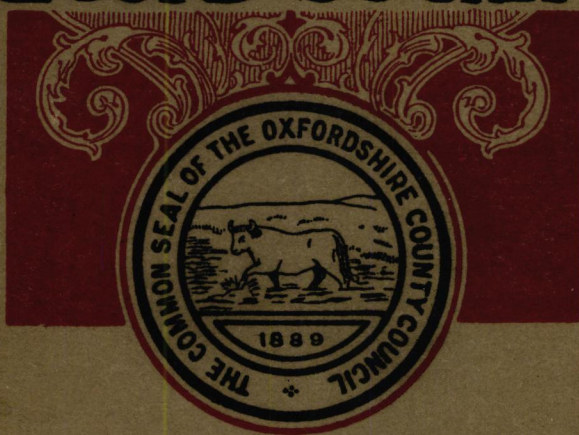




THE OXFORDSHIRE RECORD SOCIETY



PRINTED FOR THE SOCIETY

1934



NOTE.

The Annual Subscription of half-a-guinea is due on the 1st of January of each year. Subscriptions may be paid to the Hon. Treasurer, C. W. Hurst, Esq., 22, Oxford Road, Banbury, Oxon, or paid direct to the Society's Bankers, The Westminster Bank, Banbury, by means of a Bankers' Order.

By adopting the latter method of payment members will save considerable trouble both to themselves and the Officers of the Society. It is therefore hoped they will be good enough to pay their subscriptions in this way.

The Hon. Treasurer will be much obliged if all subscriptions are paid as soon as they are due.

The Council are very anxious to enlarge the number of subscribers and invite all who are interested in the history of Oxfordshire to increase the membership of the Society by enrolling as members.

J. HAUTENVILLE COPE, Esq.,

Hon. Secretary,

FINCHAMPSTEAD PLACE,
BERKS.

The Oxfordshire Record Society.

GENERAL EDITOR :—J. HAUTENVILLE COPE, F.R.HIST.S.

OXFORDSHIRE JUSTICES
OF THE PEACE IN
THE SEVENTEENTH CENTURY.

OXFORDSHIRE RECORD SOCIETY SERIES,—VOLUME XVI.

Oxfordshire Record Society.

**OXFORDSHIRE JUSTICES OF
THE PEACE IN THE
SEVENTEENTH CENTURY.**

BY

MARY STURGE GRETTON (Mrs. R. H. Gretton),
J.P., B.LITT.OXON.

OXFORD :
ISSUED FOR THE SOCIETY.
1934

CONTENTS.

	PAGES.
CHAPTER I INTRODUCTORY.	ix-xxiv.
CHAPTER II OXFORDSHIRE RECORDS EARLIER THAN OUR COUNTY HALL DOCUMENTS :	xxv-lvii.
1602 and 1608 <i>Privy Council orders received by Oxfordshire Quarter Sessions; Papers Concerning Eynsham ; Liber Pacis in All Souls College Library ; etc.</i>	
CHAPTER III SEVENTEENTH CENTURY OXFORD- SHIRE OFFICIALS, GAOLS, HOUSES OF CORRECTION.	lviii-lxxx.
CHAPTER IV SEVENTEENTH CENTURY OXFORD- SHIRE SESSIONS AND JURIES.	lxxxi-lxxxviii.
CHAPTER V SEVENTEENTH CENTURY JUSTICES AND OVERSEAS TRANSPORTATION.	lxxxix-ci.
APPENDIX	1-134.

AUTHOR'S NOTE.

It should go without saying that to the foundation laid by comparatively early works, notably by Professor Tait's *Introduction to Lancashire Quarter Sessions Records* (1917) and, for instance, Miss E. Trotter's *Seventeenth Century Life in the Country Parish* (1919), every essayist on this subject must be indebted.

None the less, and in spite of the numerous County Sessions records that are now in print, a present-day student, in so far as he or she leans upon summaries at all, will lean chiefly on three recent works—Mr. S. A. Peyton's *Introduction to Lincoln (Kesteven) Quarter Sessions Proceedings*, Mr. Hilary Jenkinson's *Introduction to Surrey Quarter Sessions Records*, and Mr. E. G. Dowdell's *A Hundred Years of Quarter Sessions*—this last differing in form from the others, because its author gives the doings of Middlesex Sessions from 1660 to 1760 entirely in his text, and not by a calendaring of the documents. All these three books have been published in, or since, 1931, and the authors of them would be the first to admit their leading advantage to be that they are the most recent—growths from their predecessors' plantings enriched by more intensive present-day delving such as that being at the moment undertaken by Dr. Putnam, to whose oversight of his manuscript Mr. Jenkinson pays tribute. Yet beyond this primary advantage, of heirship, Mr. Dowdell's thoroughly-informed text illumines by being presented from a defined angle; and Mr. Jenkinson's and Mr. Peyton's *Introductions* combine comprehensiveness with clarity in a singular degree, Mr. Jenkinson's offering a range of information with a liveliness and ease of expression that seems, for our day at least, to give it finality.

My text is on no such scale. It does not attempt a general survey or history of Justiceship. Except for a few preliminary pages, it treats only of matters within the mere dozen years' records of sessions, which are all the records earlier than the eighteenth century, remaining now in our County Hall. These, in comparison with the documents a number of other English counties possess, are not early documents. Sixteen counties have Sessions Records that begin a hundred years before Oxfordshire's begin; moreover Dr. Putnam has compiled a catalogue of no less than seventy to eighty Sessions Rolls of date before 1500. These facts, though familiar to all scholars working on the subject, have here to be stressed because, unfortunately, a just-issued memorandum relating to custody of Oxfordshire Sessions documents has stated "Few Counties, we are told, possess records earlier than the seventeenth century."

Yet, scant as Oxfordshire's seventeenth century sessions documents are, they contain much that is of interest. And I am here prefacing these seventeenth century County Hall documents with some relevant material that has been preserved elsewhere in Oxford. Moreover this section is preliminary to my editing of our Oxfordshire eighteenth, nineteenth, and twentieth century records of sessions. It was Mr. G. M. Trevelyan who, in 1914, stimulated the work by saying, of my chapter on overseas transportation of Oxfordshire criminals in *A Corner of the Cotswolds*, that only by such unearthing of actual justices' doings in particular localities, between 1700 and 1872, would the truth of England's governing through that period ever be learned. And Professor Trevelyan's consistent encouragement shows itself generously to-day in his acceptance of the dedication of the whole work of which this, the seventeenth century section, is but the opening volume.

I have worked throughout from the manuscript documents themselves, and this for a number of reasons that have

strengthened with the continuance of the work. Yet it is impossible to anyone interested in our County Hall muniments to forget Canon W. Oldfield's achievement of the written catalogue which he presented to the Bodleian Library, at the same time that he placed a summary of it with the Clerk of the Peace.

For encouragement and aid in this work my thanks are due to a number of persons, particularly to the Chairman and Vice-chairman of my Quarter Sessions—Sir Adair Roche and Sir John Fox—and to Dr. Bertha Putnam and Mr. T. F. Hobson, all of whom have been so kind as to read it in manuscript. And to Professor Felix Frankfurter of Harvard University Law School, who for 1933–34 is Eastman Professor in the University of Oxford, for the attention he has given to reading the manuscript and for the warmth of his subsequent encouragement my gratitude is greater than it is possible here to express.

17 St. Giles,
Oxford,
and
Calendars,
Burford, Oxon.

MARY S. GRETTON.

January, 1934.

INTRODUCTORY.

CHAPTER I.

The Oxfordshire Sessions records that exist now in the County Hall, Oxford, date from the year 1687. This volume describes the seventeenth century portion of these in a setting of some earlier and other Oxfordshire documentary information bearing upon them.

Mr. Hilary Jenkinson has written, in his *Introduction* to the Surrey Quarter Sessions Records, "There came a time about the middle of the fourteenth century, when something vague already in existence became the recognisable Justice of the Peace, with an organisation which was at least the germ of what we know now . . . Following this comes a period when the authorities not only exist but embarrass us by their multitude; from the sixteenth century onward there have survived not merely a spate of Treatises destined for the instruction of the J.P. and the bibliographical despair of later ages (Miss Putnam enumerates fifty-seven editions or issues of Treatises printed between 1506 and 1599),¹ but a rapidly-increasing mass of regularly-kept Records."² Between seventy and eighty Sessions Rolls exist of date earlier than the sixteenth century. And Derbyshire, Hertfordshire, Kent, Lancashire, Middlesex, Somersetshire, Staffordshire, Wiltshire, Worcester-shire, Yorkshire and Devon are among the counties which possess sixteenth-century records. Forty or fifty years ago the statement "Few counties have Quarter Sessions records older than the Civil War,"³ was pardonable; but, in face of the

¹ *Early Treatises on the Practice of the Justices of the Peace in the Fifteenth and Sixteenth Centuries*, by Bertha Haven Putnam, Ph.D., p. 7.

² *Introduction*, by Hilary Jenkinson, F.S.A., to Vol. XXXII of Surrey Record Society publications, p. 1.

³ *Quarter Sessions*, by A. H. A. Hamilton, Introduction, p. xi.

above facts, it has no pertinence now. In regard to the work that was done by Justices of the sixteenth century Lambard's *Eirenarcha*,¹ published in 1581 (Old Style), gives an exhaustive account of local government as, theoretically, it was organised under Justices of the Peace at that date. *Eirenarcha* at that time and for long afterwards was almost universally used, and, as Miss Putnam points out, when the seventeenth century did produce new Justices' Handbooks *Eirenarcha* was as far as possible incorporated in their text: "Lambard, therefore, becomes the basis for the later seventeenth century treatises, of which Michael Dalton's 'Countrey Justice' was the most famous."²

Therefore, because Dalton's book³ was in most general use at the time our Oxfordshire records begin, I take the following short summary of the duties of a Single Justice or two Justices OUT OF SESSIONS from it, though where Dalton is clearest and most definite he is usually quoting from one whom he terms "Mr. Lambert." Of the POWERS OF A SINGLE JUSTICE Dalton opens thus "The Power and Authority of the Justices of the Peace is in some cases Ministeriall or Regular and limited as a Minister onely, and in some other cases Judiciall or Absolute and as a Judge. Ministerial when he thereto is commanded by an higher Authority." As upon "a Supplicavit, out of the Chancery or King's Bench for the taking of the Surety of the Peace, or a writ upon the Statute of Northampton upon a Forcible Entry." And thence he proceeds to detailing the matters a single Justice can himself deal with "as a Judge." These include Rioting or unlawful Assembling; tippling in alehouses or drunkenness; instituting Hue and Cry; ordering the idle able-bodied to work; commanding the widening of

¹ *Eirenarcha*; or of *The Office of the Justices of Peace*, by William Lambard of Lincolnes Inne, Gent. 1581.

