

# Lexden History Group



Memorial Tree Planting in memory of Tim Holding

- **TALES FROM THE CHURCHYARD -  
ARTHUR THOMAS OSBORNE and ALTNACEALGACH HOUSE**
- **COURT APPEARANCES OF LEXDEN PEOPLE 1772-1790  
Part 1 - The Seamy Side of Life**
- **PETER SCHUYLER BRUFF, LOCAL CIVIL ENGINEER**

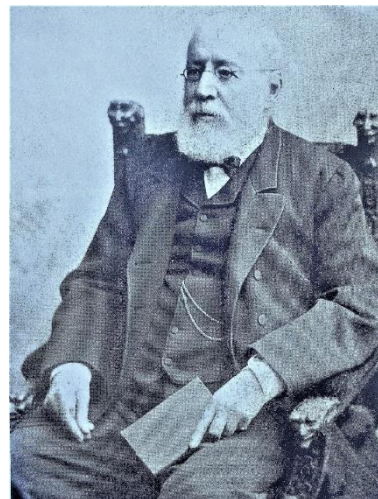
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You have probably heard of Peter Bruff (no not Peter Brough the ventriloquist of my childhood. It seems bizarre now that a ventriloquist was on the radio!). Peter Bruff was a British civil engineer best known for the founding of Clacton on Sea, improving the lives of residents of Walton, Colchester and Harwich and the viaduct at Chappel. (*below, courtesy engineering-timelines.com*)

Peter Schuyler Bruff was born on 23<sup>rd</sup> July 1812 in Portsmouth and received his early training from the renowned civil engineer, Joseph Locke, and then in about 1840 joined Eastern Counties Railway (ECR) where he worked on building the line from Shoreditch to Colchester. Two years later he was sacked because he was spending too much time developing Colchester port and not the railway. It was always his dream to continue the Colchester line to Ipswich and ultimately Norwich but ECR did not have sufficient funds.

With the help of John Chevallier Cobbold and some disgruntled directors of the ECR, the Eastern Union Railway (EUR) was set up in 1845 and Bruff eventually was appointed manager and company engineer building his dream line which included the 361 yard tunnel through Stoke Hill at Ipswich railway station. Joseph Locke was the consulting engineer but Bruff managed the whole operation and when the EUR was absorbed by ECR in the 1850s he was appointed their Chief Engineer. The line was later continued to Bury St. Edmunds and Norwich. Eventually in 1862 EUC and other groups were amalgamated into the Great Eastern Railway Company. Many of today's branch lines were planned by Peter Bruff including Colchester to Walton-on-the-Naze and Clacton. At first the Great Eastern Company mainly depended on agricultural traffic but Bruff he lived long enough to see connections through Lincoln to the North of England and to the continent.



Whilst working with ECR Bruff designed the 1066 ft long Chappel Viaduct (*left*) which was constructed between 1847 and 1849 and carried the Sudbury line across the Colne Valley. Its 32 arches, each with a span of 30 ft, still carry it over the River Colne. It used 7 million bricks and is the 2<sup>nd</sup> largest brick built structure in England after Battersea Power Station.

Bruff picked bricks rather than the original choice of laminated timber partly because it was cheaper to maintain (timber needs to be treated periodically). Isambard Kingdom Brunel (1806-59) disagreed that there were cost advantages but Bruff's design went ahead with George Wythes (1811-83) as the builder. Good brick earth was discovered at Mount Bures and so the bricks were made in a nearby yard less than a mile from the site. The workforce of over 600 men, many of whom were accompanied by their families, were housed in temporary dwellings on Wakes Colne Green (now Chappel Millennium Green). On 14<sup>th</sup> September 1847, a commemorative stone was laid by EUR Chairman T L'Estrange Ewen and his Deputy, WW Hawkins, using a silver trowel in presence of the board of directors and workers dressed in white frocks and straw hats. One director was JP Osborne. (see Osborne article on page ?????) Under the stone was placed a bottle containing a newly minted sovereign, a half sovereign, a shilling sixpence and a four-penny piece. While refreshments were being served in a marquee it was announced that the bottle and its contents had been stolen. Later that night a suspiciously new sovereign had been paid to the barmaid at the Rose and Crown in Chappel, leading to the arrest of a bricklayer from Norwich who had been on the platform at the time of the stone laying ceremony. He subsequently appeared in court charged with stealing. The silver trowel (*right*) is now in the Silver Gallery of the Victoria and Albert museum in London on loan from the National Railway Museum. At the base of the carved wooden handle of leaves and acorns is a metal crown with leaf decoration.



£1 11s 10d from the company, but his efficient lawyer argued that the company "had no property in the money" and the case was dismissed. The foundations were finished in February 1848 and except for the parapets the structure completed by February 1849 at a total cost of about £21,000. The viaduct opened on 2<sup>nd</sup> July 1849 to carry the line from Marks Tey to Sudbury but the expected increase in rail traffic did not materialise and a second viaduct track was never installed. It is the longest bridge in East Anglia and was listed Grade II in November 1967.

