridge, £3 15s. 8d.
- ◆ 1791 Nov 1st Memmorandum The Bridge in Castle Street Repaired by Thos Archer the Tennant of John Rooper Esq at their own expence.
- ◆ Expenses going to Mr Haylons abt Ravens Bridge, £2.

Local Gentry

It is clear in the book that the constables deferred to higher authority, members of the local gentry.

Thomas Herbert Noyes was a prominent member of Berkhamsted’s community in the earlier years of the book. At some stage, Thomas had perused the Accounts book and found many examples of entries that he deemed should not be there. For instance, in 1761 he wrote that “conveying offenders to Gaol”, “conveying vagrants” and “expenses of a Coroner” should have been paid for out of the County Stock. He wanted to curb other activities as well:

“...nor for watching and warding at fairs or other times unless by special order of some Justice of peace neither are they to make any new works or repair any old bridges without the approbation of the parish in vestry or an order from a Justice of peace.”

Again in 1767, Thomas finds evidence in the accounts of leniency at the expense of the Vestry – the granting of perks to the local workmen. Thomas writes,

“When Workmen Carpenters Bricklayers &c are employed to do parish work I see no reason for giving them Beer over & above their wages; I will allow no such charge.”

Mr William Duncombe gets several mentions throughout the book, for example:

- ◆ To charges going to Aldbury after Mr Duncomb’s man, 2s. in 1751
- ◆ For taking a madman to Mr Duncombs. Paid a man to assist, 1s. 6d. in 1765

Mr Dorrien appears in the accounts from 1780. There are the usual orders for relief to be given or a succession of men being taken to see Mr Dorrien, but also some intriguing entries:

- ◆ Giving Notice to the Shops &c not to Sell on Sunday Mornings by Mr Dorriens order, 2s.
- ◆ Expenses Going with the Overseer to Order a Showman Out of the Parish & going to Mr Dorriens, 1s.
- ◆ Paid by order of Mr Dorrien to rub out Burdett, 18s.

In 1814, Steven Norris gets to meet Lord Bridgewater himself:

- ◆ Going with Mr Wheeler to Ld Bridgewater on Parish Business, 2s. 6d.

On Watch

When George II died of a stroke and George III became King at the age of 30 in 1760, the local constables were each paid 2s 6d for watching on Proclamation night.

From 1772, many constables mention “watching at Gunpowder Treason”, presumably the townsfolk must have lit a bonfire. The constables were usually on watch at other annual festivals, the King’s birthday, Whitsuntide, St James’ Day and Shrovetide.

Sometimes there was feasting, as for an unspecified Proclamation in 1784:

- ◆ Paid for a Ribb Spear & Legg of Mutton at the Swan for the Proclamation, 13s. 7½d.
- ◆ Paid for Bread Dripping &c for D^o, 8s. 4d.

Highways & Turnpikes

The Sparrows Herne Turnpike was about 26 miles long and ran from Bushey, through Watford, Kings Langley, the Boxmoor area of Hemel Hempstead, Berkhamsted and Tring. The constables attended turnpike meetings.

The constables paid for Vestry orders to choose the surveyors of the highways and to pay their expenses. There must have been some signs on the road at each end of the town:

- ◆ Paid Mrs Norman for Painting & Writing the Boards at Towns Ends, 12s.

The next entry conjures up a comical picture; a form of transport whose function must have changed since 1801:

- ◆ Gave a Man to Drive the Wheelbarrow, 1s.

Militia

Pitt's Militia Act of 1757 meant that the constables had the job of collecting lists of people called up to replace the foreign troops that had previously been paid to defend Britain during the Seven Years War.⁵

There are many references to this activity, along with quartering soldiers (i.e. finding them lodgings), pressing wagons or carts, horses, baggage and even men, keeping them in hold until they could be transported in the wagons. Sometimes the constable had to perform these duties during the night. The Queens Royals, the Blues, 1st and 9th Dragoon Guards and the 15th Huzzars were some of the beneficiaries of this bounty. The constables also had to be on the lookout for deserters.

There was renewed activity in 1803 with constables collecting information:

- ◆ Paid for 400 Militia Bills, £1 4d.
- ◆ 3 Days examining the Militia 7s.6d.
- ◆ 2 days going round the town to set down the ages between 17 and 55, 5s.