² *Early Treatises on the Practice of the Justices of the Peace in the Fifteenth and Sixteenth Centuries*, by Bertha Haven Putnam, Ph.D., p. 218.

³ *The Countrey Justice*, by Michael Dalton of Lincoln's Inn. Sixth Edition, London 1635.

highways ; putting poor children to labour at seven years or less and apprenticing their elder brothers ; committing recusants “ especially since the gunpowder treason ” and reporting to some member of the Privy Council any found to be in possession of *Agnus Dei* ; punishing rogues and vagabonds and non-attenders at church ; ordering whippings and committals to the House of Correction ; commanding the Night-watch, Searchers and Keepers of plague-infected persons ; adjudging controversies between servants and masters ; ordering destruction of faulty weights and measures, cloth or tiles¹ ; punishing trespassers in corn, orchards, or woods, and any carrying guns without licence ; committing speakers of slanders against the King or of any disloyalty—“ suffering not the King to be disadvantaged ” ; committing soldiers purloining harness or horse, players of unlawful games and keepers of such gaming-places, all selling short measure, and transporters of corn ; seizing malt made by any “ restrained ” maltsters.² Over and above all this purely personal jurisdiction, with a great deal of signing of Certificates and Passes examples of which will presently be noted in our Oxford County Hall documents, went as matter of course all taking of informations and binding of witnesses against felons that must be committed to Quarter Sessions—that is cases requiring a jury.

But between the SINGLE JUSTICE and SESSIONS lay in the seventeenth century a large region, nebulous to modern eyes and certainly not more clear in Dalton's defining than it had

¹ If any Tilemaker have not digged and cast up his earth for Tile, till after the first of November, or have not stirred and turned it till after the first of Februarie following, or if hee have not wrought and tried it from stones, veines, and chalke ; Or if he have made, or any person have put to sale, any plaine Tile, under tenne inches and a halfe in length, five inches and a quarter in breadth, and half an inch and a quarter in thicknesse : or any rooffe Tile under thirteene inches in length, and halfe an inch and halfe a quarter in thicknesse, with convenient deepnesse : or any gutter Tile under tenne inches and a halfe in length with convenient thicknesse, breadth and depth.” *Eirenarcha* (1602 edition) p. 141.

² Person forbidden by a Justice to buy barley for malting because he had used bad or insufficiently dried grain.

been in Lambard's a hundred years earlier. Sir William Holdsworth writes on this subject "Powers of two or more justices were similar in kind, but greater in degree" (than powers of a single justice).¹ Yet after poring over Dalton's pages there seems to emerge some naturally developed distinction in kind. To Two JUSTICES, for instance, came punishing of riots and arranging—taking or refusing—of bail. In the first they would encounter opposition of juries, in the second much law was involved. So in these, as in levying of fines and forfeitures, contests with sheriffs and sheriffs' books, controlling overseers and poor law assessments and expendings, supervising hospital accounts, assessing liabilities for robberies within the Hundreds—all finance levying and accountings indeed—and in licensing the maimed and diseased to travel in other men's districts, Justices may early have shown preference for shared responsibility, for acting in consultation only. In all of these matters criticism or opposition from the vested interests of others might be forseen and the Statutes requisitioning Two JUSTICES be, as so commonly in English law, legislation succeeding to practice.

Regarding any textbook summary, moreover, we do well to remind ourselves of Sir William Holdsworth's comment on *Eirenarcha* that any such treatise represents only the theoretical side of the matter. "If," he writes, "we wish to know the manner in which the scheme actually worked . . . we must go below the surface and look at the actual records of the Sessions." Compilers of these sixteenth and seventeenth century Justices' Handbooks were denizens not only of London but of that heart and centre of the period's learning—the Inns of Court. How much therefore their understanding of legal administration might differ from that of provincial squires is not difficult to imagine in view of the contrast in Quarter

¹ *A History of English Law* by W. S. Holdsworth, K.C., D.C.L., Vol. IV, p. 140.

Sessions and Quarter Sessions Committees to this day between the mentality of J.P.s acquainted with High Court procedure and those with petty sessional notions merely. And in *The Countrey Justice* itself a certain margin of irregularity is presumed. Dalton follows his detailing of the competence of Justices out of Sessions with these words—"There be some other Statutes and some other Cases wherein the discretion of the Justices of the Peace (out of their Sessions) is tolerated, but the counsel of Cicero herein is to be observed '*Sapientis est Judicis cogitare tantum sibi esse permissum, quantum sic commissum ac creditum*'.¹"

At QUARTER SESSIONS in the seventeenth century the procedure remained the medieval procedure, continuing to focus in the Charge given by the spokesman of the Justices to the Grand Jury and the presentments and indictments made by the Jury in response to the Charge. The competence of Quarter Sessions to determine as well as to hear, at the date our County Hall documents begin, extended to all crimes except treason; though by Statutes 1 and 2, Philip and Mary c. 13, the Justices had been directed in certain cases to take the depositions only and certify them to the Assizes.

As to the form and conduct of Quarter Sessions in 1687 we are so fortunate as to possess exact information in a book the second edition of which was published in the year 1682. It was then printed for a certain Henry Twyford in Vine Court, Middle Temple and it is entitled *The Office Of The Clerk Of Assize Containing the Form and Method of the Proceedings at the Assizes and general Gaol-delivery, as also on the Crown and Nisi Prius side. Together with the Office Of The Clerk Of The Peace. Shewing in true Manner and Form of the proceedings at the Court of General Quarter Sessions of the Peace.*² The Justices having

¹ *The Countrey Justice*, by Michael Dalton, 1635 edition, p. 22.

² This book, though readily found in the British Museum catalogue, is so difficult to discover in the Bodleian that I give here its shelfmark "8°. G. 29. Jur."

been summoned and gathered for the Sessions, the under-Sheriff, attended by his bailiffs walking two and two and bearing white wands, ushered the company of Justices from their "place of convention" to the Bench. The Court being thus "set" and the Crier having made three proclamations, the Clerk of the Peace then read the Commission, and the Sheriff delivered his calendar. Thereupon the Clerk of the Peace instructed the Crier to say "All Coroners, Stewards of Leets and Liberties, Constables, Petty Constables and Bayliffs within this County of Oxfordshire answer to your Names, every man at the first call and save your Fines." Thereupon the Clerk of the Peace gave each name as it stood in the calendar, the Crier calling each after him, thus, "A. B. Gent., one of the Coroners of this County," "B. C. Gent., one of the Coroners of this County," and to those who responded to his call the Crier said "vous aves" while the Clerk set the mark for their presence. After each of the coroners and the stewards of the Leets and Liberties had been called thus, the Clerk similarly dictated to the Crier the naming of every Chief Constable. The Chief Constables being ended, the Petty Constables "of every Parish and Hamlet in the County" were then called¹; and after the Petty-Constables list came, still each singly and each responding, the Bailiffs of every Hundred or Liberty. And only when the last of their names had been reached, could the Clerk of the Peace instruct the Crier to proclaim "All Justices of the Peace, Coroners, Stewards of Leets and Liberties or others that have any Inquisitions or Recognizances whereby you have let any persons to Bail or taken any examinations or other thing since the last Sessions, put in your records thereof that the

¹"Though all the Petty-Constables ought to appear at every General Quarter Sessions, yet if one Petty-Constable of a Parish shall appear the Justices of the Peace do usually spare the other for the ease of the country; and in those Counties where there are several particular Juries of Enquiry for Hundreds and Liberties the Sheriff doth usually return the Petty-Constables upon those Juries for the ease of the other Free-holders in the County." *The Office of The Clerk of The Assize, etc.* p. 110.

King's Justices of the Peace may proceed thereon."¹ Next the Grand Jury is called, each member of it being termed at his calling "Esq." The Grand Jury being full, the Juries of Hundreds and Liberties are next sworn and then the foreman of each Jury. Then, in regard to the president or Chairman of the Sessions Court, the book notes "some Statutes require that men Learned in the Law should be put into the Commission, and the *Custos Rotulorum* being a person generally chosen out of the Nobility for the Honour of the Bench and the greatness of his trust is impowered under his hand in writing or by word of mouth to assign some outer Barrister of one of the four Inns of Court to give the Charge."² And neither in its manner or extent was that Charge a light undertaking. Its Preamble includes statements such as the King "most graciously has derived some particles of his authority to his Justices of the Peace in their several Counties, thereby to enable and qualifie them to dispense the productions of his Laws to his People; so that the streams of Justice may be conveyed from the Crown to you, by these Courts, as through many Conduit-pipes or Quils, even home to your own doors, where you may receive an Address of your Grievances, and reap the fruits of Justice with small Expense or loss of time; whereas the People in other Countries travel far to seek Justice in their fixt and settled courts, as it were at Cisterns or Fountains"; and even the refreshingly simple words with which the Preamble closes, "Since custom and necessity require me to say something to you, for that your Oaths do depend upon your Charge, without which you cannot proceed in this Sphere of Justice, I shall be the more brief in my directions," are succeeded by instructions³ under the heading "You shall inquire and

¹ *The Office of the Clerk of the Assize, etc.* p. 111.