In his paper read on 26<sup>th</sup> March 1850 to the Institution of Civil Engineers Bruff, describing construction stated the viaduct's total cost £56 per yard. In the subsequent discussion, Brunel declared that a timber viaduct of similar dimensions would cost £9 per foot but failed to mention maintenance expenses. The paper also noted that no settlement had occurred over the whole structure, either during or since construction. Bruff was so pleased with his creation that he commissioned Frederick Brett Russell RA (1813-69) to paint a landscape of the viaduct crossing the valley. The painting is now in the Ipswich Museum.

Bruff's work was not confined to railway engineering. At the time of the extension of the railway line to Harwich his attention was drawn to the lack of potable water in the town and determined to resolve this not realising the difficulties he would encounter. He hoped to drill through the chalk for water in the lower greensand but after boring over 1,100 feet down he only struck carboniferous limestone and the well had to be abandoned. He had a minor success at Dovercourt but the water was inadequate and of poor quality. He failed again at Bradfield but he struck a good supply at Mistley which was carried to Harwich some 10 miles away. He was also involved in the works for the water supply of Colchester, which was later purchased by Colchester Corporation.

The Official Catalogue for the Great Exhibition of 1851 in London records his entry in Class vii as a model for a proposed national harbour of refuge on the east coast of England with two entrances, one from Hollesley Bay west of Orford Ness and the other from Aldeburgh Bay in the east.

While working on the Ipswich railway line in 1855 he bought a house, Burnt House Farm (*left Water colour W Allcot 1856*) in Walton. He began to develop the town as a recognised holiday resort and having succeeded with the Ipswich line he built



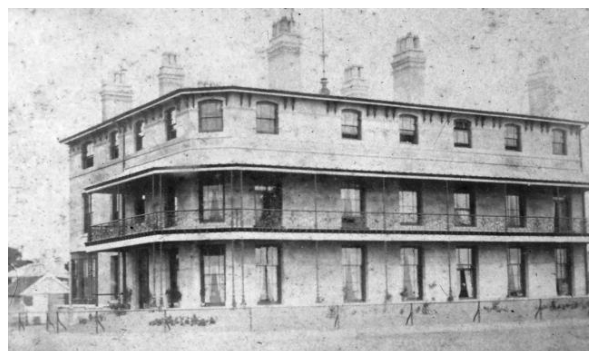
another railway line to Walton in 1867. In 1869 Bruff's pier at Walton replaced a smaller one blown down by a storm and measured 530 feet. He was also responsible for building the Marine Terrace, South Terrace (destroyed by bombing in WW11) and Clifton Baths which today is the Pier Hotel (*on left of picture*).



When Bruff arrived in 1864 Clacton was virtually non-existent. For the work he accomplished there he is regarded by some as the Richard Branson of the 19<sup>th</sup> Century. He made a private deal to buy 50 acres centred

on the pier for around £10,000. Work began and the Times in 1871 wrote "That being an entirely new creation and not the adaptation of an existing town, none of the evils inseparable from the old watering holes will be allowed to exist in it. There will be no slums nor do any object that can offend the eye". His later constructions included the creation of the town centre, a public hall in Pier Avenue, destroyed by a fire in 1939 and the Royal Hotel (*right in 1872*). This was originally pale blue in colour but latterly has had a chequered history being empty but it has now been refurbished and was reopened in 2017.

Bruff envisaged Clacton as a rather smart resort and looked down on Cockney day-trippers. Quite how he would have reacted to news that Clacton relies so





heavily on out-of-work benefits is anyone's guess, although surely nothing could shock him more than Jaywick officially Britain's most deprived area.

Frinton-on-Sea developed as a seaside resort in the late 19<sup>th</sup> century although there had been a settlement there for many centuries being mentioned in the Domesday Book of 1086. However it was probably Bruff's idea in 1864 of a railway line extension from Thorpe-le-Soken to Walton-on-the-Naze, with an "unofficial" halt in Frinton that saw an influx of new visitors. In 1885 the Marine and General Land Company bought up Frinton and the following year published its plans of "broad terraces, squares, crescents, tree-lined avenues and roads". This coincided with Bruff's idea of creating a new town called "Frinton Haven". The growing reputation of Frinton as a weekend resort led to the Great Eastern Railway Company building a station there in 1888. Yet the town still did not grow and by 1891 the population was only 87 possibly because of a poor water supply but Bruff's Mistle supply and the formation of the Tendring Hundred Water Company gave the impetus for Frinton's development. Frinton-on-Sea as it is known today was created by Sir Richard Powell-Cooper. His company had also been involved in the development of Clacton and they bought tracts of land to develop virtually taking it over from Bruff, but using some of Bruff's ideas to ensure that it would not be just another new town.



