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**The Election of a Verderer for Her Majesty's Forest of
Dean, held at Shire Hall, Gloucester, on the 18 November
1952,**

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THE ELECTION OF A VERDERER

FOR HER MAJESTY'S FOREST OF DEAN

held at The Shire Hall, Gloucester, on the 18 November, 1952

by ANTHONY A. SCOTT, T.D.

Under Sheriff of the County of Gloucester

LIEUTENANT-COLONEL Sir Russell James Kerr, who was elected a Verderer on the 8 April 1916, died on the 13 May 1952, aged 89 years, and his burial (not his death) having been notified by the Steward to the Crown a writ de viridario eligendo tested at the Royal Courts of Justice, London on the 30 September 1952 was received by the High Sheriff of the County of Gloucester (The Honourable William Ralph Seymour Bathurst, T.D.) on the 3 October, 1952. By this the High Sheriff was commanded by Her Majesty the Queen in his full County by the assent of the same County to cause another Verderer to be chosen.

Notice was then given that the High Sheriff would at a County Court to be holden at the Shire Hall, Gloucester, on Tuesday 18 November 1952 proceed to the election of a Verderer and that in the event of a Poll being demanded the polling would commence and the votes of the Freeholders would be taken as soon as practicable after the nomination.

All Freeholders of the County of Gloucester are entitled to vote at a Verderer's Election, and the election is decided by a show of hands unless a Poll is demanded. Such a Poll is a rarity, and there has not been one for many years past, for it may go on for several days, and the expense has to be borne by the candidates.

The County Court was duly held on 18 November 1952, in the Crown Court at the Shire Hall, and considerably over

400 persons were present, the Court being packed to capacity. Even the dock was occupied by respectable freeholders, and the number present was certainly the largest for very many years.

The High Sheriff took his seat on the Bench at twelve noon, being supported by (among others) the Lord Bishop of Gloucester, Viscount Bledisloe, Major C. P. Ackers and Sir Lance Crawley-Boevey (the three surviving Verderers), Mr J. R. Haines (Deputy Steward), Miss Joan Kerr and the Under Sheriff. The County Bailiff then made proclamation and called for silence whilst Her Majesty's Writ was read. This was done by the Under Sheriff and the High Sheriff then addressed the freeholders as follows:—

'The Sheriff having long ago lost the power of compelling the freemen of the shire to do service at this Court, it behoves me, in the first place, to thank you, Ladies and Gentlemen, for your presence. As this Court, which necessarily meets at most infrequent intervals, is the only occasion on which the High Sheriff makes any official utterance, it is naturally gratifying to him to be attended by so respectable an audience.

'You may, in the first place, wonder why this meeting has been summoned in these impressive but somewhat uncomfortable surroundings. This is purposely done to remind you that this is a Court of Law. In fact, in Saxon times it was *the* Court of Law. Its jurisdiction embraced civil and ecclesiastical matters also. The original officers of the Shire Moot were the Ealdorman, the Bishop, and the Sheriff. The Bishop ceased to preside when separate ecclesiastical courts were set up by William the Conqueror. After the Conquest, moreover, the Ealdorman or Earl was seldom present in person, and in his absence the Sheriff or Vicecomes presided. The Sheriff is called the Vicomte in Jersey to this day.

'The freeholders, however, were the judges, the Sheriff being simply the presiding officer pronouncing and afterwards executing the judgment of the court.

‘This County Court, or Curia Comitatus,* reminds us of the times when all Justice and Law-giving were tribal affairs. Professional judges were not instituted until the reign of Henry II. You ladies, and gentlemen are therefore the original judges, and it is you whom the High Sheriff represents at the Assizes. This aspect of the situation has long been obscured by the readiness of Sheriffs to play the courtier and to accord to the Judges viceregal honours—a disparity of status which ought never to have existed.

‘As it is only on such occasions as these—and they are extremely rare—that the true nature of the Sheriff’s office becomes apparent, it is not to be wondered at that its significance is sometimes overlooked.

‘Election of chieftains or magistrates is a common feature of peoples at a certain stage of their development. It is a system which can only have worked well while the number of freemen was small and it has generally been discarded when personal liberty became more widespread. Edward I conceded to the County Court the right of electing the Sheriff. This seems to have been a revival of the ancient Saxon procedure. It was not successful and was shortly afterwards abolished. Two classes of judicial officers in each Shire have, however, constantly been elected in the County Court—the Coroners and the Verderers. The election of Coroners continued until 19th century, and Verderers, wherever the office survives, still are or ought to be appointed in this manner.