² *Ibid.* p. 117. Cf. page lvii. of my text which quotes Bulstrode Whitelock's (of Fawley Court, Henley) description of being "put into the Chair" at County Quarter Sessions in Oxford, obviously without any previous notice or warning.

³ *Ibid.* pp. 120-139.

present ” of which even my summary cannot be brief. First, three divisions for offences are given—

“I. THOSE DELINQUENTES THAT OFFEND THE HEALTH OF YOUR SOULS, AND THEIR OFFENCES EXTEND AGAINST GOD AND HIS CHURCH.

II. THOSE DELINQUENTS THAT OFFEND THE HEALTH OF YOUR HEAD AND THEIR OFFENCES EXTEND AGAINST THE KING AND HIS GOVERNMENT.

III. THOSE DELINQUENTS THAT OFFEND THE HEALTH OF YOUR BODY, AND THEIR OFFENCES EXTEND AGAINST THE PEOPLE AND THEIR QUIET.”

UNDER I—OFFENCES AGAINST GOD—are given in the Charge Invoking or using any wicked Spirit, witch-craft, or sorcery whereby any person is “killed, destroyed, or lamed.”

(Penalty, Death without Benefit of Clergy.)

Attempting by witch-craft, charm, or sorcery to find hidden treasures, to provoke unlawful love, or hurt any man’s goods.

(Penalty, For first offence imprisonment for a year with once a quarter six hours in the pillory and there confessing. For second offence Death without Clergy.)

Perjury.

(Penalty, Suborner fined £40; suborned fined £20 or if goods to these amounts lacking six months’ imprisonment and pillory.)

Drawing a weapon in church or churchyard.

(Penalty, Forfeit an ear or, if ears are lacking, brand right cheek with letter F for fray-maker.)

Absenting from church for a month.

(Penalty £20 or two parts of offender’s whole estate when it has been divided into three parts.)

Minister who has refused to read the Book of Common Prayer or to administer the sacrament in his Parish church.

(Penalty, For first offence forfeit his "spiritual promotions" for a year, for second offence add to that a year's imprisonment, for third offence deprivation of benefice and imprisonment for life.)

Depraving the Book of Common Prayer or compelling any minister to any other form of worship or adoration.

(Penalty, For first offence forfeit 100 marks, second offence forfeit 200 marks, third offence forfeit all goods and chattels and imprisonment for life.)

Depraving the Sacrament by word of mouth or otherwise.

(Penalty, Imprisonment, fine, and ransom.)

Wilfully saying or singing Mass.

(Penalty, Singer or sayer forfeit 200 marks with a year's imprisonment; hearer to forfeit 100 marks with a year's imprisonment.)

Keeping a school not licensed by an Ordinary or if any retain an unlicensed schoolmaster to teach children in his house or elsewhere.

(Penalty, Forfeit 40s. a day.)

Having brought from the See of Rome Agnus Dei, Crosses, Pictures, Beads etc., to be worn or used, or defended authority of the Bishop of Rome or of his See.

(Penalty, Forfeit land, goods, chattels and suffer imprisonment at the King's pleasure.)

(b)

Under II—OFFENCES AGAINST THE KING—the Charge continued

Petty Treason “where the servant has killed the Master, Mistress or Dame, the Wife her Husband, or the Clerk his Ordinary.”

(Penalty, To be drawn and hanged as a felon.)

Murder. (Penalty, Death without Clergy.)

Manslaughter. (Offender allowed his Clergy.)

Buggery. (Penalty, Death without Clergy.)

Rape. (Penalty, Death without Clergy.)

House burning. (Penalty, Death without Clergy.)

Rick, Stack, Hay, Corn, Kiln, Grain burning.

(Penalty, Death or transportation for seven years.)

Burglary. (Penalty, Death without Clergy.)

Robbery with violence.

(Penalty, Death without Clergy.)

Larceny from the person.

(Penalty, Death without Clergy.)

Transporting live sheep out of the King's Dominions.

(Penalty, Death without Clergy.)

Maiming or hurting in the night time horses or any cattle.

(Penalty, Forfeit treble the value of damage to the owner, if any of the animals die Death or transportation for seven years.)

Petty Larceny stealing goods not above 12*d.* in value.

(Penalty, Forfeit all possessions and be whipped.)

Assault.

(Penalty, Imprisonment at the discretion of the Court.)

- Battery. (Penalty, Imprisonment at the discretion of the Court.)
- Bloodsheds. (Penalty, Imprisonment at the discretion of the Court.)
- Maihem “where any person has maimed another of any member whereby he is less able to fight.”
(Penalty, Death.)
- Forcible Entry or Forcible Detainer.
(Penalty, Fine, ransom, and restitution of possession.)
- Rout or Riot. (Penalty, If “heinous” a great fine and a year’s imprisonment; if petty, imprisonment with bail at Justices’ discretion.)
- Neglecting to bury in wool shroud and to line coffin with wool.
(Penalty, Forfeit £5.)
- Scandalising Magistrates.
(Penalty, Fine, imprisonment, binding to the Good Behaviour.)
- Barratry—“inciting law-suits or quarrels.”
(Penalty, Fine, imprisonment, binding to the Good Behaviour.)
- Maintenance “hindering justice.”
(Penalty, £10 and imprisonment.)
- Extortion by any Official.
(Penalty, Fine and imprisonment.)
- Frauds and Deceits, as counterfeit letters.
(Penalty, “any corporal punishment not extending to death.”)
- Selling corrupt meat or drink.
(Penalty, Fine or imprisonment.)

Under III—OFFENCES AGAINST THE COUNTRY—the Charge passes to

Forestallers,¹ Ingrossers,² Regrators.³

(Penalty, For first offence forfeit value of goods and two months' imprisonment ; for second offence the previous penalty doubled ; for third offence pillory and imprisonment during the King's pleasure.)

Destroying pheasants or partridges by means of engines.

(Penalty, £10.)

Killing a partridge, pheasant, pidgeon, mallard, duck, teal, widgeon, goose, heath-cock, or any suchlike fowl, or destroying the eggs of any pheasant, partridge or swan or tracing any hares in the snow.

(Penalty, For each such fowl or egg pay 20s. to the Poor, or three months imprisonment, or after one months' imprisonment be bound in sureties of £20 apiece never to offend in such manner again.)

Possession of greyhound, setting-dog, or net, without licence.

(Penalty, Pay 40s. to the Poor or three months' imprisonment ; any juryman concealing such offence to forfeit 20s.)

Breaking down a Pond-head.

(Penalty, Six months' imprisonment and to be seven years bound to the Good Behaviour.)

¹ Foretaller "person who hath bought any Merchandize, Victual or other thing coming to any Fair or Market to be sold or hath inhaunced the price or dissuaded the bringing to Market."

² Ingrosser "he that hath bought corn, grain, or other Provision of Victual with intent to sell again."

³ Regrator "a person that hath bought or sold in the same Market or in another Fair or Market within four miles."

Disordered Victuallers “those who have agreed to sell their victuals at certain prices.”

(Penalty £10 or if that sum not paid within six days twenty days’ imprisonment with only bread and water ; second offence pay £20 with pillory ; third offence pay £40 or if not paid within six days “ loose one of his ears in pillory and be infamous.”)

Common Scolds. (Penalty, suffer the cocking-stool.)

Disorderly Ale-house-keepers. Those suffering “ common bawdery, common gaming, common drunkards ” within their houses.

(Penalty, Fine and imprisonment and to be bound to the Good Behaviour.)

Unlawful Cottagers—any erecting a cottage with less than four acres of freehold land.

(Penalty, Forfeit £10 and for every month occupying such cottage 40s.)

Receivers of Inmates—cottagers harbouring any “ Poor Person ” or taking another family to inhabit with them.

(Penalty, 10s. for each month of such harbouring.)

Defaulters of High-Ways—“ any person possessing a team, or ploughland in arable or pasture, who has not sent two able men and tools ” to work upon the highways for the days fixed by the Surveyors.

(Penalty, 10s. for each day’s default.
Labourers 1s. 6d. for each day.)

Defaulters of Ditch-scouring.

(Penalty, 12d. for each pole unscoured.)

Defaulters of Hedge and Tree cutting.

(Penalty, 10s. for each offence.)

Defilers of High-Ways.

(Penalty, 12*d.* for every load that has lain
for six months.)

Overloaders of Waggon—any loading any “travelling
Waggon or Carriage with above 20 hundredweight in
winter and 30 hundredweight in summer, or with more
than 5 quarters of wheat, meal, mesline,¹ rye, pease, beans,
and tares ; or 8 quarters of barley, mault, or oates have
been drawn in any High-Way, or with more than five
Horse-beasts at length.”

(Penalty, 40*s.*)

Defaulters in repair of Bridges.

(Penalty, Fine.)

Defaulters in reporting sight of “rogues and vagabonds.”

(Penalty, 10*s.*)

Here the Charge closes, with the words from the Quarter Sessions Chairman, “Lastly, you shall inquire and present all other things that you know to be within the compass of your enquiry and the jurisdiction of the Court ; and so I dismiss you to your business.” And the writer of the book adds this “NOTE That offences punishable before Justices of the Peace in other manner than by Indictment are omitted out of this Charge, in regard that the length thereof would then have exceeded the usual time, and that they would have burthened the Jurors, neither is it necessary to repeat them here when the Statutes have directed another way of proceeding in those cases as by Examination &c.”²

I have thus followed exactly, through nine pages of my text, this 1682 book’s account of Quarter Sessions assembling and the giving of the Charge ; because it seems to me uniquely valuable for the end I have in view—enabling us to see our 17th century Justices. At first I had taken as the ground-plan for our picture of them Lambard’s list of statutes appertaining to the

¹ Mixed meal, or grain.

² *The office of The Clerk of Assize etc.*, p. 138.

Justices of the Peace; but, not only does *Eirenarcha's* list belong to a hundred years earlier than our County Hall documents, no catalogue of statutes could have for us the vividness of this chronicle of contemporary and customary administration.