Peter Bruff lived in Handford Lodge (*left*) in Ipswich from 1846-1900 where his wife lived until her death in 1907 at the age of 102. On one occasion he was travelling by train back to Ipswich and a fellow passenger asked if he knew Handford Lodge. Bruff said he did, without disclosing that he lived there. The man said that when he had been stationed at the barracks, he had attended parties there and at one card party in the drawing room, a lady was accused of cheating. The resulting dispute led to a duel conducted in the room and each gentleman fired twice, both missing. Honour being satisfied, no more is recorded or what Bruff's predecessor in the house thought of the episode. The man said he believed the bullets were still lodged in the wall by the door and

on his return Bruff examined the area. The room was never repapered in his lifetime, the bullet holes being preserved behind two small pictures. Sadly the house was demolished in the 1920s.

Miscellaneous plans from his office included the development of building land in Crouch Street Colchester in 1864, Colchester Water Works and plans for a ship canal to run parallel to the river from the Hythe to Wivenhoe and a 2¼ mile barge canal from the Hythe to Lexden.

In 1880 Peter Bruff purchased for £15,000 the struggling Coalport china works of John Rose and Co in Shropshire. He knew nothing of the business but thought it a good proposition and reinstated the name Coalport China Company. From 1889 his son, Charles, returning from Indian Army service, took over management of the company instigating an extensive export trade to America and Canada in the 1890s. Soon the company resumed its honoured place amongst great porcelain and the works were rebuilt in 1902 on the original site. It was very successful until WW1 when understandably sales fell and the resulting slump in the 1920s led to it being sold in 1925 to Cauldron Potteries.

Peter Bruff died in Ipswich on 24<sup>th</sup> February 1900 and a monument in the Old Municipal Section of Ipswich Cemetery records Peter Schuyler Bruff, his wife Harriett D Bruff and their daughter Kate Garrett née Bruff who died in 1924. He is today remembered in Colchester with a ward in the King's Wood Centre Colchester General Hospital in the Acute Adult Inpatient Service and there are also roads in Clacton and Ipswich named after him.

## TALES FROM THE CHURCHYARD - ARTHUR THOMAS OSBORNE and ALTNACEALGACH HOUSE

To the south of Lexden Church the graveyard extends some distance and halfway along towards the back is a very overgrown grave which originally had a white marble cross on a three tiered pedestal with a kerb. The cross has long been broken and the tiers displaced - a sorry sight. On removing some of the ancient undergrowth one tier could be seen (*right*) with others to the top fallen away, but nothing was legible. However, the Record of Inscriptions at Lexden Church states that remembered on this grave is Arthur Thomas Osborne.



Arthur was born in Colchester in 1830, the son of John Posford Osborne of Great Wigborough and Catharine, who was born in Ardleigh. Catharine was 17 years younger than her husband and had her first child at 16. Thomas was their second son and third child and 14 years later they had another two children. John, who had run Bawtree's Brewery for owners A W Hume, sold off a smaller nearby brewery in 1833 to an ironfounder and bought at auction in February of that year the substantial Brewery holdings in St Botolph's and Stanwell Street, including a brew house, stores, residences, etc, as well as 35 inns and public houses. The brewery was soon producing more than 4000 barrels a year. The boundary of the brewery became what we now know as Osborne Street but it had originally been a used for horse-drawn traffic as a cut through from the Hythe to St John's Street. John also built some houses in a street which became Arthur Street in 1845 after his second son, having fallen out with his elder son, Forster. By 1839 he was also producing vinegar and in 1851 was recorded as a Vinegar Manufacturer and Arthur as a Porter Merchant. Vinegar production ceased in 1854.

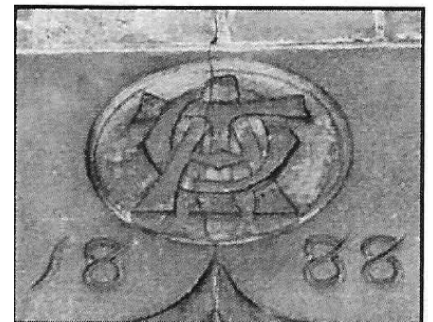
In 1846 John is recorded as one of the 17 directors of the Colchester, Stour Valley, Sudbury and Halstead railway company and held forty £25 shares which would qualify him to have four votes. This was early days in railway history and the engineer is recorded as Peter Bruff (see article on page ???). The Osborne household was wealthy and in 1851 employed a cook, two housemaids, and a nursemaid for the youngest child aged one. Two years later they had their sixth child, another son, and soon employed a lady's maid and a groom. John Posford Osborne died in 1863 aged 70 and a memorial tablet can be found in St Giles Church, Colchester. Arthur took over St Botolph's Brewery as well as his father's many other businesses.



