

WHAT IS TREASURE TROVE ?

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Considerable interest in the Law relating to Treasure Trove has been aroused by the recent discovery of the hoard of Saxon silver pennies and bullion in Chester (p. 27). There are three important questions to be considered. Firstly, the objects, no matter whether coins, plate or bullion, have to be of gold or silver entirely or in part, secondly they have to be found in such a position that it can be said they were originally hidden with the owner's intention of retrieving them at a later date; and thirdly the owner cannot now be traced. If objects fulfil these three requirements they are normally declared "Treasure Trove," but before this, the matter requires to be reported to the Coroner for the district, who is the proper authority to inquire into the question as to whether the objects are Treasure Trove and to declare who are the finders. To do this he is assisted by a jury, and evidence is given in the normal legal manner. In some parts of the country there are special powers vested in the ownership of the land covering Treasure Trove; but normally it becomes the property of the Crown and by law is handed to the British Museum. The finders each receive a reward which consists of the market value of the objects concerned, provided, of course, they have made no attempt of concealment and they fulfil all the proper legal requirements.

The British Museum retains only the objects it requires for the National Collections and the remainder is usually offered to the most appropriate local museum which can purchase the objects from the Crown at approximately the value given out as a reward.

In recent years there have been two remarkable instances of the discovery of hoards of treasure. One of these was the famous Sutton Hoo Ship Burial, which was excavated in 1938 and the materials recovered, both in quality and quantity, represent the finest collection of this kind ever found in this country. It was, in effect, the treasure of one of the Saxon kings of East Anglia. An inquest was held in 1949 and it was decided that it was not Treasure Trove as it came from a burial and therefore there was no intention on the part of the owner to recover his wealth. Fortunately, the owner of the land, who had been the instigator of the original excavation, with great generosity, gave the whole of the collection to the British Museum. Had there been in Mrs. Pretty's position anyone less public spirited the results might have been most unfortunate.

The second treasure was found in 1944 near Mildenhall in Suffolk. This consisted of a collection of silver dishes, plates and spoons of the late Roman period and was valued at £10,000. In this case there was the delay of 4 years before the discovery was reported and after an inquest had been held it was declared

"Treasure Trove" and acquired by the British Museum. The owner of the land and the tractor driver, who actually made the discovery, received a substantial reward.

There is always about these discoveries a touch of the fabulous which seizes the public imagination and they are given a prominence which more important but less spectacular archaeological discoveries never assume. Interesting and valuable as this gold and silver treasure may be, to the archaeologist and historian the greater value lies in the context of the discovery. So it is of vital importance for those who are fortunate enough to make one of these discoveries not to up-root it, but to leave it in position until a competent archaeologist can make a full investigation and retrieve information that might otherwise be lost.

In the case of the Chester hoard, for example, the workmen broke the vessel in which the coins had been deposited and threw it back into the trench. Consequently the museum staff was given several weeks' work in re-excavating the area to try and retrieve all the pieces of the vessel so that it could be reconstructed; an arduous task which would have been quite unnecessary if the original discovery had been reported. This work was as vital as that of recovery of the hoard itself, as it is the first vessel of this period ever found in Chester and the coins give it a close date.