The century of the Tudors had largely increased the number of statutes to be administered by the Justices of the Peace, but the greatest work of that century in regard to them was construction of the machinery whereby the "stacks of statutes" that now pertained to Justiceship could be administered. Until the Reformation the Parish had been a purely ecclesiastical unit of government. The first use of the parish as an entity of civil government was in 1531, when a statute laid on it the responsibility for the destruction of rooks and vermin¹; in 1536 parishes were instructed to set their beggars on work and to relieve their infirm poor²; 1546 added the duties of apprenticing destitute children and of enforcing the law of settlement³; and in the reign of Philip and Mary the parish was made responsible for its highways.⁴ Effectiveness of Acts such as these was wholly dependent on their local administrators. Had it not been for the new use of parochial officials under Henry VIII, the great development of Justices' powers in the seventeenth century would not have been practicable. The ecclesiastical Parish machinery, which Henry, having proclaimed himself Head of the Church, was able to take to his use for civil administration, already possessed a rating system, honorary officers in Churchwardens, and paid officers in Parish Clerks; to these 1555 had added Surveyors of Highways⁵ and

¹ 24 Henry VIII, c. 10.

² 27 Henry VIII, c. 25.

³ 1 Edward VI, c. 3.

⁴ 3 Philip and Mary, c. 8.

⁵ "Like watch and ward, the maintenance of roads and bridges was a local obligation of great antiquity, but . . . the local liability for the repair of the means of communication, had been largely evaded in the middle ages like other similar obligations, and religious effort having ceased to remedy this neglect after the Reformation, the Tudor sovereigns were obliged to reorganize the responsibility of rural areas for this duty." *Introduction, Lancashire Quarter Sessions Records*, by James Tait (Chetham Society, 1917).

1557 Overseers of the Poor ; and before our Oxfordshire Sessions papers commence the village Constables had come to be known as "Justices' Men." Indeed in 1687 the parish retained no control of its officials ; the Justices had all. How unpopular had become the holding of office may be judged from the fact that a Statute of 1699 was to offer to anyone who prosecuted a felon to conviction, or to first assign of such prosecutor, the prize of exemption from liability to hold office in the parish in which the felony was committed ; and this prize, known as "the Tyburn ticket," was customarily auctioned to the highest bidder residing within the same parish. One of the objections to taking office at this period was that, though theoretically appointed for one year only, the difficulty of procuring a successor frequently forced continuance in it for a second, or even a third, year.

OXFORDSHIRE RECORDS EARLIER THAN OUR COUNTY HALL DOCUMENTS.

CHAPTER II.

Privy Council Orders 1605 and 1608 ; Papers Concerning Eynsham ; Liber Pacis.

From the textbook instructions for seventeenth century English Justices in general we pass now to our study proper—*Justices of Oxfordshire in the Seventeenth Century.*

The first question to ask is, have we knowledge of any material appertaining to the Oxfordshire Sessions earlier than 1687—the date at which our County Hall documents begin ? Happily the Devon Sessions papers, on which I have worked at Exeter, contain still (though these are missing from the *Privy Council Registers* at the Record Office)¹ the Orders that were issued by the Privy Council to Quarter Sessions from 1602 to 1608. And those that I am about to give here must of necessity have come to our Oxfordshire Sessions, because in June 1605 and 1608 a copy of them was despatched by the Privy Council to “every Quarter Sessions” in England. These Orders my husband and I transcribed from the manuscripts at Exeter and our transcripts were checked later in the office of the Clerk of the Peace there. Afterwards we came upon them in the Rev. J. C. Cox’s *Annals of Derbyshire*, and in A. H. A. Hamilton’s *Quarter Sessions* ; but neither of these printed copies accorded with our Exeter manuscript in every particular, the Privy Councillor’s signatures, for instance, being different in order. The Exeter Manuscript runs “Orders conceived fit to be put in execution in these severall Counties of this Realme for the better preservation of his Maties subjectes in peace order and obedience wthin the same. At the Court Grenewch xxiii June 1605.

¹ Because, on January 12th, 1618, the “greate Banquetting house at Whitehall was, by casualty of fire, quite burnt to the ground, under which the records of the Councell were kept, which being not possible to be all saved from so furious and suddaine a conflagration, all the bundled papers, and also all the Registers and Bookes of Councell from part of the yeare 1601 inclusive unto May 1613, were quite consumed.” *Privy Council Register*, Nov. 1, 1618.

1. First that the Justices of the peace resiant w^{thin} any Countie of the Realme (except they have Just Cause of impediment¹) be at every Quarter Session for that Countie or part of the Countie in w^{ch} they are resiant from the beginning of the same Sessions to the end thereof.
2. That the Clarke of the Peace give a true Certificate upon his othe at every Assizes to the Justices of Assize, what Justices of the Peace (resiant as aforesaid) were absent from any such Quarter Sessions of the same Countie holden meane between that and the Assizes next before, or who being at the same Sessions were not ther at the beginning thereof or held not out till the end according to the tenor of the former Article.
3. Item that the Justices of Assize do examin the truth of the cause of such Justices' absence or not—attendance at any of the said Sessions & for such as shalbe found to have offended therein w^{thout} just cause or excuse. The Justices of Assize to advertise the same to the Lo : Chaunceller or Lo : Keeper of the greate seale for the time being whereby his Lo:^{ty} may deliver it to his Ma^{tie} & Councell that such Cause may be taken therein as shal stand with Justice.
4. Item that upon conference betweene the Justices of Assizes & the Justices of the Peace of every severall Countie at the next assizes to be holden in the same, convenient and apt divisions be made through every Countie & riding. And that fit Justices of the Peace be assigned to have the special charge & care of every such division & these to be answerable for such defectes as throughe their defaultes shall happen therein. And every such division to be so made as none be driven to travill above 7 to 8 miles, that then the same parte be assigned to the division of the Countye next adjoyning.
5. Item that the Justices of the Peace of every suche division bee assigned to assemble themselves together once betweene every generall Sessions of the Peace neere about the mid-time betweene each such Sessiones

¹ This distinctly written "Just Cause of impediment" is the more rational phrase; the Prayer Book "or" has arisen probably through a printer's error.

at some convient place w^{thn} their severall divisions, to inquire of and see the due execution of these things following viz

6. The Statutes of Labourers The Statutes concerning Alehouses & Typlers the statutes of the assize of bread and drink the statutes concerning roages & vagabondes the statutes for setting of the Poore on Worke and to bynd children Prentices but specially to husbandrie and huswiferie, & to be informed of all manner of Recusantes as well Popish as Sectaryes, murtherers felonies & outrages w^{thn} that Lymit And to execute the Statute concerning Artificers, Matters of the Peace, and all other thinges w^{thn} their severall divisions as aforesaid, appertaining to their office to deale as Justices of the Peace And thereupon to take suche course that the same be delt in and reformed according to the lause : But especially such as keepe Ale houses without Lycense may there be examined & presently punished according to the lause And that such as having Lycense doe abuse the same or not observe these Articles to bee put doune and proceeded with upon their recognisance & such like.
7. Item that the Constable of the Hundred & Wapentake & pettie Constables & other inferiour officers touching matters of Justice inhabiting w^{thn} any the limites aforesaid, be at the said assemblies to deliver their knowledges touching the premisses And by warrant from the Justices of that division to bring to the assemblies such as offend in remissness or otherwise, touching roages & idlers, or in keeping of typling houses without lawfull licence, or w^{ch} doe not observe the Articles & orders prescribed unto them.
8. Item that they appoynt a Clarke to keepe notes of their proceedings at these Assemblies that the Cause may be examined and if need be certified as aforesaid.
9. Item that the same Clarke & Constables of the hundreds inhabiting w^{thn} every such Lymit certifie the Justices of Assize at every Assizes upon their othes what Justices of the Peace were absent from any such assemblies that the cause may be examined & if need be certified as aforesaid.
10. Item that at these assemblies they punish by the good-behaviour such as be comon drunkerdes, and all comon hauntors of Alehouses, And that they also

take order that all Idlers be delt wth & punished according to the lawes, & that also at those assemblies to examine the negligences disorders & misbehaviours of constables pettie Constables & other inferiour ministers & thereupon to take order for proceeding against them for the same according to the lawes.

11. Item that the Justices of Assizes do at every Assizes informe themselves As well by the Clarks of the Peace Constables of the Hundred as otherwise, what service have been performed by every Justice of the Peace sithence the Assizes last before in apprehending of Murtherers, robbers & thieves in punishment of Roages & Vagabonds in suppressing & putting doune of Alehouses & Typling houses & in punishing such other offences & disorders wherewth the cuntrie is most infected and who hath bin negligent in doing their duties therein & to make relacon thereof to the Lo : Chauncellor & his Lo^p thereupon to make yt knowne to his Ma^{tie} & his Councell aforesaid

T Ellesmere Canc	T Dorset	Lenox
Northumberland	E Worcester	Devonshire
H Northampton	Salisbury	
W Knollys	E Wotton	
E Bruce	J Harbert	

Ashley ”

Three years after this Order of 1605, for the 4th of June, 1608, again in the Devon manuscripts, is a further Privy Council Order giving supplementary licensing directions because it is said the directions of 1605 have failed to suppress lewdness and disorder in Alehouses. The clauses of this 1608 Order are :—

1. Licences to be annual only. To be renewed at every Easter Session.
2. Where a licence has been granted by two Justices, it must be brought to the next Quarter Sessions to be sealed by the Clerk of the Peace.
3. The Clerk of the Peace is to keep a register, to be signed by four Justices, two of whom must be of the Quorum, of all licences granted.
4. The Articles of Good Order, to be observed by their Alehouse keepers, must be drawn up by the Justices and forwarded to the Privy Council that the Council may add to or amend them if necessary.
5. A list of all licensed houses is to be kept, and the number of them is to be diminished rather than increased.