In the 1871 Census Arthur was living with a housekeeper at St Botolph's Brewery, next to the tied Woolpack Inn (*left*) and described as a wine, spirit and beer merchant and in 1884 the company was listed as A&F Osborne and Company, Ale and Porter Merchants, of 39 St Botolph's St. A joint owner of the company was Arthur Othniel Stopes and brewing ended when the company and its many inns were sold in 1886 to Christopher Stopes (brother of AO Stopes) of the Colchester Brewing Company, together with all the 70 tied public houses, but part of Osborne Yard in St Botolph's became a bakery. Christopher Stopes had long been associated with the Hurnard family and was given the Eagle Brewery (later Colchester Brewing Company) when James Hurnard was left a substantial legacy in 1870. The whole Osborne site later became a boot repair business and after being badly damaged by fire in 1898 was converted by Hollingtons into a clothing factory. This was destroyed by bombs in February 1944 and no trace remains today.

On a 75-acre area of open land in what is now Park Road, Thomas

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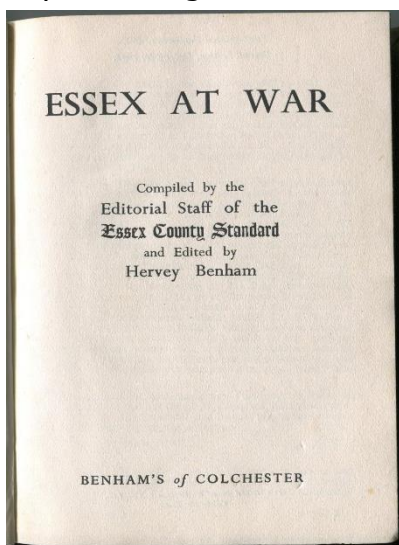
## ARTHUR THOMAS OSBORNE and ALTNACEALGACH HOUSE - continued

Osborne in 1888 built a country house with landscaped grounds, an arboretum and an orchard. It was designed in 1887 by the renowned local architect, Horace Darken, and was named Altnacealgach (Alt-nah-see-al-gak) after a place in Wales where he had spent his honeymoon in 1886. His monogram dated 1888 is carved above the front door (*right*). His new wife was Emma Sarah Skey (née Twibill) who had been a widow for a year and was 16 years his junior with a grown son and daughter.

Arthur Osborne was a Member of Essex Field Club with many great and good personages from all over Essex. It had been formed in 1880 to encourage the study of nature in Essex and is still in operation today with a reputation for assembling a great deal of knowledge of the flora and fauna of Essex. One early member, Colchester Hospital Senior Surgeon Henry Laver, wrote a book for the Club in 1898 called *The Mammals, Reptiles and Fishes of Essex*. Club funds were not readily available and members who subscribed in advance for the book had their names published in the book, including that of Arthur Osborne.

In 1907 an amphora burial was found west of Altnacealgach House and thought to be part of the grave excavated in 1906 which had included a small light brown beaker decorated in relief "round the sides with a running stag and hind". The area is now County High School for Girls but the recent archaeological evaluation prior to the development of the land found no further significant features.

Arthur Osborne died aged 83 on 30<sup>th</sup> April 1913 leaving over £108,000. He is buried in Lexden Churchyard together with Emma, who moved to Maida Vale in 1917 where she died on 31st March 1919, and her son by her first marriage, Francis Skey who died on 12<sup>th</sup> December 1919. The late Miss Mary Beattie of Heath Lodge, Heath Road, recalled the house: "In the First World War there was a wonderful Red Cross Convalescent Home at Altnacealgach, in Park Road and my grandfather and grandmother (Cecil and Frances Morton) had the men back here (Heath Lodge) and up till 1960 my mother got a letter from one of these chaps - he lived up in Newcastle."



The house remained in private ownership and in 1917 it was occupied Arthur Webb, a company director, and an agent in asbestos, and also recorded as an engineer, who originally lived at 149 Maldon Road. He born in 1874 in Islington and married Charlotte Elizabeth in 1899. had two daughters, Muriel and Ada, and Muriel lived there for some but Charlotte died in 1924. Arthur Webb remained at Altnaceagach 1938 when it was bought by Essex County Council and used as an ARP Gas School. In the 1939 Register, Stanley Morecraft is recorded living in Altnacealgach Cottage as caretaker and groundsman and 'heavy worker' at the House with his wife, Florence. It was requisitioned during the Second World War for use by the local Civil Defence where they trained members and on 20th May 1941 Hervey Benham recorded in 'Essex at War' (*left*): "Soon after midnight on May 20 a plane dropped bombs which made craters 25 feet across. Altnacealgach House, Park Road, headquarters of the Divisional A.R.P. Control, was principally damaged - partly in a curious way. A large apple tree was uprooted bodily and flung in the air, landing on the roof of the house!"

