

Information Leaflet No 3

LICENSED VICTUALLERS RECORDS

A brief history of licensing

Although the Public House, or alehouse as it was commonly known, has been a part of English life since Roman times, its development cannot fully be traced until the mid-sixteenth century when a national system of licensing was first introduced.

In 1552 the crown sought to regulate all alehouses as a measure against perceived increases in levels of drunkenness and social disorder. In many areas instances of regulation certainly predated the 1550's. Evidence from manorial records, for example, suggests that local controls were being implemented throughout the medieval period. However, the Alehouse Act 1552 (5 and 6 Edw.VI c.25) was the first attempt to co-ordinate these existing controls and embody them in statute.

Under this act no-one was allowed to sell beer or ale without the consent of the local Justices of the Peace which could be granted either before the full sessions of the peace or before two justices. Each person licensed by the justices had to enter into a recognizance, or bond, to ensure that good behaviour was maintained in each alehouse and the licensee pledged to abide by the court's terms or risk payment of a fine or even the loss of the licence. Such recognizances had to be certified at Quarter Sessions and were kept on record.

An act of 1729 gave formal approval to the practice of only granting licences annually at special licensing sessions known as Brewster Sessions, and in Middlesex these were generally held in March. It was also ordered that justices should only grant licences to alehouses within their division, thus formalising the shift of responsibility from county to local level.

The Licensing Act of 1753 (26 GeoII c.31) did not radically change existing legislation. New licences could only be granted by persons producing certificates of good character usually signed by parish notables. However, from 1660's it had in fact been common practice in Middlesex to require victuallers to attend their parish church and receive the sacrament before being granted licences.

Most importantly, however, the 1753 act ordered that full registers of victuallers and their recognizances were to be kept by the Clerk of the Peace at Quarter Sessions. Thus began a more thorough recording of the licensing business.

The legislation passed in 1830's largely reversed the main thrust of licensing policy developed in the preceding centuries. While the Licensing Act of 1828 (9 Geo.IV c.61) had confirmed that the grant of a full licence by justices was necessary to sell any kind of excisable liquor by retail, the Beer Act of 1830 (1Wm.IV c.64) disbanded many of the controls introduced under previous acts. By this act it was now possible for any householder assessed to the poor rate to sell beer, ale and cider without a licence from local justices by taking out an excise licence granted by the Excise authorities.

This piece of legislation, together with the fact that the act of 1828 had failed to make provision for the keeping of licensing records by the Clerk of the Peace, means that the history of licensing for the period 1828-1872 is not satisfactorily recorded.

The situation initiated by the 1830 act barely lasted four decades. The 1869 Wine and Beerhouse Act (32 and 33 Vic c.27) re-introduced the stricter controls of the previous century. It was now necessary for retailers selling beer and wine to obtain their licences from justices, and in addition, it was also necessary to obtain similar licences to sell alcohol off the premises.

The Intoxicating Liquor (licensing) Act 1872 re-enforced this legislation and importantly obliged the clerks of the licensing divisions to keep a register of all licences granted. In general, the new licensing divisions constituted the areas formed by the Petty Sessional Divisions.

While most of the business was carried out at a local level in these licensing divisions, a County Licensing Committee was set up by Quarter Sessions to confirm the granting of all new licences. After 1889 similar committees were formed for the newly constituted counties of London and Middlesex respectively. Two other pieces of legislation, namely The Licensing Act 1902 and The Licensing Act 1904, obliged applicants for new licences to submit plans of the premises to the licensing justices and allowed for the payment of financial compensation to persons who were refused renewal of a licence.

Surviving records in the London Metropolitan Archives

The records held in the London Metropolitan Archives fall into three groups: (A) records, 1552-1829, produced under the 1552 and 1753 legislation described above, and forming part of the Middlesex Sessions Records; (B) records of the County of Middlesex Licensing Committee and Compensation Authority, 1872-1961, likewise part of the Middlesex Sessions Records; (C) records produced by individual Licensing Sessions.

A. Middlesex Records 1552-1829

These records relate to the ancient county of Middlesex including Westminster.

1. Recognizance roll, 1552, recording name, parish and sureties for a limited number of parishes. Reference MR/LV/1 (index of places included with catalogue).

2. Original recognizances, lists of recognizances, registers of victuallers, 1690-1829 (many gaps). Reference MR/LV, WR/LV.

B. County Licensing Committee and Compensation Authority 1872-1961

These records relate to the ancient county of Middlesex up to the end of March 1889 and to the administrative county of Middlesex thereafter.

1. Minutes, confirmation papers, plans, etc, all relating to the confirmation of the granting of new licences and compensation for refusal to renew. Reference MA/C/L.

Note: Surviving County of London Licensing Committee records have not yet been sorted and catalogued. These records can be viewed by appointment only.

C. Records of Licensing Sessions : Licensing Registers

Licensing registers are held among the records of the Courts of Petty Sessions. The lists that follow give further information. Where records are held in the London Metropolitan Archives, the reference number of the collection is given in the right-hand column. This should be used as a guide to the correct list or catalogue of these records. In some cases a final catalogue has not yet been produced. Such records are therefore available by appointment only.