Under these directions the Devon Justices thereupon issued, at their Quarter Sessions, for their Articles of Good Order, the following :—

- “That such as shalbe lycensed to keepe typling houses be bound in x℥ themselves wth two sureties v℥ apiece to observe these Articles following viz
1. That they suffer no nyhbors Children or tenantes nor any dwelling in the same toun to tipple in their houses.
 2. That none be suffered to tipple in their houses in any one day above one houre.
 3. That none be suffered to tipple in their houses on the Sabboth & festivall daies at the tyme of Sermons or Service, nor at any time after nyne of the Clock at nyht.
 4. That if any Vagabondes or suspitious persons com to their houses they shall acquaint the officers wth yt, and so if any goodes be offered in their houses to be sold by any.
 5. That they suffer no Carding dicing or other play in their houses.
 6. That they suffer no drunkenness or dissolute order to be in their houses & if any happen to be, to acquainte the Constable of the toun wth it that the offenders may be punished.
 7. That they shall not Brew in their houses but shall take their drinke from the Brewer when it may be had & the best to be but at 6s. the Barrell and the small at 4s. the Barrell.
 8. That they drawe out their drinke by the Ale quart & not by Jugges or Cuppes and sell the best after the rate of 3^d. the gallon and the worst at the rate of 2^d. the gallon. And such as must needbe Brew themselves to make it so they may sell at the price aforesaid.
 9. That no Alehouse be erected in anie Limit but by the Justices is assigned to that lymit that thereupon they may be charged wth what falleth out amiss therein.
 10. That if any of them offend in any of the articles they be forthwth putt downe & no more suffered to keepe anie more typling house & their bondes certified to be put in suit and themselves bound to the good behaviour.
 11. That none be admitted to keep Alehouse or tiplinge but such as have bin knowne of good behaviour & conversation and such as are not retainers to anye.

12. That none be suffered but in the bodies of good Tounes & through faires & the number still to be as few as may be.
13. The Justices of Assize to be certified at everie Assizes what number of Typling houses bee licenced wthin anie division & in what tounes and places.
14. That no brewer be suffered to be retayner to any Justices of the Cuntrie & that all Brewers have a rate or size set doune to them by the Magistrates of Citties and Tounes corporate and by the Justices of the Cuntrie according to the statute for selling their Beere & Ale."

Close in spirit to these Devon directions are the Articles of Good Order attached to *License to Keepe A Tipling House*, granted by our Oxfordshire Justices in the year 1617. This licence, with a number of other Licences, Passes, Certificates, etc. I have had the good fortune to find (written out by a Justice's clerk as examples for his own after use) bound together very roughly and stamped on the cover with the title "*Papers Concerning Eynsham*."¹ Miscellaneous as these writings are, their value is great because they record Justices' doings eighty years earlier than those of the earliest Oxford County Hall documents. Possibly it may be objected that this manuscript is but a clerk's copy-book, so to speak, and that its examples of cases may be fictitious. But not only do some of the documents bear the endorsement "*per Curiam Stevens*" (the name of the Sessions Clerk of their dating) but the large number of names of persons and their dwelling-places that I am able to check from elsewhere—with some few events such as the Great Eynsham Fire—are all of them correct. Is it likely that a learner in some Eynsham solicitor's office would have employed for his fictions the names, giving their dwelling places, of the most prominent Oxfordshire Justices of the time such as Sir William Pope, Sir George Tipping, Mr. Dr. James, and John D'Oyley—Judges of Assize even, such as Sir William Jones and Sir James Whitlocke? Not only would the mingling of such names with the clerk's own imaginings have been actionable, but it would surely have altogether defeated the end he had in view; for he, learning his law, must have been seeking, like all law-learners since, for precedents and for cases established. There seems to me, and I trust there will seem to my readers,

¹ *Papers Concerning Eynsham*, MSS. Top. Oxon., c. 118. As Mr. J. R. Weaver is so good as to point out to me, the Bodleian MSS. Catalogue more correctly terms it *Formulary for the use of a J.P.*

no reason to labour this point, the proof of their actuality being in the writings themselves. The Tipling House Licence, from the sixth page of the clerk's manuscript, reads thus :

"Oxon. Memorandum we his Majesties Justices of the peace (of the said Countie) undernamed have licenced Just : Egerly of Brittington husbandman to sell ale and beere, and to use the trade of victualling, within the said place, for the space of one whole yeare next ensuing ; And have taken Recognisance of him with two sufficient suerties according to the law and forme of the Statute in that case provided, not onely to observe and keepe the Articles heerunder written, but also all other his Majesties Lawes and statutes in these cases provided. In wittnes whereof we have heereunto sett our hand and seales the 22nd day of Aprill in the yeare of the raigne of our Sovereigne Lord James by the grace of god of England France and Ireland King defender of the faith etc.

1. Imprimis that he shall suffer no Neighbours children or servants or any other dwelling in the same parish to tipple in his house.
2. Item that none be suffered to tipple in his said house on the Sabboth or Festivall dayes, at the sermon or service tyme, nor in any other day above one hower, nor at any tyme after 9 of the clocke at night.
3. That he suffer no diceing, carding, playing at Tables, or any other unlawfull game to be used in his house.
4. That he suffer no drunkerds, drunkennes, or any other evill rule to be in his house, if any happen to be, he shall presently acquaint the constable, or other officer with it, that such offenders may be punished, and such abuses reformed.
5. That if any vagabonds or any other suspitious persons come to his house and doe there offer any goods to be sold, he shall presently acquaint the constable, or other officer therewithall, that such persons may be apprehended and brought before some Justice of the peace to be examined if there be cause.
6. That he brue his drinke, that he may sell the best at 6^s. the barrell and the small at 3^s.
7. That he draw out his drinke and sell it by the Alequart and alepinte, and not by cupps and Juggs, and sell the best for 3^d. the alegallon, and the small at 2^d. the Alegallon.

Lawrence Tanfeild, Gyles Bray."

We are fortunate in that the 1605 and 1608 Privy Council Orders afford foundation for our study from the beginning of the century; because at the date most of our Oxfordshire Sessions documents commence—after the Interregnum—the central government was too preoccupied to formulate directions for local government in at all the degree or manner in which James I had formulated them. Thenceforward, from 1689 for close upon two centuries, Justices' authority was vastly to increase because of the lessened contact of the provinces with the King's Government, while the practice and customs of the Sessions of different counties were to grow to differ considerably. The more reason to take those Privy Council Orders as our starting-point, because they provide us with a pattern imposed from the centre of government—a pattern by which squirearchy's strayings for a hundred and eighty years after 1689 may prove to be measurable.

From here onward this essay will inquire, in the main, what Oxfordshire Justices of the Peace in the seventeenth century actually did—rather than what they were supposed to do. It will record the indictment of a particular Oxfordshire villager before the Act under which he was indicted; put the burning of Eynsham street in front of the then Lord Chancellor's attitude towards statutory begging; go from a list of seventeenth-century Oxfordshire Justices, which now is in All Souls College, to Cecil's *Libri Pacis* of the Privy Council of Elizabeth's reign and the Statutes of the Realm at that time.¹ In the last chapter only—the chapter on Justices and Overseas Transportation—this method of proceeding from the particular to the general is not applied. It is of necessity forsaken there; because no authority existed from which I could learn the inner meaning of the mere entries on our Oxfordshire Sessions documents as to persons lying in Oxford Castle “to be transported.” In every attempt to discover the legal part a Justice of the Peace had in such sentencing, I grew, till I went back to the *unpublished* “Privy Council Registers,” more and more confused. And how should I not when at the date I am treating of the Justices themselves were so confused in their actions as to be landed in the criminal dock?²

Even though it makes this chapter a long chapter, I am including in it particulars of all the Oxfordshire authorities for

¹ Statutes of Charles I and Charles II, which give lists of County Subsidy Assessors, always with their local standing and sometimes with their places of abode, establish the identity of a number of our 1680 Oxfordshire Justices.

² Pp. xcvi–xcix.

the seventeenth century prior to the Sessions papers that are now in the Oxford County Hall that I am using. The documents from the erroneously named *Papers Concerning Eynsham* are of so wide and vivid a nature as to have inclined me to use them alongside similar documents from my Appendix. But on further consideration it seems best to treat all the documents that are not now with our Sessions papers separately in this chapter. Thus all that belongs to the 1680 *Liber Pacis* list of Oxfordshire Justices is here with the *Papers Concerning Eynsham* material. Happily both these documentary authorities remain within Oxford—the *Papers Concerning Eynsham* in the Bodleian Library and the 1680 *Liber Pacis* in All Souls College Library; from the *Liber Pacis* I have taken the whole list of 1680 Oxfordshire Justices; from the *Papers Concerning Eynsham* I have copied most that is of interest and all that has bearing upon details or incidents in our County Hall manuscripts.

Of the offence of taking INMATES,¹ which is to figure largely in our County Hall Sessions papers,² I find, in *Papers Concerning Eynsham*, the following:—

“To the right Hon^{ble} & right Worth his Ma^{ties} Justices of the Peace in the Countie of Oxon.

The humble Petition of Jo Phillips George M : & others the overseers of the poore w^{thin} the parish of St. Harcourt in the behalfe of Themselves & of the Inhabitants there.

In all humbleness shewing that whereas at Easter last was 2 yeares one T.D. who dwelleth in the Churchhouse of Stanton for w^{ch} he payeth no rent, did secretly, & without the knowledge of these petitioners, or any of them enter-
teyne into the said house one Jo Baggett & Eleanor his wife who have evr since remayned there, but w^{thout} any settled habitation & are now become so poore, & impotent, as that they must of necessitie, be releived of Almes. And whereas the said parish is already exceedingly surcharged wth poore people, as haveing in Stanton & Sutton onely being but parte of the parish above 40 families consisting of about 150 persons, men, women, & children, w^{ch} for the most parte are all releived by the almes of the said parish. They humble pray that in regard the said Baggett & his wife had never any settled dwelling in the said parish they may be by order of the Court removed

¹ 31 Eliz., c. 7.

² *Appendix*, pp. 61, 84, 88.

away from thence & sent to the place where they were borne, or last dwelled, there to be releived according to the Law."