After the Second World War the ARP Gas School was discontinued and Essex County Council bought the estate for the Essex Education Offices and it was generally called "Park Road" as the real name was probably too difficult to pronounce! In 1948 a report on the war mentioned that the site had been considered suitable for a new County Hospital, except that it had been "given over to Education" but would have given sufficient space "to justify hutted annexes being erected". However, it appeared that the cottage on the estate was still being lived in, for in the Benham's Street Directories of the years after the war an M Cornish was there for two years from 1948 and then from 1950 to 1953 a F L Morecraft, presumably Florence was in residence as caretaker, although Stanley was still alive. From 1953 the house was being used as Essex County Council Offices and in the 1960s two office blocks were built to the west of the house partly on the orchard and walled garden.



## ARTHUR THOMAS OSBORNE and ALTNACEALGACH HOUSE - continued

The architect of Altnacealgach was Horace Darken. He had been born in Norwich on 11<sup>th</sup> November 1821 and in 1851 was living in Harwich with his wife, Julia, their two sons and twin daughters and Horace described as an architect and surveyor. The family moved to North Hill in Colchester sometime in the 1860s and 1881 were living at 24 Crouch Street (opposite the King's Arms). One of their sons, Robert, also became an architect. Horace probably did not see the completion of Altnacealgach House as he died in early 1888 and the Julia moved nearby to number 21a. She died in 1893.



A description from *pastscape.org* describes Altnacealgach House as "built in Flemish bond, with sandstone dressings and hipped slate covered roofs. Six chimney stacks have three decorated square pots on a stone cap supported by brackets with a carved scroll motif." A small drive led to the central porch of the almost square two storeyed house with an attic and cellar. The hall had carved panels and a dado rail, an open staircase with an oval skylight. The "polite rooms" were in the south had doors of four panels, fireplaces, some with mantelpieces, ceiling roses, cornices and fixtures for gas lamps. Two of service rooms in the north-west had white and delft-type tiled ranges. Back stairs led to the attic. There was

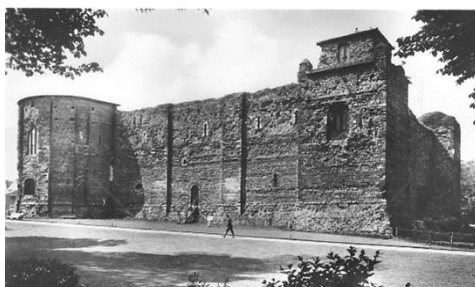
a walled garden, bothies to the west and a small formal garden to the south. There was also a red brick stable block, which was later modernised for cars, and had a groom's room with a fireplace and steep staircase to an upper room.

Altnacealgach House has changed over the last few years. It is now called Osborne Manor (*left: ©Paul Farmer*) and has been smartened up, divided into flats with further accommodation built in the grounds. At least with the new name, Osborne Manor, it does keep some memory of Thomas Arthur alive!

## COURT APPEARANCES OF LEXDEN PEOPLE 1772-1790 Part 1 - The Seamy Side of Life



Lexden was not renowned as a hotbed of vice during the later eighteenth century but with a population of over a thousand there were always wayward members of society. These were brought before the courts in Colchester and dealt with according to the law of the land at the time. The crimes were not unusual for any period in history and, as is common today, the same repeat offenders were frequently in court.



The courts dealt with petty theft and vagrancy, legal settlement, trading standards, appeals against paying the Poor Rate, domestic and neighbours' quarrels which often ended in violence, abuse of the corporation's members and officers, and more serious public disturbances. Petty sessions heard the minor offences and were dealt with by mostly unpaid, non-professional men - Justices of the Peace (also known as magistrates) - and generally took place at magistrates' courts. It is unfortunate that the results of court appearances are not always on the court records and would necessitate a lengthy trawl through thousands of records at the Essex Record Office. The weekly Petty Sessions of Lexden and Winstree were held in the old Moot Hall in the High Street (*left*) or in the Castle (*lower left*), which

was also a county prison, and if given a gaol sentence the offender would be taken down to the cells. It is also interesting to note that some of those brought before the court were able to sign the necessary documents but others just placed a rather inadequate cross on the paper.

One or two parish or petty constables (*right: from paigntononline*) were present in most parishes. They were originally elected by parishioners but by the end of the eighteenth century were appointed by local magistrates. They had to be a fit, between 25 and 55 years old, and were part-time and unpaid (apart from approved expenses). The job was obligatory but a constable could employ another person to act for him, especially as the office could be quite a burden for a working man. In some parishes they were expected to punish poachers, drunks, hedge-damagers, prostitutes, church-avoiders, and fathers of illegitimate children. They had no uniform or weapon but were supposed to try and prevent local crime, confine prisoners if necessary, and sort out those who had no right of settlement in the parish. They were also responsible for getting them all to court. Some constables collected county rates and local taxes, ie, the poll, hearth and land taxes, and most parishes had a "lock-up" to control difficult prisoners.