Meting out Justice

Whilst many constables of this period were worthy and upright citizens, some were barely more responsible than the folk that they were arresting and the accounts of Berkhamsted show that a couple of the constables were themselves brought to justice for their misdemeanours. Here is an example:

“... Edward Collyer has proceeded in Law against Robert Bates one of the present Constables of the said parish for a Breach of Duty in Executing his Office towards keeping the peace on Sunday the 12th day of April last.”

Many of the miscreants of the day were arrested and placed in the Bridewell, built in 1764 and whose cell was described as “a dungeon, a most dreadful hole without air”.⁶ Here is one lady that experienced this first hand:

- ◆ To expenses and attendance taking and keeping in custody Elizabeth May and for Horse and expenses hauling her to Justice and carrying her to Bridwell, 19s.

It was interesting to find that streakers are not just a recent phenomenon:

- ◆ Expenses taking up Jo Grove for running about naked in Frogmoor, 1s.4d.

⁵ *This Sceptred Isle 55BC-1901* by Christopher Lee for BBC

⁶ *A Short History of Berkhamsted* by Percy Birtchnell

Maybe some folk escaped justice. Thomas Pate in 1805 writes about his experiences in hunting down one man, but it is not clear if he caught him:

- ◆ Bennings summons, 1s.
- ◆ Paid informant to seek after Benning, 4s.
- ◆ Seeking after Benning until 2 o'clock in the morning, 2s.
- ◆ Going twice to Grange Farm Wigginton and up all night after Benning, 4s.

Bastardy

There are several mentions of men being apprehended, taken up, being served warrants or being kept in custody on account of bastard children. For example in 1761:

- ◆ To expenses taking up Joseph Brandon keeping him all night charged with a bastard child and going to Hampstead for a Lyconey [licence?], 5s.

In those days the Poor Law dictated that the alleged father was responsible for maintaining the child and if he failed to do so, he could end up in gaol. In the 1740s, the child would have the settlement of its mother (in other words, the parish where she lived was responsible for them). The Poor Law also stated that the mother was to be publicly whipped.

The constables seem to have gone to some trouble to assist Erasmus Holly to get married. The entries in the accounts book are:

- ◆ To expenses taking up keeping of Erasmus Holly when he was married, 11s.
- ◆ Expenses going to Redborn with Erasmus Holly and Horse hire, 10s 6d.

The marriage can be found in the parish records on 16 Jun 1748. Ann Gouldston was the lucky lady for what looked like a shotgun wedding.

Jacob Puddiphat, born about 1759, was in receipt of a warrant and was attended to his wedding by constable Henry Bushell. It was Sarah Rolph's happy day on 26 Jan 1784.

Whippings & Hangings

Whippings were a fairly common form of punishment in the 1800s - it was possible to buy a whip of nine tails for 1s. in 1760. Here are a few examples of unfortunates who probably endured their humiliating lashing in full view of people stopping by at the market house for their vegetables.

- ◆ To expense when Jane Jonas was whipped, 3s.
- ◆ To expenses having Pudd before the Justice and having him Whipt, 8s. 3d.

- ◆ Taking up Eggleton Tratt and being whipt, 4s.
- ◆ Paid John Pudd for whipping man at Stocks, 3s. 6d.
- ◆ Paid Stocksley for Wipping Wm Knott, 4s. 6d.

As it is 53 years between the two events for a chap called Pudd, it is unlikely that the same Pudd was wielding the whip as had been on the receiving end.

In the accounts of constable Joseph Fallows in 1775 there is an intriguing entry

- ◆ Paid for hanging 3 dogs, 1s'.

What the dogs had done to deserve this treatment?⁷ It is not clear if the dogs of Berkhamsted had committed a crime or if they were tried and found guilty before being hanged. Nowadays, they would be taken along to the vet for a lethal injection.

It was the age of highwaymen and the constables were sometimes called upon to scour the local alehouses for these villains. It was William Shakespear, who was a constable in March 1802 that received 5s for attending the execution of James Snook, probably to help control the “motley crowd” (reported in an eyewitness account published in the Gazette in Jan 1899). Snook’s gravestone can be seen on Boxmoor, where he was hanged close to the scene of his crime.

Conclusion

The book ends in 1819 almost in mid sentence, so there must be later accounts books to carry on the tale. What a fascinating insight into the back streets of Berkhamsted!

⁷ There is a report from 1595 noting that a dog was executed “for inflicting a fatal injury on a child's finger”. In his book, *The Criminal Prosecution and Capital Punishment of Animals*, 19th century American scholar Edward Payson Evans records about 200 animal trials that took place, mainly in Europe, in the Middle Ages. Some went to the bizarre extent of dressing the animals in human clothes.