

Liverpool RECORD OFFICE

LIVERPOOL RECORD OFFICE, LOCAL STUDIES AND FAMILY HISTORY SERVICE

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COURT AND VICTUALLER'S LICENCES

INFORMATION LEAFLET 21



This leaflet gives an introduction to the court records held
by Liverpool Record Office and Merseyside Record Office.
It covers the Court of Quarter Sessions, Court of Assize,
Court of Passage and Petty Sessions (Magistrates).



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The Magistrates were responsible for the licensing of public houses, licensed victuallers, clubs, restaurants, cinemas, lodging houses, premises licensed for liquor, music, dancing etc. and registered premises (explosives). Some licencing registers survive in the magistrates records we hold and these are outlined in this leaflet.

Coroners' Court records are covered by Information Leaflet 10 - Coroners' Records.

COURT OF QUARTER SESSIONS

Court of Quarter Sessions, held four times a year, were where Justices of the Peace dealt with petty offences. They referred more serious matters to the Court of Assize (see below).

In Liverpool early criminal jurisdictions were exercised through the ancient Portmoot, the original borough court in which burgesses took part in judicial and administrative business. By the sixteenth century the Portmoot had become clearly distinguished from the assembly of burgesses and acquired more of a judicial role. It was held twice yearly and presided over by the Mayor, assisted by a presenting jury and recorded in the Town Books (see 352 MIN/COU/1). In addition there was a court held at frequent intervals called the Mayor's Court or the Court of Passage (see overleaf).

By the seventeenth century the Portmoot had evolved into a Court of Quarter Sessions. However, the only early surviving records are a "Sessions Book" Apr 1724-Sep 1746 (ref: 347 QUA/4/1) and an Oath Book Oct 1757-Feb 1844 (ref: 347 QUA/4/2). The Sessions Book contains details relating to the conclusion of cases where presentments are pursued, trials of felonies, cases dealing with insolvent debtors, bastardy, maintenance, settlement and apprenticeship, certificates and dissenting chapels, certificates of losses of goods at sea, mainly salt, and



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informations of condemned goods (contraband found by customs and excise officers), statements of market price of corn, also extracts from Ann Molyneux's will relating to the poor prisoners, old sailors, and sailors' widows.

Despite the existence of the Liverpool Quarter Sessions the Lancashire County Quarter Sessions appears to have had some jurisdiction over the Borough of Liverpool prior to 1836. In 1833 the Town Clerk states "The jurisdiction is not an exclusive one. The county magistrates may act within the boundary as well as the magistrates of the borough" [*A Report of the Proceedings of a Court Inquiry into the Existing State of the City of Liverpool* (1833), p.11, our ref: Hf 352.09 INQ]. The precise nature of this jurisdiction is unclear, but Lancashire County Quarter Sessions did receive petitions from citizens of Liverpool relating to removal orders and maintenance orders (see on-line catalogues of the Lancashire County Quarter Sessions held at Lancashire Record Office at <http://www.a2a.org.gov.uk>).

The Municipal Corporation Act 1835 abolished all closed corporations and created new elected borough councils. At the same time it allowed county boroughs to petition the Crown to grant them a separate Court of Quarter Sessions. Liverpool, by the charter of William IV, was given a grant of a separate Court of Quarter Sessions. Liverpool Record Office holds indictment files 1836-1929 (ref: 347 QUA/1) and calendars of prisoners 1844-1956 (ref: 347 QUA/2).

In Liverpool the Quarter Sessions, along with the assizes, were abolished in 1956 and replaced by the Crown Court of Liverpool.

COURTS OF ASSIZE

Prior to 1835 the Courts of Assize, which tried capital and other serious offences which were too serious for the Quarter Sessions, took place at Lancaster. In 1835 the Courts of Assize, for the hundreds of West Derby and Salford were moved to Liverpool, held by adjournment from the county court at Lancaster. In 1864 the assizes for the Salford Hundred were transferred to Manchester. The records of the assize courts are held at The National Archives, but we hold calendars of prisoners for the Liverpool assizes from 1882-1956 (ref: 347 QUA/3).

COURT OF PASSAGE

The Court of Passage represents the civil jurisdiction of the medieval borough court. By the eighteenth century the "Court of Liverpool", "Borough Court", "Mayor's Court" or "Court of Passage" had gradually confined itself, under the last name, to civil suits. The Court of Passage was abolished in 1971 by the Courts Act 1971.