"Oxon Epiphanie A^o xxij Regni Regis Jacobi Anglie &c

It is thought fitt, by the Court, for the reasons alleaged in this petition that the parish of Stanton be discharged of the said Baggett and his wife, and that they be sent to Milton where is the proper place of their abroad.

per Curiam Stevens."¹

Closely linked with taking Inmates is the offence of UNLAWFUL COTTAGES.

An Act of Elizabeth's reign had decreed that, except in Cities, Boroughs or Market Towns or for workers in Minerals, Bricks or Coal within a mile of their work, or for Mariners or Untacklers of Ships within a mile of the sea or some navigable river, or for keepers of forests, parks, commons, herdsmen and shepherds, or by order of Sessions for relief of the poor, it was unlawful to build any cottage without four acres of ground.² And for eighty years earlier than our earliest County Hall documents I discover, in the Eynsham papers, the following:—

"To the Right Ho^{ble} and Right Wor^{ll} his Mat^{ties} Justices of the Peace &c The humble petition of John Hix Sheweth unto yo^r Hono^{rs} and Wor^{pps} whereas yo^r poore petitioner being destitute of a house, to succour him self his wife and children, did unadvisedly build a little Cottage uppon the Common of Coggs w^{thout} any lawfull licence. Since which tyme he considering his rash forwardness and grosse error now submitting himself to this honorable bench. Humbly prayeth yo^r Honno^{rs} and Wor^{pps} that it would please you to heare yo^r petitioners case as he shall explaine it to you. And then to censure att your good pleasure; And he shalbe bound to pray for yo^r health & everlasting happiness"

"Oxon Michaelis Anno 2^o Regni Regis Jacobi Anglie &c Uppon Informacion that Sir William Pope hath given Consent that this Cottage shall Continew in the place where it now standeth, And that the petitioner and his

¹ *Papers Concerning Eynsham*, fol. 4, back of. This signature of Clerk Stevens, alluded to on page xxx, is but one of many details of people and places making quite clear that these papers are copies of actual Court records.

² 31 Elizabeth, c. 7.

family shall continue therein, it is ordered by the Court that it shall soe remayne ; So long as Sir William Pope shall give way thereto

per Curiam Stevens."¹

This order, signed again by Clerk Stevens, is of the year 1605. And in 1687, when our County Hall Sessions manuscripts proper begin, they are obviously being written by a very old man who signs himself "Ricardus Stevens, clericus pacis." Clearly he could not have been signing such documents through eighty years, but he could have been born, son of elder Clerk Stevens, about the time of the making of this, John Hix's, Petition. And the Petition itself—or rather the judgment upon it—comes to us now, across the three and a half centuries, with some fragrance and also with a whimsical flavour at destitute John Hix being introducer of this William Pope to our documents. Son of the Sir William Pope of Wroxton Abbey who had been made Knight of the Bath in 1603 and was to be created Earl of Downe in 1628, this Sir William was at date of John Hix's petition living at, and Lord of the Manor of, Coggs.²

The other side of the picture, however, is provided by a petition of 1639 from the inhabitants of the village of Standlake to the Assize Judges at Oxford.

"To the R^t Worth S^r William Jones & S^r James Whitlocke K^{ts} his Ma^{ties} Justices of Assize for the Countie of Oxon the humble petition of A : B. C : D. E : F. inhabitantes of Standlake the Countie of Oxon.

Humbly sheweth that whereas the Freeholders and other Coppieholders & Leaseholders Tennantes to divers Colledges in Oxon of landes in Stanlake aforesaid, Have heeretofore lived in very good estate & able to releive their poore Neighbours, & other his Ma^{ties} poore distressed subiectes, But now of late, are much decayed and ympoverished, by reason that the sayd towne of Stanlake is much overcharged wth divers poore people placed in Cottages & new erected tenem^{tes} contrary to the statute, w^{ch} said Towne of St : hath in it xl ancient Cottages & about 30^{tie} poore Inhabitantes besides. And such is the Coveteousnes of the owners aswell as some of the said Cottages, as of the new erected Tenem^{tes} That for their owne private

¹ *Papers Concerning Eynsham*, fol. 4, back of.

² His widow married Sir Thomas Penyston of Cornwell Manor, near Chipping Norton. His heir was the Sir Thomas Pope who was educated in John Dutton's house at Sherborne and whose daughter married Sir Francis Henry Lee of Ditchley.

gayne, they place into some one Cottage or Tenem^{te} two Couples or more of poore people, by reason of w^{ch} multitude of poore (their necessitie being such) that the said Freeholders, Coppieholders & Leaseholders can hardly keepe any powltry or other provision for themselves about them, nor Corne in their feildes after it is cutt, nor any dead hedges standing, but that they shalbe taken away by night, And oftentymes their quick Mounds & other trees as Ashes Willowes &c pulled or cutt upp by the ground to the great hurt & damage of the owners thereof who planted the same to their owne use & the publike good.

May it therefore please yo^r good Lorppes (the premises considered) to sett downe some good course of order for & concerning the said abuses, And that the owners of such Cottages & Tenem^{tes} may be bound in a sufficient some of money wth sufficient sureties to the Churchwardens of the said parish of Stanlake to the use of the said parishioners wth Condidion for the good & honest behaviour of them their said Tenem^{tes}, their wives Children and servantes, as allso at all tyme & tymes to discharge the said parish of them & every of them or wth such condicion as the next Justice of the peace to the said parish in his wisdom and discretion shall thinke fitt. And yo^r petitioners shall daily pray for yo^r good Lo^{pps} eternall happiness."¹

To-day in the twentieth century, alehouse licensing remains with the Justices of the Peace; but, not altogether for good, other licensing—for pedlars' certificates and so on—has passed into the hands of the police. But in the seventeenth century the granting of numberless PASSES AND CERTIFICATES belonged to the Justices. And into the granting of alehouse licenses came the need for weighing considerations of charity.² For instance, *Papers Concerning Eynsham* give us the two following:—

"Sivier his Certificate to kepe alehouse. 25 Mar. 1629. To the R. Worshipfull John Martyn Esq. one of his Majesties Justices of the Peace for the Countie of Oxon. May it please yo^r Wor^{ppe} forasmuch as Will^m Sparrey of Britlington in o^r parish of Stanlake Sivier haveing lived all his tyme in o^r said parish, using for his mayntenance &

¹ *Papers Concerning Eynsham*, fol. 2.

² Mr. E. G. Dowdell, M.A., D.Phil., of St. John's College, Oxford, author of *A Hundred Years of Quarter Sessions* (Middlesex 1660–1760), tells me that this charity is noticeable in seventeenth century London alehouse licensing.

livelyhood the handicraft of a Sivial, & a Cowper, as did also his father Ric : Sparrey before him being now fallen lame in one of his leggs, whereby he is unable to travill in the use of the said handicraftes is like to fall into great wante and povertie, if by some other means he be not releaved, And haveing conceived some good hope of reliefe, by keepeing victualling (dwelling as he doth uppon the Common Roade) hath besought us to signifie o^r mindes to yo^r Wor^{ppe} in the premisses. Theis are therefore to certifie yo^r Wor^{ppe} that considering aswell the great number of poore allready in o^r parish, as the ympotencie of the said William Sparrey, together wth the Conveniencie of his dwelling for the purpose afores^d, that we suppose his said intended course to be fitt and meete. So that it may seeme good to yo^r Wor^{ppe} to grante him licence for the same.

T : N, Fr : Y, Jo : B, Pet^r : Y, Ed : Mayne, Sy : Y,
Jo : Tounsend, T : Hosier, T : Horne, Will : Tounsend,
Ed : Tounsend, I : Yate, Chr : Harris, Ric : Thrifte,
Hugh Saunders.”¹

“ Henry Ayres for an Alehouse keeper

The humble certificate of thinhabitantes of the villages of Stanlake Brittington Shifford & Chimney in the County of Oxon : Jo : Barfoote drew it.

To the right Ho^ble & right Wor^{ll} his Ma^ties Justices of the peace for the County of Oxon.

Whose names are hereunto subscribed inhabitantes of the villages above mentioned doe humbly certifie, That the bearer heereof Hen : Eyres is a man of good & honest conversation whoe hath lived the most parte of his tyme at Shifford amongst his neighbours there in peaceable & quiet manner painfull and industrious in his course of life for the maynteyning of himself and family, Nevertheles it hath pleased god to lay som afflictions & crosses uppon him, by sicknes & otherwayes whereby his estate is somewhat decayed, & hath been thereby inforced to sell that small estate w^{ch} he had in Shifford, & hath now taken an estate for lives in a house in Brittington, w^{ch} house hath anciently been used for an Alehouse & victualling, And standeth very conveniently for that purpose uppon the

¹ *Papers Concerning Eynsham*, fol. 1, back of.

highway, or Roade to & from London, & where travillers have used to bayt, And forasmuch as the said Hen. Eyres hath a desire (according to the auncient custom of the said house) to sett upp victualling, to sell ale & bake bread to sell, and hath desired o^r certificate in that behalf Wee therefore commende his request to the consideracion of yo^r hono^{rs} and Wor^{ps}, and so humbly take our leaves.

Robert Veysey, Hen : Greenway, Edward Joy,
Fr : Yate, Ric : Keene, Tho : Banister, Tho : Farr,
Will : Edwards, Will. Wayte, Jo. Tanner, Ric :
Thrift, Sym. Yate, Chr : Harris, Ric : Perry, Jo :
Yate, Georg Bartlett, &c.”¹

Of *Licence for a Badger or Petty Chapman*, again in the manuscript papers concerning Eynsham we find the following, granted by the same Sir William Pope who allowed Hix's cottage on the Waste, with Sir George Tippinge and John Doyly, who are to be spoken of in my next chapter.