In June 1780, Thomas Shearcroft, husbandman (agricultural worker), was confined to the "Cage of Lexden" by Petty Constable William Robert for behaving in a violent and disorderly manner during Divine Service at Lexden Church which had to be postponed until he was confined. However, he continued his riotous behaviour and "beat off a great part of the top of the cage wherein he was confined". Unfortunately there is no record of his punishment on the court document. In 1783 under the jurisdiction of JP Thomas Bayles, Shearcroft was accused by local farmer Nathaniel Grubb, an Overseer of the Poor for Lexden, that he "hath neglected to provide" for his wife and children and they would become chargeable to Lexden parish. John Todd was another Petty Constable and in 1772 he apprehended Susannah Heard, a single woman, who had been wandering in Lexden and considered to be a "lewd and idle Person". The record states "Pd" which could denote that she was fined and paid up.

Thomas Humm junior was a wheelwright and did not enjoy a blemish-free record as his name appears several times over the eighteen years under consideration. He was born in 1735, the son of a farmer, Thomas, and his wife Elizabeth and baptised at Lexden Church. Both his parents died in 1776 and are buried in Lexden Churchyard, although their gravestone is now lost. Humm junior's first wife, Martha Wilkins, whom he married in the summer of 1759 died 18 months later, possibly as a result of childbirth, and he was married again by Rev James Kilner in December 1772 to Mary Pooley. One would assume that it was Thomas Humm senior who was the Petty Constable of Lexden, not his more excitable son, who was called to the house of Edward Bloys, a carpenter, in July 1772. Bricklayer Thomas Todd was apparently behaving in "a very riotous manner" and had "stripped to fight". Taking Bloys by the collar, he tore his clothes, struck him several times and "otherwise greatly abused him".

Thomas Humm junior seemed to be quite a volatile character and was often being assaulted or assaulting others, including his wife who "did goeth in fear of losing her life" and at the Quarter Sessions in 1778 "she craveth sureties of the Peace from her said husband" and had not taken him to court out of "envy, hatred, malice or ill will but purely and solely for the preservation of her life and person". In late August the same year he was charged with neglecting and refusing to provide for his family even though it was said he was well able to do so. The result was that the children became chargeable to Lexden parish and parish funds would be used to pay for their needs. The following month he was again in court and the JPs, Thomas Clamtree and William Mayhew, ordered him to pay 16s for the maintenance of his neglected family. This he refused to do and in May 1780 Humm was once more before the court, this time his erstwhile live-in servant, Sarah Frost, complained that she had not been paid.

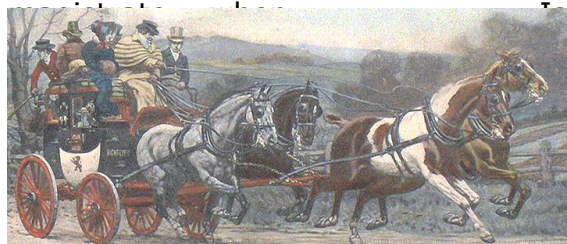


# COURT APPEARANCES OF LEXDEN PEOPLE 1772-1790

## Part 1 - The Seamy Side of Life - continued

He also seems to have had an ongoing argument with the Pryke family. At the end of that month Humm assaulted William Pryke, "striking him a very violent blow on his face" and "greatly abused" him without provocation. Later he was twice assaulted by John Pryke, a butcher, who also broke some windows. John Pryke was an argumentative and violent man and just before Christmas in 1780 he assaulted William Wright in his house in Lexden striking "two violent blows" on his face and breaking glass windows. He then went on to Thomas Humm's house at 10pm, when the family was all in bed, breaking windows to the value of £3 and threatening that if Humm came downstairs he "would do for him".

Violence was a fairly common occurrence as it is today. In November 1772 Thomas Bayles was the



...aac Claydon said that Richard Debman, coachman of the (left), "violently assaulted" him by sticking him with his double Claydon followed him to the King's Head in Colchester (Bank day was a side entrance to the Inn) and asked him why. n then "fell upon and struck" him several times violently with provocation. "Pd" appears in margin - a successful result? In September 1778 Mary Waller, the wife of James, asserted before Thomas Clamtree JP that on the previous night between 7 and 8 o'clock, she had been "violently assaulted" by John Lappage, a husbandman, with violent blows to her forehead and that he "otherwise abused" her without provocation. No result is recorded.

Such violence was always declared to be suffered "without provocation" and such was the case when JP Thomas Boggis was in the chair in September 1780 Robert Hewes, a local miller and Overseer of the Poor for Lexden, said that Thomas Totman, husbandman, reported to be from Great Horkesley, assaulted him in Lexden whilst Hewes was on horseback. Totman took hold of bridle and stopped the horse, pulling Hewes from the stirrups. He thought Totman would "unhorse him, beat his brains out" and abuse him further without any "just cause or provocation". In August 1784, under the jurisdiction of John King, husbandman William Shearcroft reported that he was violently assaulted in Lexden on Saturday evening 7<sup>th</sup> August by Thomas Rudland, husbandman, who struck him "with his fist several violent blows in his face and otherwise greatly abused without provocation". For his pain he "Rec'd 2/-" authorised by John King.