BLACKHEATH DIVISION	No records held in the London Metropolitan Archives. Apply to the Centre for Kentish Studies and the Greenwich Local Studies Library	
BRENTFORD DIVISION	No licensing registers deposited in the London Metropolitan Archives	
EDMONTON DIVISION	Registers of licences 1869-1870; no later registers deposited	PS/E
FINSBURY DIVISION	Registers of licences 1851, 1854, 1875-1955	PS/FIN
GORE DIVISION	Registers of licences 1873-1973	PS/G
HAMPSTEAD DIVISION	Registers of licences 1922-1953	PS/HAM
HIGHGATE	Registers of licences 1876-1949	PS/H
HOLBORN DIVISION	Registers of licences 1873-1956	PS/HOL

KENSINGTON DIVISION	Registers of licences 1873-1948	PS/KEN
NEWINGTON DIVISION	Calendars of licences 1774-1915, registers of licences 1869-1953	PS/NEW
PADDINGTON DIVISION	No records held in the London Metropolitan Archives. Apply to City of Westminster Archives Centre	
ST MARYLEBONE DIVISION	No records held in the London Metropolitan Archives. Apply to City of Westminster Archives Centre	
ST PANCRAS DIVISION	Registers of licences 1886-1956	PS/PAN
SOUTH MIMMS	Registers of licences 1872-1938 deposited in Hertfordshire Archives and Local Studies	
SPELTHORNE DIVISION	Registers of licences 1873-1935	PS/S
STOKE NEWINGTON DIVISION	Registers of licences 1890-1956	PS/STO
TOWER DIVISION	No licensing records pre-1950 known to have survived. No records held in London Metropolitan Archives.	
UXBRIDGE DIVISION	No registers deposited in the London Metropolitan Archives	
WANDSWORTH DIVISION	Registers of licences 1877-1911, registers of transfers of licences 1923-1961	PS/WAN
WESTMINSTER DIVISION	No records held in the London Metropolitan Archives. Apply to City of Westminster Archives Centre	
WILLESDEN DIVISION	Registers of licences 1873-1922	PS/W

Using the records

In general the records relating to licensed victuallers contain only limited information. Consisting largely of registers of victuallers the records only give the name of the licensee, the parish and sometimes the sign of the public house. Similarly original recognizances and certificates of good character, when they survive, follow a standardised format giving only the name, parish, details of sureties and the sign.

They are nevertheless a valuable source for tracing the history of a given public house, for locating ancestors who were licensees, or more generally for studying the development of the licensing trade in London and Middlesex.

Before you consult the records for a particular public house you will need to know the licensing division into which the establishment would have fallen. Keys to the divisions can be found at the beginning of the general guide to licensed victuallers records on the open shelves in the Reference Room. For the period before 1829 the key to the licensing divisions is by parish; thereafter, the key for Inner London is listed by the metropolitan boroughs.

Once you know the division you will need to locate the list for that area and order any relevant material using the references quoted.

Additional sources

Should you find that particular registers of victuallers do not survive for the period in which you are interested, it is possible that material may be found in other sources listed below :

i) **Post Office London Directories**

Public houses are listed in the trade directory section of the London Directories under the sign of the pub and in the street index by address. Entries under the name of the landlord are sometimes to be found in the commercial directory section. Directories are invaluable for the period during the nineteenth century for which licensing records are not available. Directories can be consulted on microfilm in the Reference Room. Information given is much the same as in victuallers registers.

ii) **Petty Sessions Minute Books**

Nineteenth century Petty Sessions minute books often predate the registers of licensees which form part of the same series of records. They are a useful, though generally less reliable, means of tracing a licensee in the nineteenth century as some minute books contain references to the granting of new licences in and amongst the general business of the session. Lists of surviving minute books can be found in the finding aids for each Petty Sessions which are found on the shelves in the Reference Room (reference PS/...).

iii) **Other Quarter Sessions Material**

Although the main series of records relating to victuallers does not begin until the eighteenth century entries for the granting of licences can sometimes be located in sessions registers (ref MJ/SBR) and sessions books (ref MJ/SBB) for the seventeenth century. These entries, where they exist, are, however, written in Latin and are mixed in with the main business of the court. Nevertheless they can illuminate a period which is otherwise largely undocumented. Lists of these records can be found among the sessions lists in the Reference Room.

Reading List

- Clark, P *The English Alehouse, a social history 1200-1830.*
Longman, 1983 (42.0 CLA)
- Epstein, A.J. *The Social function of the alehouse in early modern London*
Ph.D. thesis - New York : New York University, 1976 (42.1 EPS)
- Gibson, J and
Hunter, J *Victuallers' licences : records for family and local historians*
Federation of Family History Societies, 1994 (R61.2 GIB)
- Monckton, H.A. *A history of the English Public House*
Bodley Head, 1969 (42.1 MON)
- Webb, S. and B. *The history of liquor licensing in England principally from 1700 to 1830*
Longmans, Green and Co., 1903 (35.14 WEB)

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