“ Wee Sir William Pope Knight and Baronet, Sir George Tipping Knight John Doyley Fr Gregory and others Esquires Justices of peace within the Countie aforesaid

To all Mayors, bayliffes, constables, and all other officers and Ministers of our Sovereigne the Kinges Majestie send greeting. Know ye that we the said Justices by vertue of Statute of this Realme in that case made and provided, Have at our open Sessions of the peace holden at Oxford in the said County of Oxford uppon Tewesday next after the feast of St Michaell Tharchangel in the fifteenth yeare of the raigne of our Sovereigne Lord James, by the grace of god of England France and Ireland King defender of the faith etc and of Scotland the one and fiftieth Given licence unto Humfrey Eaton of Brittington in the said Countie of Oxon yeoman to be a common Badger (kidder drover and buyer of cattell) provider and buyer of Corne and Grayne whatsoever aswell in any fayre or markett at his will and pleasure wthout forestalling, And the same to sell agayne in any place at his will and pleasure according to the Lawes and statutes of this Realme, Which this our Licence shall endure but for one whole yeare next coming after the date hereof. In Wittnes whereof we the sayd Justices whose names are subscribed have hereunto sett

¹ *Papers Concerning Eynsham*, fol. 2, back of.

our Seales and signes manuell, dated at Oxford at the Sessions of the peace there holden the day and yeare above written etc.

Will^m Pope
G^e Typpinge

fr. Gregory
John Doyly."¹

A LICENCE TO TRAVEL, concerning three sisters Malyn, Ales and Adrey travelling from Tenby to Standlake, who we may hope found a welcome, for there are Ebsworths living in comfort in north-west Oxfordshire to-day.

"Whereas the bearers heerof Malyn Ebsworth, Ales Ebsworth and Adrey Ebsworth the legitimate daughters of Christopher Ebsworth deceased, since the decease of their said father are like to want necessary means for their releife and education, if they should longer abide in these partes, Are now desirous to travill from this towne of Tembie unto Stanlake in the Countie of Oxon where they were borne to make their aboad there with some of their kindred. Thise are therefore to desire you to permitt & suffer them to travill in their said journey, they behaving themselves as they ought to doe. And we bid you heartily farewell, and will remayne

yo^r very loving friend

Tho : Barrett

Tembie 28th of Aprill 1624 "²

¹ *Papers Concerning Eynsham*, fol. 6, back of. The writer has run his pen through each of the four names.

Justice Restored : or, a Guid for His Majestie's Justices of Peace, Both in Sessions and out of Sessions ; according to the Antient Laws of the Kingdom (second edition, amended and enlarged ; London, 1661) gives (p. 73) this form for licensing a Petty Chapman :—

" — and — Esquires two of His Majestie's Justices of the Peace, within the County aforesaid, amongst other assigned, to the Bailiffs, Constables, and other His Majestie's Officers of the same County, and to every of them, Greeting Know ye, that we, the said Justices have licenced, and by these presents do licence — of — in the County aforesaid, Yeoman, to be a Petty-Chapman, to wander, and go from Town to Town, Village to Village, and place to place, to sell Pins, Points, Tapes, Laces, Knives, Gloves, Purses, *Aqua Vitae*, *Aqua Composita*, and such other kind of small Wares, and also to gather, and buy Coney-skins, and such kind of small Wares within the County aforesaid, and not elsewhere ; Provided, that this our Licence to endure in effect, for, and during the space of one whole year next ensuing the Date hereof, and no longer. In witness, &c."

Also *Justice Restored* gives (page 157) a Form of Indictment of Makers of Strong Waters whose "multi putridi, nauseosi, contagiosi, et corrupti" odours are a nuisance to their neighbours. Forty years after this time drunkenness that ensued from the hawking of home-distilled spirits, manufacture of which had at first been encouraged in the interests of agriculture, was causing grave Parliamentary concern.

² *Papers Concerning Eynsham*, fol. 1.

But another travelling Licence is starkly tragic :—

“Whereas one William Joanes a poore old ympotent man was brought to the Towne of Burford from the Towne of Eynsham very feeble and sicke & almost naked, with his poore child William Joanes his son, by your letters of passe under the hands of James Quarterman & Richard Townsend directed to travill to Peter church in Hereford shire where he was borne as by the said passe appeareth. Which old man the Lord hath called to his mercy this last night, and leafte this poore child in great distresse, and for that their last aboad or Com was in yo^r said parish of Eynsham therefore in his Majestie’s name These are to will and require you to receave the said child William Joanes the younger into yo^r said parish there to be provided for according to the Statute in that case made and provided as you will answer to the contrary at yo^r perill

Dated from Burford this 24th day of January 1622.”¹

As example of A LICENCE TO BEG, AFTER A FIRE, that is in *Papers Concerning Eynsham* I choose one that seems of special value and interest because it gives the whole sequence of connected permissions, even to the Lord Chancellor’s vigorous comment upon the last one :—

(A) “To the right Ho^{ll} Thomas Lord Coventree L^d Keeper of the greate Seale of Engl.

The Humble petition of R : G. W : P. R : C. S : G. G : W. T : C. T : N. A : H. Em : G. S : W. M : M. & R : H. Inhabitants of Eynsham in the Countie of Oxford.

Shewing that by a late suddayne and fearfull fier happening at Ensham aforesayd the 25th day of May last past not only their dwelling houses together wth the greatest parte of their household stufte corne and other necessaryes, but allso divers barnes, Stables, & other out houses, were utterly consumed and burnt downe to the ground amounting in the whole to 976^{ll} or thereaboutes, to their utter undoeing as by the Certificate of his Ma^{ties} Justices of that Countie at the last quarter Sessions at Oxford there held the second day of June last appeareth.

They humbly pray that yo^r Lo^{pps} would be pleased (according to yo^r Lo^{pps} wonted and honorable favor towards others in like distress) to grante yo^r honors

¹ *Papers Concerning Eynsham*, fol. 1.

warrant for his Mat^{es} Pattentes for a protection for a Collection in such Counties & places as yo^r Lo^{pp}e shall thinke fitt and proportionable to so great a loss. And they, their Wives and Children shall dayly pray for your hono^{rs} happiness."

(B) "Eynsham fier on Whit Monday 1629.

howses		bays	li	s.	d.
1 : 2	Ric : Grant lost	17	160	0	0
3 : 4	Ric : Castle lost	7	100	0	0
5 : 6	George Watkins	15	180	0	0
7 : 8	Tho : Napkyn lost	12	80	0	0
9 : 10	Emm Gardner	2	10	0	0
11 : 12	Michael Moore	6	40	0	0
	William Parrett lost	20	200	0	0
	Steven Gomme	6	66	13	4
	Tho : Cope lost	3	30	0	0
	Adam Hering lost	7	60	0	0
	Steven Wigfall	1	10	0	0
	Rob Hinkes	5	40	0	0

The bayes of buildings lost amounteth to the number of 101 bayes.

The whole loss of buildings & goods as it was vallewied by Surveyo^{rs} amounted to the somme of—976^{li} 13^s 4^d "

(C) "To the right Ho^{ble} Thomas L^d Coventree, L^d Keeper of the great Seale of England.

The humble Certificate of divers Justices of the peace for the Countie of Oxon whose names are heereunder subscribed that one R : G. W : P. R : C. S : G. G : W. T : C. T : N. A : H. Em : G. S : W. M : M. & R : H. of Ensham in the said Countie of Oxon being of honest life and good conversacion, who heeretofore lived well, & maynteyned their charge & were helpfull to others in their necessitie, by casualltie of fier w^{ch} hapned on Whit Monday last being the 25th day of May last, betweene the howers of 8 & 12 of the Clocke in the forenoone, had their dwelling houses wth their barnes stables, & out houses conteyning on the whole 101 bayes of howseing utterly consumed and burnt, & the most parte of all their householdstuffe, besides divers quarters of Wheate, barley and grayne the whole loss amounting to the some of 976^{li} 13^s 4^d at the least. By w^{ch} untymly accident they are altogather become unable to maynteyne themselves, their Wives and children, & much less to reedifie thaforesaid buildings, Unlesse yo^r Lo^{pp}s Clemencie in such case used be to them

extended by granting his Ma^{ties} lettres pattentes for some Collection to be made on their behalfe in such Counties of this Realme as to yo^r Lo^{pps} shall seeme fitt Whose poore distressed estate we humbly leave to yo^r Lo^{pps} grave consideracion & so rest

from the quarter Sessions of the Peace holden at Oxford for the said Countie the second day of June Anno Domini 1629.

Yo^r Lo^{pps} to be commanded

Henry Lee	Jo: Prideaux	Ric: Oxon	Jo Standard
	Tho: James	Hugh Barker	Fr: Gregory
	Ed: Brounker	Jo: Martyn	

George Box deputy Clerke of the peace
of the County of Oxon."

- (D) "Before I grant a Collection I wilbe certified w^{ch} of the petitioners are poore, w^{ch} able and wealthy, & what interest they had in these howses w^{ch} should be rebuilded, & whose the inheritance of the howses are, for I doe not meane that rich men's losses shalbe made good out of a common purse

June 30 1629.

Tho: Coventry C[']¹

This Eynsham Petition, like the Petition after a fire at Thame²—the asking the Lord Chancellor for leave to beg—had its basis in the Vagabonds Act, 1 Edward VI, c. 3, which runs thus:—

"Provided alwaies and be it enacted that it shallbe lawfull to the Lorde Chauncellor of Englande or the Lord Kepar of the greate Seale for the tyme being at their discretions to graunte Commissions under the great Seale of Englande to everie or any parsons or parsons that hath or shall have his or their Howses or Barnes burnt, or suche losses, to gather the relief and charitie of other for their ayde and helpe of his or their losses decaye or hyndraunce as in tymes past hath byn used; anny thing conteyned in this Acte notwithstanding."

Such application, through the Court of Quarter Sessions of the County in which the fire took place to the Lord Chancellor, was the statutory procedure in regard to fires that involved losses of £100 or more. In such cases the Brief, when granted by the Lord Chancellor, allowed the sufferers to beg over a large area; I have found, in the "Concerning Eynsham"

¹ *Papers Concerning Eynsham*, fol. 6. Cf. Lord Coventry's letter in *The Office of the Clerk of Assize* etc. pp. 218—221.