In July 1780 Thomas Clamtree was presiding over a case, brought by Benjamin Rosbrook, who reported that husbandman George Miller *which parish??* had several times called for beer at Rosbrook's inn, the White Lion, in the parish of St Mary Magdalen, and refused to pay. On the last occasion he was stopped by the Constable who brought him back to the inn but Miller threatened that if "any person offered to stop him he would run his knife through him". He drew his knife but Rosbrook took it from him. Knife crime is not a recent phenomenon!



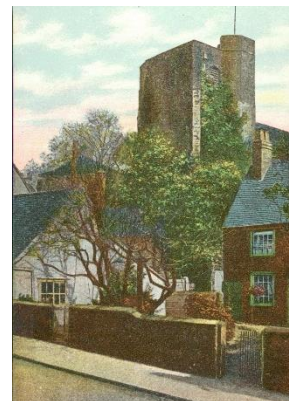
Another regular at the Petty Sessions was a farmer tenant of Lexden Manor, Edmund Plume, (possibly of Plume Farm - left), and married to local woman, Elizabeth Green. He was possibly quite a difficult man for he had been brought to court before Edmund Lilley on 2<sup>nd</sup> September 1786 when Frances Beaumont, a single woman, complained that Plume owed her ten shillings and eight pence (53p) for wages due the day before and he had refused to pay her. Another single woman, Sarah Crookson, up before William Argent said that in September of the same year, she had "let herself" to Plume for a year at wages of 50s (£2.50) and that "she was to go a month on likeing". If it was agreed she would stay the year at 3/10 (19p) each month but "last night" (20<sup>th</sup> October) Plume told her she would not be staying and refused to pay the agreed wages for the month. Refusing to pay wages was fairly common. A gentleman, William Turner, was brought before Frank Smythies by Robert Smith, a labourer, who said that Turner had refused to pay him 18/6 (93p) owed "for work and labour in Husbandry". Again "R'd" is on the record so perhaps William Turner was forced to pay!

# COURT APPEARANCES OF LEXDEN PEOPLE 1772-1790

## Part 1 - The Seamy Side of Life - continued

Edmund Plume appeared to be very intolerant of servants or farm labourers especially if he considered they did not do as they were told. In September 1789 before the Recorder, Francis Smythies, Plume said that his servant, David Polly, "hath frequently misbehaved himself" particularly about nine or ten days previously when ordered to drive the horses to common land but had "entirely neglected to do". It is possible that Polly was fined, for "R'd" is recorded on the report. Henry Hayward, a Lexden carpenter, travelling from Colchester to Lexden on Saturday 29<sup>th</sup> August that year said he saw David Polly pitching corn upon a wagon and also saw him twice thrust the pitch fork with violence against the horse, rendering the animal incapable of doing any work. Again "R'd" is included in the court report. A few months later Plume was before Edmund Lilley, JP, complaining that his servant, John Wheeler, "hath very frequently misbehaved and refused to obey his lawful commands", had left the house and did not take care of his horses "as hired to do".

In July 1780 Mary Mortier brought before JP John King the case that 12 ducks had been stolen overnight from her Lexden premises and "verily doth suspect they are concealed about the dwelling houses and premises of George Houghton of St Mary-at-the-Walls (*right*) and George Turner of St Peter". (The Mortier family appears to have been a Huguenot family who had originally lived in the Dutch Quarter.) The next spring 40 year old John Plampen accused Thomas Elsdon of Stanway of stealing one ewe sheep from Lexden Heath. Plampen had been several times to Elsdon's property and seen the ewe but it had been branded with Elsdon's mark. He demanded its return several times but his request was refused. John Plampen lived in Lexden with his wife Eliza and when they died in the 1820s they were buried in Lexden Churchyard. It is not known if the ducks or ewe were ever recovered!



John King also heard the case in November 1782 of Thomas Smith, a husbandman, who said he saw Melchizadeck Huswick the younger, a sawyer of Colchester, "steal and carry away" turnips from field in Lexden, the property of Nathaniel Grubb, a local farmer. This matter was resolved as there is a note saying "Convicted in 2s 6d". The impressive name Melchizadeck Huswick appeared to run through several generations and the first one is found in 1719 - a father to another of the same name.

