



Somerset Archive and Record Service

Information Leaflet

Assize Records in Somerset

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ASSIZE RECORDS



Introduction

From the 13th century, judges from the Court at Westminster were commissioned as justices to ride around the country and hold the king's courts. The judges would cover a circuit, each circuit covering a group of counties. Originally the justices only reviewed property disputes, but gradually their powers were increased to include the trying of criminal cases. Thus the assize courts, as they became known, were the principal English criminal courts until their replacement in 1971 with the Crown Court.

The work of the assize courts

The judges, normally in pairs, moved around the circuits on royal commission of the peace or of gaol delivery (to try prisoners), or oyer and terminer (to hear and determine) those cases that were not heard by the Quarter Sessions Justices; these cases were normally the more serious offences such as murder, riot, burglary, forgery, witchcraft, trespass and treason. On occasion they also heard civil cases to save offenders and witnesses the journey to Westminster. The county was divided into six circuits, the Home, Western, Oxford, Norfolk, Midland and Northern circuits, Somerset being in the Western circuit.

The assizes were meant to be held three times a year; By 1932 the assizes were held at Taunton Castle in the winter, Wells in the summer and alternatively between the two in autumn. Each circuit lasted between two and five weeks depending on the amount of business to be heard.

The Records

The assize records were kept by the Clerks of the Assize and thus are now kept at the National Archives, Ruskin Avenue, Kew, Richmond. However, unfortunately many of the records have been lost or destroyed and until 1732 most of the records are in Latin. The records do not normally record the age of the accused nor the details of their family; aliases were common and other details such as occupations and abode are untrustworthy.

At the National Archives the records are arranged by assize circuit, those for the **Western Circuit** are catalogued under ASSI 21-30, and cover 1610-1971. The judge would receive commissions of assize from the Crown Office of Chancery and they informed the county sheriffs of the dates and places of assizes. A sheriff then prepared calendars, listing prisoners and alleged crimes. The Clerk of the Assizes would add to these lists any business outstanding from the last assize. Thus the best place to begin a search is with the **Crown Minute books**, which list the defendant's names, offences, verdicts and sentences. **Gaol books**

or **Agenda Books** also list the accused and summarise cases heard, often noting the plea, verdict and sentence. Also available are the **indictments**, which are the formal statement of charge against the accused, often annotated with plea, verdict and sentence. However, these are often filed in large unwieldy bundles and few survive before the mid-17th century. The transcripts of proceedings have not normally survived, although contemporary newspapers or pamphlets often reported cases, especially the more salacious.

If the records have not survived for the period in which you are interested, you can refer to the **sheriff's assize vouchers** (catalogue code E 389/241). These include lists of prisoners tried or transported, along with accounts for their maintenance in prison or for the carrying out of an execution. They cover the years 1714-1832.

Civil matters were also heard at the assizes, but as these were normally heard at the request of the Court of King's Bench, the records are stored along with those records. Assize courts also reviewed **local administration**, such as bridge and road maintenance, poor relief and tax collection; these should be recorded alongside the criminal cases.

Assize records in the Somerset Record Office

Although the vast majority of assize records are kept at the National Archives, a small number of relevant records are held here, mainly in the Quarter Session records and records of private families.

Indictment rolls (Ref. Q\SI) The Quarter Session indictment rolls at times include presentments at the assizes, 1571-1889.

Calendars of Prisoners The Quarter Sessions records include lists of prisoners to appear before the Quarter Session judges, 1810-1870, but also include some Assize Calendars, 1810-1852. These provide details of prisoners' names, ages and details of offence (**Ref. Q\SCA**). The papers of the Meade King family of Taunton, members of which held the position of Justice of the Peace for Somerset and High Sheriff, include Assize Calendars of Prisoners, 1836-1880 (**Ref. DD\MK**). H M Prison Service records also contain Calendars of Prisoners, 1882-1921 (**Ref. A\CJA**).

Quarter Sessions Session Rolls (Ref. Q\SR) Within the normal session rolls are Calendars of Prisoners listing those to be transferred to the Assize courts. Also included are expenses claims for the holding of the Assize courts.

Gaol Records (Ref. Q\AG) The gaol registers for Ilchester, Shepton Mallet and Taunton gaols include details on interned prisoners awaiting trial at assize or post trial awaiting transportation.

Assize Courts (Ref. Q\AC) Deeds, plans, minutes and specifications concerning the alteration and use of The Castle, and Shire Hall, Taunton, as Assize Courts.

Plans of Wells Assize Courts (Ref. C/CA) Included within the County Architects records are plans of Wells Assize Courts, 1893 and 1957.

The Bloody Assizes

The most famous of Somerset's assizes are those known as the Bloody Assizes, which tried the supporters of Monmouth's Rebellion in 1685. The Somerset Record Office holds mainly printed sources relating to these assizes, but also some original material. Probably the most useful of the printed sources is *The Monmouth Rebels*, Somerset Record Society volume 79, which contains a 'roll call' of those tried with details such as parish of abode and punishment received. Also of use for the background to the trials are J Muddiman's *The Bloody Assizes* and Peter Earle's *Monmouth's Rebels: The Road to Sedgemoor*.

Further Reading

National Archives Research Guide, *Assizes: Criminal Trials, Legal Records Information 13* available at www.nationalarchives.gov.uk/catalogue

D Hawkings *Criminal Ancestors: A Guide to Historical Criminal Records in England and Wales* (1992)

J Cockburn *A History of English Assizes, 1558-1714* (1972)

M Herber *Ancestral Trails* (2003)

J Cockburn *Somerset assize orders 1640-1659* Somerset Record Society, vol 71 (1971)

W Wigfield *The Monmouth Rebels 1685*, Somerset Record Society, vol 79 (1985)

J G Muddiman *The Bloody Assizes* (1929)

P Earle *Monmouth's Rebels: The Road to Sedgemoor 1685* (1977)

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