The Justicing Notebook (1750-64) of Edmund Tew, rector of Boldon, ed. Gwenda Morgan and Peter Rushton

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- 1 One of the more peculiar forms of documentation created by the English criminal justice and local administrative systems of the seventeenth and eighteenth centuries was the justice's notebook. The justices of the peace, those local gentry and other notables upon whose efforts as amateur administrators so much depended, were encouraged to keep notebooks in which they would record their activities. A few of these notebooks survive, and the best of them provide useful and at times fascinating insights into the running of local government and local law enforcement. The volume under review here is a very welcome addition to the body of these notebooks which have appeared in print. Gwenda Morgan and Peter Rushton are experts in the history of crime in the north east of England in the eighteenth century, and have produced a well edited volume which is well up to the standards of the Surtees Society, a body which has from the 1830s published records relating that region.
- 2 Although complete certainty is impossible to achieve, there is every reason to accept that this notebook, currently held in the Durham County Record Office, can be attributed to the Reverend Edmund Tew, rector of Boldon in that county between 1735 and his death in 1770. Tew, the himself the son of a clergyman, was born in

Northamptonshire in 1700, educated at Cambridge, began his ministry there, and then served ten years as vicar of a rural parish in Cambridgeshire before being appointed to the living of Boldon. The living was a well provided one, and his will demonstrates that Tew died a moderately wealthy man. He also involved himself actively in local affairs, and, in particular, served as a justice of the peace from 1750 until his death, although old age meant that he became steadily less active during the 1760s. Tew was one of those increasing number of justices of the peace who were clergymen, a phenomenon which became more marked as the eighteenth century progressed, and which was especially common in County Durham, where the Bishop continued to exercise considerable influence over appointments to the bench. Boldon itself was a prosperous rural parish, but Tew's business also extended over the affairs of a number of neighbouring parishes which were firmly enmeshed in the ever burgeoning industrial activity of the region, notably the mining of coal and the shipping of it out from the north – east, notably to the constantly growing London market. These included the Tyneside parish of South Shields, heavily involved in salt production, and the Wearside settlements of Sunderland and Bishopwearmouth, with a joint population of 8,000, heavily involved in shipping coal. The Sunderland keelmen, in particular, had the reputation of being a criminous and riotous body of workers.

- 3 As with most justices's notebook, that of Edmund Tew is stronger on providing details of routine administration rather than of the spectacular case. One of the justices's major responsibilities was the taking of depositions, pre – trial statements from the accuser, the accused, and witnesses in criminal cases. These depositions, only a small proportion of which survive, are invaluable in providing qualitative insights into criminality, but, although Tew would have taken many of them, he reproduces none in his notebook. Rather, even in cases of serious crime, it is the bare details which are noted, usually based on warrants Tew issued and, frequently, the solution of disputes. The notebook is, indeed, especially interesting in providing evidence of how disputes between parties, which might have led to criminal prosecutions, were frequently settled between the parties in dispute, usually by a monetary payment, and usually with the compliance, and perhaps sometimes even the encouragement, of the justice of the peace. Tew notes a few cases of serious crime in which he committed offenders for trial at the assizes or quarter sessions: but most of his activities concerned more routine matters and more mundane offenders. Bulking large among these were petty assaults and threats of violence to persons or property, cases arising from disputes over apprenticeship, disputes over wages, disputes between servants as masters, and thefts, most of these being fairly petty, cases arising from the administration of the poor law, and bastardy cases.
- 4 Tew's notebook, like that of other justices of the peace, allows us to get into the enforcement of the law on a very local level. It demonstrates how far the process of local administration reached deeply into the lives of the population, but also how that population were used and wiling to take a wide range of disputes to the justice of the peace. That many of these cases, some of which, as we have noted, could have led to a criminal indictment, were agreed among the parties involved (often with money compensation being paid) provides yet more evidence of the flexibility of early modern legal systems, and deepens our pessimism about how accurate a guide to the criminality of the period the indictments tried at the assizes and quarter sessions were. Morgan and Rushton are to be congratulated for their skill in producing such a fine

edition of this enlightening text, which adds significantly to our understanding of eighteenth – century law enforcement.

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