Being chargeable to Lexden Parish was a common feature of the Petty Sessions and the court records give a brief insight into the type of investigation of Lexden people applying for parish Poor relief. The Overseers of the Poor were eager to ensure that only those who could prove that they were residents of the parish were granted relief but a parish had a legal responsibility to support a family if they met the requirements of Settlement. The Petty Sessions seemed to be overburdened with requests for parish relief for unmarried mothers and their children. The putative father was always named as his Certificate of Settlement could determine whether the parish was liable for relief or not. In February 1773 JP Thomas Bayles heard the case of Sarah Chapman, a single woman eight months "gone with child" who would become chargeable to Lexden parish. The father was apparently James Mendham, cordwainer, who was "late of Colchester." This phrase "late of" appeared quite frequently as if the father was no longer around, making it more difficult to make a claim from his parish of birth. However, a later entry states that Sarah Chapman was "delivered of a male bastard" on 1<sup>st</sup> March and Thomas Clamtree, another JP, issued Orders of Bastardy which obliged the father to pay the child's maintenance which assumed that he was still in the area. If he did not pay, he could be sent to prison and maintenance would continue until the child could be apprenticed. Apprenticeship and Legal Settlement will be discussed in another article.





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## Part 1 - The Seamy Side of Life - continued

In March 1785 before Stephen Ennew, Andrew Hodge, a husbandman of Lexden, reported that one evening between the hours of 8 and 9 at the "House of George Bentley known by the name or sign of the King's Head in Lexden" (*right*), a certain corporal of 64<sup>th</sup> Regiment of Foot, Christopher Calvert, and a recruit, Jonathan Wetby, came in and put a dog sitting by the kitchen fire on the fire and Thomas Balls, a Lexden farmer, said to Calvert "Damn you, you won't burn the dog alive" upon which Calvert took Balls by the collar and Hodge went to his assistance. Wetby then took a bayonet from Calvert, drew it from its sheath and levelled the point at the breast of Hodge "without provocation". Again no reports of the findings or punishments were in the records. George Bentley later appeared in court as the declared father of an illegitimate child born in June 1785 to Hannah Fairhead of St Mary-at-the-Walls parish.

Apart from bearing a "bastard", a local woman could also appear in court for being troublesome. In May 1783 John Pratt told JP Stephen Betts that a few days earlier he had seen Sarah Porter, Rebecca



Porter and Jemima Hunt, all single women of Lexden, "breaking and pulling up his hedges in a meadow and throwing sticks and wood so broken and pulled up" into the meadow adjoining that of Mr William Turner. Turnips seemed to be a common factor in local theft for in October 1786 William Hicks, whilst riding "in the King's Highway in Lexden", saw Thomas Coote pull up and fling a quantity of turnips into a wagon belonging to Mr Townsend, a farmer of Coggeshall, from in a field of local farmer, Samuel Taylor. He also saw 35 turnips taken out of the wagon and believed that Coote had stolen them. Coote was

convicted and fined 10s (50p) "besides the value of the Goods stolen". Samuel Taylor, son of William Taylor, farmed Wegg's Land which was part of his father's property and later to become Magazine Farm. Wegg's Land was bought for £100 by Lexden Park in April 1779 on the proviso that one tenement be surrendered to Samuel. Samuel died in June 1790 aged only 38 and is buried at St Mary-at-the-Walls. William died in 1782 and is buried in Lexden Churchyard.

Francis Smythies, Colchester Recorder in the 1780s, was a wealthy local man and, although not always within the law himself, he seemed to be quite vindictive for in September 1784 he reported before JP Thomas Boggis that Ippleford Brett of Lexden had used a "certain cart with two wheels (*left*) otherwise than in Husbandry" in the town several times within the last eight days without having paid the "necessary Duty". Brett was convicted a week later and ordered to pay 50s (£2.50) and 5s (25p) costs, a considerable sum in those days. The law stated that "Carts used wholly in the affairs of husbandry or trade are not chargeable with this duty, if used for no other purpose than the owner or any of his servants riding thereon or therein, when laden; or when returning from or going for a load; or conveying the owner or family to divine service, on Sundays; or conveying persons to and from elections". Smythies was probably correct but rather mean!

This fascinating sample of court reports of Lexden people coming before worthy Colchester men hearing the evidence. It is, however, disappointing that these particular accounts do not always record what the decision or punishment was, especially as the same names keep appearing. However, they clearly demonstrate that people don't change over generations!

Part 2 will address the problems of gaining Legal Settlement and entitlement to Parish Relief in Lexden.

Part 3 will give details of Lexden Overseers of the Poor and the Justices of the Peace who directed proceedings in Court in Colchester.

**Meetings are held on the 2<sup>nd</sup> Wednesday of each month at 7.45pm in St Leonard's Church Hall, Lexden, except August when there is no meeting. Entry £1 for members, £3 for non-members, refreshments included. Annual membership £15 for single person; £20 for a family living at the same address.**

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**Wednesday 10th July 2019**

**'The History of the Headgate Theatre'**  
**Dave and Dawn King**



**SUMMER 2019 BBQ**  
**Saturday 17<sup>th</sup> August**

in Liz & Alan's Garden,  
Lexden Road  
12.30pm – 3.00pm

£7 per member, £9 non-members

Tickets will be available at our  
June & July Meetings



**Wednesday 11<sup>th</sup> September 2019**

**'To relieve need and distress'**  
**The story of East Anglia Almshouses**  
**Sarah Doig**