‘The Verderer seems to have been regarded as a special variety of Coroner, seeing that his principal duty was to hold inquest upon the King’s deer if unlawfully slain. He is appointed for life, but one authority states that a Coroner automatically vacates his office if chosen Sheriff or Verderer: in my opinion, a Verderer would, in like manner, forfeit his post should he become Coroner or High Sheriff. Another authority asserts that both Coroners and Verderers should be knights, but adds “or be possessed of lands worth £20 per annum.”

* *sic*. Encyclopaedia Britannica.

'The Verderer receives no salary, but in most Forests was entitled to one buck and one doe a year for his fee. The Forest Laws, which reserved to the King alone the right of stag hunting, were detested by rich and poor alike, and the office of Verderer was then highly unpopular. With the effluxion of time, however, the deer have disappeared, and with them the distasteful duties of this office. The approaching Coronation reminds us of our peculiar genius, as a Nation, for retaining such picturesque shadows of a bygone age long after their often irksome substance has vanished away. In other countries, where the holders of antique privileges have used less restraint in exercising them, these interesting relics have been all too often swept clean away by revolution and the countries concerned have, I feel, been the poorer for their loss.

'I would not like to give the impression, however, that the office you will to-day confer by your election is a mere empty honour. It is still possible for the Verderers to meet as a tribunal at the Speech House and you are in effect electing a judicial officer. The gentleman whom you elect must not be incapacitated through deafness or other infirmity. Most important of all, he must be of that high personal character which is so necessary to the proper administration of justice.'

The High Sheriff concluded by enquiring whom the freeholders proposed 'as a candidate for the Office of Verderer of her Majesty's Forest of Dean in the County of Gloucester in the place of Lieutenant-Colonel Russell James Kerr, Knight, late one of Her Majesty's Verderers for the said Forest in the said County deceased.' Mr Cyril Edwin Hart, of Chenies, Coleford, was thereupon nominated by Alderman Charles W. Luker and seconded by Alderman Sydney J. Hawkins, and Alderman James Leonard Jones of Cinderford was nominated by Mr Evan Arthur Jones and seconded by Mr Harold Arthur Harris.

The High Sheriff then called for a show of hands in favour of each candidate and declared 'It appearing to me on the view now taken that the majority of the freeholders would have Cyril Edwin Hart to be returned, he is duly elected a Verderer

of Her Majesty's Forest of Dean in the County of Gloucester and I shall return him accordingly.'

The majority in favour of Mr Hart being very large, a Poll was not demanded, and the High Sheriff thereupon administered to him the Oath of Office as follows :—

' I SWEAR BY ALMIGHTY GOD that I will truly serve our Sovereign Lady the Queen in the Office of a Verderer in the Forest of Dean I WILL to the uttermost of my power and knowledge do for the profit of the Queen so far as it doth appertain unto me to do I WILL preserve and maintain the ancient rights and franchises of Her Crown I WILL not conceal from Her Majesty any rights or privileges nor any offence either in Vert or Venison nor any other thing I WILL not withdraw or abridge any defaults but will endeavour myself to manifest and redress the Same AND if I cannot do that of myself I will give knowledge thereof unto the Queen or unto Her Justice of the Forest I WILL deal indifferently with all the Queen's liege people I WILL execute the laws of the Forest and do equal right and justice as well unto the poor as unto the rich that appertaineth unto my Office I WILL not oppress any person by colour thereof for any reward favour or malice ALL these things I will to the uttermost of my power observe and keep.'

Mr Hart, having now become a Verderer of the Forest of Dean for life, thanked the Meeting for his election, and Alderman Jones, the defeated candidate, addressed the Meeting. A vote of thanks to the High Sheriff proposed by Lord Bledisloe, the senior Verderer, closed the proceedings, and all that remained was for the High Sheriff to make his return to the Writ certifying and returning that by the assent of his full County he had caused Mr Hart to be chosen a Verderer and that Mr Hart had taken his corporal Oath in the usual manner 'to do and keep those things which concern the Office of a Verderer of the said Forest of Dean in the said County.'

The last contest was in 1930, when Mr Ackers was elected, the defeated candidate being Mr E. A. Jones, who nominated the defeated candidate at this election. In 1945, Sir Lance Crawley-Boevey was elected without opposition.

After the Meeting, the High Sheriff entertained the Verderers, members of the Council of the Bristol and Gloucestershire Archaeological Society, members of the County Records Committee and others to a Fork Luncheon at the Bell Hotel, Gloucester.