

By 1738 there were no less than 115 licensed inns and alehouses in the City of Gloucester. Which, for a city of some 5,000 souls, is not bad going since it works out at one pub for every 44 of the inhabitants man, woman and child.

Inevitably, there were also unlicensed houses which, if reported on by the local constabulary, resulted in the offending owners being fined by the magistrates.

Getting a licence was no easy matter. Application had to be made yearly to the Mayor and Aldermen of the City and a declaration signed under oath before witnesses. The conditions under which these licences were granted, shown here on a typical declaration of the 1750's, will doubtless come as a complete surprise to those who thought that the city authorities of those days were somewhat more lax than their modern counterparts:

DECLARATION

We whose names are hereunto subscribed having severally Petitioned the Mayor and Aldermen of the City of Gloucester to be Licenced to keep a Victualling house within the said City for the year ensuing Do, in case we obtain a licence from them, so to do hereby severally and for ourselves respectively and not one for another, Promise and Engage well and faithfully to observe, perform, fulfill, and keep the following Orders and Rules and to the utmost of our power cause the same to be observed by all persons resorting to our respective houses so long as the Licence now to be Granted to us shall remain in force.

FIRST

That we will not Entertain in our houses any Pedlars who Travel about without a Licence, Ballad Singers, Beggars, or any other Persons whatsoever who by the Laws are declared Vagrants or any who do not give a Good Account of themselves, concerning which We will hold ourselves Bound to enquire; nor any Persons whom we shall know or have cause to suspect to be concerned in Selling or Disposing of Rum, Tea, Brandy, or any Goods paying Duty and Custom and if any such person will force themselves into our houses We will inform the Magistrates of the same or will be chargeable with wilfully Entertaining them.

SECOND

That we will not suffer any Townsman, Foreigner or other person whatsoever to be Drunk in our houses or tho' not Drunk to continue in our houses after Ten o'clock at Night, Travelling Guests Lodging in our Houses Excepted; and if any person will forcibly Remain in our houses after that time We will either Inform the Magistrates of the same or take the Blame upon ourselves.

THIRD

And Particularly That on the Lord's day We will not suffer any person whatsoever to be Drinking in our House during the time of Divine Service or at any other Time of the Day for above half an Hour nor for any Time after Seven o'clock at Night, nor on that Day Sell or Deliver any Spiritous Liquor.

FOURTH

That We will not upon any Pretence nor under any Colour whatsoever suffer any Cards, Dice, Skittles, Shuffle Board, or any other unlawful Gameing whatsoever to be used or practised in our Houses or Yards and in Case there shall be any such in our Houses Contrary to our Consent We will acquaint the Magistrates of the same or take the blame upon ourselves.

FIFTH

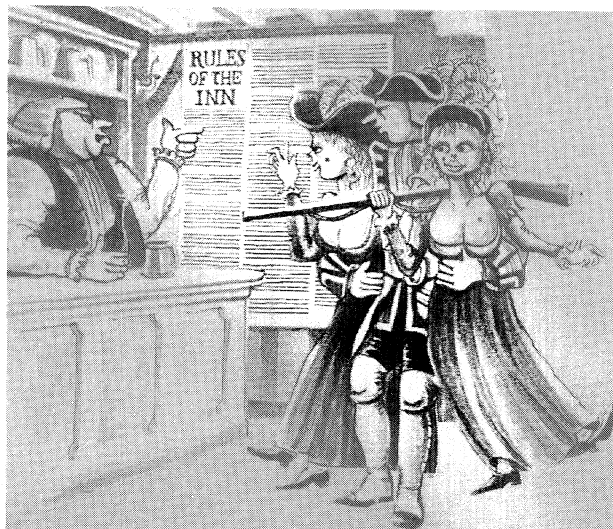
That We will not at any time nor upon any Pretence whatsoever suffer any of the Apprentices or Servants or Youth of the said City to remain in our Houses at any time more than One Hour nor for anytime after Seven o'clock at Night without the Consent of the Parents or Masters whom We promise to Inform if they stay at any Time longer or if their Resort to our Houses be frequent and also to inform the Magistrates of the same or to take the Blame upon ourselves.

SIXTH

That We will not at any time of the Day or Night nor upon any pretence whatsoever suffer any Young Men or Women to resort and be together in our Houses, nor suffer any other Men and Women Except such as are of undoubted good Character to be and remain together in our houses Except in the publick Kitchen and that their stay even there shall be Subject and Restrained to the times and hours aforementioned.

SEVENTH

Nor when Soldiers are Quartered in the City Will we Suffer any Women to be with them Except the Wife with her own Husband.



EIGHTH

And that the said Magistrates may be the more thoroughly Satisfied of our Behaviour in all these particulars the Constables of the said City shall at all times have free access to our Houses to see what is there doing without any Interruption from us or from any other Person by our Consent.

All these Things We promise and Engage faithfully to observe and perform to the best of our power, and in case we do or shall at any time during the Continuance of the Licence now to be Granted to us through Inadvertency or Surprise break any of these Engagements now by us Subscribed to, or Act Contrary to the same, We promise upon Admonition from any one of the Magistrates of the City who shall be Informed thereof to Reform and for the future to amend such our misdoing. But if after such Admonition We shall again during the Continuance of the Licence now to be Granted to us be wilfully Guilty of the same of like Offence and such a Second Offence proved upon us by any one Credible Witness before any Two of the Aldermen of the said City hearing also our Defence before they make any Order therein;

We do hereby promise for ourselves severally and respectively that for the first offence We shall be Guilty of after such Admonition as afore said We will pay Ten Shillings, and for the second offence Twenty Shillings, upon Sight of an Order upon us for that purpose made under the hands and seals of the Two Aldermen before whom such Offences shall be proved upon us to the Chamberlain of the said City for the time being Exclusive of any Penalties We shall or may be Liable unto by our Recognisances.

And in case we shall neglect or refuse to pay the sums of Ten Shillings and Twenty Shillings for the space of Ten days next after We shall be served with the Order as aforesaid for our paying the same;

Or if we shall be found Guilty of a third Offence during the Continuance of the Licence now to be Granted to us and the same shall be proved upon us in manner as aforesaid;

We promise upon the Demand of the same Two Aldermen to deliver up to them the Licence that shall be now Granted unto us to be Cancelled. And if to the Mayor and Burghers of the said City it shall Deem meet to Disfranchise us as Refractory and Incurrible persons

We promise our Submission and Assent thereunto.

In Witness Whereof we have hereunto Subscribed our hands the Twenty second day of September in the year of our Lord One Thousand Seven hundred and Fiftyseven.

(SIGNATURES)

Can you imagine the look on the face of a modern publican if he was required to sign his acceptance of such conditions before he could be granted a licence? He would have to bear in mind the fact that the eight articles were binding in law; and that non-compliance with the conditions could not only mean court action – with the consequent risk of losing his licence and livelihood – but also the probability of a hefty fine as well. There would also be the possibility of the loss of civic rights after being disfranchised as a “Refractable and Incurrible Person”.

Today's ‘Mine Host’ probably feels that he has quite enough to cope with in the present licensing laws without the refinements dreamed up by the courts of eighteenth century Gloucester.