Liverpool Record Office holds some records of the Court of Passage (ref: 347 PAS). This includes a "Court Book" Aug 1707-Dec 1713, "Dockett Book" Jul 1733-Dec 1763 and a copy oath book 1786-1965. Occasional entries of trial of pleas are entered in the early Town Books. Transcripts of the Town Books exist for 1550-1671 (see 352 MIN/COU/I).

Other records of the Liverpool Court of Passage, c.19th cent.-1971, including cause books, case papers, judgement books, writ books, fees etc are awaiting cataloguing and currently not available for public consultation.

PETTY SESSIONS (MAGISTRATES' COURTS)

Courts of Petty Sessions evolved from the exercise of summary jurisdiction by justices outside Quarter Sessions. Regular divisional meetings of two or more justices appeared gradually in the eighteenth century. By the end of that century, such meetings were instituted at stated times and places and an act of 1828 required the Quarter Sessions to define Petty Session Districts.

The business of the court of petty sessions was both judicial and administrative and the modern magistrates court has inherited these functions. The judicial side deals with minor offences - both adult and juvenile. Magistrates also preside over the Youth Courts which are especially constituted with jurisdiction limited to proceedings for custody, maintenance, adoption, guardianship and family protection orders. Administrative duties of magistrates include the licensing of public houses, licensed victuallers, clubs, restaurants, cinemas, lodging houses, premises licensed for liquor, music, dancing etc. and registered premises (explosives).

Liverpool City Petty Sessions

Liverpool Record Office holds records of the Liverpool City Petty Sessions, 1851-1977 (ref: 347 MAG). These include minutes, letter books, attendance registers, and court registers.

Liverpool Record Office also holds licensing records of the Liverpool City Petty Sessions (ref: 347 JUS). These include registers of alehouse licenses 1842-1930, registers of wine and beer house certificates 1869-1874, registers of licenses other than victuallers 1874-1930, register of wine dealers' licenses 1903-1930, registers of licenses for public dancing, singing and music and of theatrical and cinematograph licenses 1890-1926 and newscuttings. Minutes of the Licensing Committee and the Theatres and Public Entertainments Committee (appointed 11 March 1913, responsible for licensing of theatres, cinemas, music halls etc.) are catalogued at 347 MAG/1.



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Kirkdale Petty Sessions

Kirkdale Petty Sessions met at Sessions House, Islington. The following places were included in the division:

Aintree, Blundellsands, Great Crosby, Little Crosby, Croxteth (lost to City of Liverpool 1928), Everton (lost to City of Liverpool 1835), Fazakerley (lost to City of Liverpool 1905), Garston (lost to City of Liverpool 1902), Hightown, Ince Blundell, Kirkby, Kirkdale (lost to City of Liverpool 1835), Litherland, Lunt, Netherton, Ford, Seaforth, Sefton, Toxteth Park (part lost in 1835, 1895 and 1902 to City of Liverpool), Thornton, Walton (lost to City of Liverpool 1895), Waterloo, Wavertree (lost to City of Liverpool 1895) and West Derby (lost to City of Liverpool 1895).

Merseyside Record Office holds records of the Kirkdale Petty Sessions, 1885-1962 (ref: M347 PSK). These include minute books 1927-1964, court registers 1885-1955, juvenile court registers 1941-1955, warrant books 1930-1942, maintenance orders 1946-1955, financial records 1949-1957, licensing registers 1903-1962, licensing plans 1903-1961 and an attendance book 1902-1935.

Some records of the Childwall Petty Sessional Division (which included the townships of Childwall, Much Woolton and Little Woolton until they were incorporated into the City of Liverpool in 1913) are held by Knowsley Archives.

Liverpool County Petty Sessional Division

The Liverpool County Petty Sessional Division was the successor of the Kirkdale Petty Sessions and formed in 1955.

Merseyside Record Office holds records of the Liverpool County Petty Sessional Division, 1955-1974 (ref: M347 LIV). This consists of Court Registers and Juvenile Court Registers.



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Web site:

http://www.lancashire.gov.uk/education/record_office

Liverpool Combined Court Centre
The Queen Elizabeth II Law Courts
Derby Square
Liverpool
L2 1XA

Liverpool Magistrates' Court,
107 Dale Street Liverpool,
L2 2JQ

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