² *Appendix*, p. 37.

manuscript, legal forms whereby those suffering from fires appointed collecting agents in various counties. For instance, John Flude of Sparsholt in Berks being granted a Brief for Fire appoints his "deputie and deputies" and says specifically "I therefore doe constitute and ordeyne William Willmot of Culnham in the County of Oxon yeoman my lawfull deputie" in Oxfordshire.¹ Commoner, however, was a more limited form of Fire Brief, as when Symon Hawkins of Tackley reports to the Oxfordshire Quarter Sessions at Easter 1687 that a fire has destroyed his dwelling-house and mill² and asks that that Court (of Quarter Sessions) will be pleased to grant him a Certificate that he may have liberty "within this County to aske the benevolence of well disposed persons." The words that are essential here are "within this County." Hawkins's fire was a comparatively small one, so in his and similar cases merely leave from Quarter Sessions was necessary, because the "Brief" was to operate only within a single county; occasionally, indeed, only within certain Hundreds of that county. A widow in the parish of "Stanlake" and two of her neighbours who have had their houses and furniture "consumed to ashes" are granted a Brief by Quarter Sessions to beg "within the Hundreds of Bampton, Chadlington, and Wootton in the Countie of Oxon, and of the Hundred of Slaughter in the Countie of Gloucester."³

The earliest mention of the HOUSE OF CORRECTION at Witney, which is to figure considerably in our Sessions papers and will be spoken of further in a future chapter, comes before us in *Papers Concerning Eynsham* and that in a manner suggesting somewhat casual nature both of commitment and release—

"To the Worth Mr Marten one of his Ma^{ties} Justices of the Peace for the Countie of Oxon. Most humbly sheweth that whereas Ursula Fox of Brittington in the parish of Standlake in this Countie of Oxon for her idle life and leaue behaviour hath heertofore bene complayned of by us the inhabitants of Brittington aforesaid unto Mr Dr Jame(s) one of his Ma^{ties} justices of the peace for this Countie, who upon the hearing and examining thereof had at that tym committed her to the house of Correction, but that her father made earnest suite and promised a reformation of

¹ *Papers Concerning Eynsham*, fol. 11.

² *Appendix*, p. 13.

³ *Papers Concerning Eynsham*, fol. 4. A Petition of 1699 for a Fire Brief, in our County Hall documents, has the endorsement "Granted so far as this court can."

her evill life unto the justice, And not long after the said Ursula falling into her old course of living, Uppon complaynt then made unto Mr D^r Hawley she was by him committed to the house of Correction, where she remayned, by the space of a month or thereabouts and then by the request of us the Inhabitants of Brittington aforesaid (procured by her father) unto Mr D^r Hawley she was by him thence released. SITHENCE which tyme may it please your Worship she hath carried herself farr worse than before, by rayling at some cursing at others, & setting at variance by her notorious lying tounge all the neighbours where and by whom she lives MAY it therefore please your Worship the premises considered once more to inflict such punishment uppon her as by the wholesome lawes of this land in such case provided, and y^r worship's good discretion shall seeme fitting to the heynousnes of her facte, & the rather because she hath given out her bragge that she had not so much as once punishment in the house of Correction during the tyme of her abroad there, and so we yo^r worship's petitioners shall (as we are bounde) dayly pray for yo^r healthe and happyness

Brittington this 7th of December 1624."

Of those who may for single nights have been inmates of such a House there is also the following :

"To all Justices of the peace Maio^{rs} Shreifs, whome theis presentes shall com, or appteyne greeting. We whose names are heereunto subscribed being Justices of the peace w^{thin} the said Countie of Sallop do signifie ; For as much as Ellen Watson wth 16 persons more women and children, were taken wandring in the said Countie, & committed to the house of Correction, at Shrewsbury wthin the same Countie, where they were sette worke for the space of 20 days or thereabouts. And being brought before us at a meeting at the Cittie of Shrewsbury for the same purpose, We caused them to be openly punished according to the Law, And so to be sent to the severall places of their byrth or last habitacions w^{ch} by their severall examinacions & confessions, we found to be in the severall Counties and shires following viz, in Barkshire, Wiltshire, Hampshire, Middlesex & Sussex. Theis are therefore in the Kings Ma^{ties} name to will & require you & every of you to see the said Ellin Watson whome we have appoynted to be their Conductor & guard, wth all her said company safely conveyed from Constable to Constable &

Tything to Tything untill they be placed, in the said severall Countie, to be sett to worke, or otherwise provided for, according to the Statute, & to releve them in the way of their travill to keepe them from begging, or other inconveniences & to help them to lodging in due tyme they not staying above one night and a day in a place, excepting the Sabbath day, or other urgent cause to the Contrary, Allowing them 4 months, & no longer, to accomplish their Journey. Given under o^r hands & seales at o^r meeting abovesaid the 19th day of October in the first yeare of his Ma^{ties} most happie Raigne, 1625.
Jo Kineston Willm Fox."¹

OXFORDSHIRE JUSTICES IN THE *LIBER PACIS* OF 1680.

Thirty-five most interesting manuscript volumes, the *Libri Pacis*, have lately been catalogued by Dr. Bertha Putnam. These are volumes long and narrow, about 16 by 6 inches in dimension, with the title *Liber Pacis*, often in contemporary handwriting, on each of their covers. The convenient shape of the volumes and the clear form of the lists they contain, suggest that these little books were made for practical uses. Miss Putnam's article in the *Bulletin of the Institute of Historical Research* for February 1927 gives reason for believing that Cecil, on Queen Elizabeth's accession, had begun to make increased use of the Justices, instituting at the same time more supervision of them by the Privy Council. There exists in Cecil's writing in a memorandum of November 1558, as to matters requiring his most immediate attention, the entry "New Shyreffes and Just. of peace,"² and a *Liber Pacis* for the fourth year of Elizabeth is labelled "for the use of Lord Burghley 1562."³ It seems likely that Cecil instituted the *Libri Pacis* for use of his Council; at any rate we have abundant evidence of the Privy Council's use of them in the seventeenth century. The Docquet Book notes a *Liber Pacis* of 1629 for the "Committee of Justices of Peace" and one of 1636 as "a booke of Peace for the Council table." A very considerable number, in fact, of the seventeenth century *Libri Pacis* are noted in the Docquet Books as supplied for the "Lords of

¹ *Papers Concerning Eynsham*, fol. 3 (back of).

² *State Papers, Domestic, Eliz.*, Vol. I, 3.

³ In noting this volume Miss Putnam remarks that Cecil did not obtain his new title until 25th February, 1570-1. But the volume is with a *Liber Parliamenti* for 28 Elizabeth, so the whole may well have been labelled at the second date.

Council.” The *Libri Pacis* contain, under Counties of England and Wales arranged alphabetically, lists of the County Justices of the Peace in single column on each page, with a ‘q’ against the members of the Quorum.¹ A few liberties are given, and boroughs occasionally, but more often not. The commission is not entered nor can the Custos Rotulorum ordinarily be identified. Sometimes other lists are included; sheriffs, justices of assize, councillors in the north or in the principality and marches of Wales, lords lieutenant, and, at least once, the keepers of the rolls; but more often only the justices of the peace.²

In Miss Putnam’s list of *Libri Pacis* Number XXX is given, under Charles II, as being of date “before December 1680.” Thanks to the kindness of Sir Charles Oman, I have been able to examine this volume in the library of All Souls College. Half of it consists of military lists, and not till the forty-sixth page do we come to the *Justices of the Peace in Commission in the severall Counties of England and Wales*. The first J.P. list—Bedfordshire—is headed with the names of Prince Rupert and thirty-five members of the Privy Council, who thereafter for other counties appear only as, “Prince Rupert etc.” In Oxfordshire, the local names begin with John L^d B^p of Oxford, and James L^d Norreys who was to be created the first Earl of Abingdon in 1682. It is interesting that I am able to decide that this *Liber Pacis* was compiled after July 8 of 1680, for the reason that I know from another source that two of the names in it are of persons only added to the Commission of the Peace on that July 8.³ A Committee of the House of Lords had been sitting in the spring of 1680 to inquire into the Justices’ lists. That Commission had added one name to the Oxfordshire Commission on April 23 and six more on July 8. In the previous February the Committee had struck off four Oxfordshire names. A glance at the parts those four persons were playing brings these Oxfordshire Justices into vividness at the outset—at the outset, because this *Liber Pacis* provides a full list of Oxfordshire Justices three years earlier than any that can be compiled from our County Hall papers. It may well be that this list travelled to Oxford in March 1681 for that

¹ The volume, MS. cexxiii of All Souls College Library, does not, in its lists of Justices, in any way distinguish members of the Quorum.

² *Justices of the Peace from 1558 to 1688*, by Bertha Haven Putnam. *Bulletin of the Institute of Historical Research*, February 1927.

³ *Hist. MSS. Comm., MSS. of House of Lords 1678–1688*, p. 187.

momentous meeting of Charles II's last Parliament when it must indeed have behoved the Court party to scrutinise and rescutinise all who were set in authority.

The names dropped out of the Oxfordshire Commission, on February 21, 1680, were George Duke of Buckingham, John Lord Lovelace, Broome Whorwood, William Lenthall. And reasons for the exclusion of three of them are not far to seek ! George Villiers second Duke of Buckingham had been committed to the Tower, by the House of Lords, in February 1677 ; and in 1680 he was vigorously fomenting " sedition " in the city of Oxford. On February 4, 1681, Anthony Wood writes :—

" Friday, election of burgesses for the citie. Brome Whorwood, William Wright, & Georg Pudsey stood. This last lost it by almost a hundred votes. This is the third time he hath been canvassed within these two yeares, lost it by the means of Bucks and Lovelace, who were appointed by the Cabalists to promote this election here, that is, rebellion and discord which the last Parliament hath done among the commons and vulgar."

And for the day before (February 3, 1681) Wood has :—

" the Duke of Buckingham came into Oxon over Magdalen bridge about seven of the clock at night ; and was conducted by torchlight by certain citizens from St. Clement's up the street to Allhallowes, and thence to Canditch to the house of Alderman Wright, where he lodged. All the way he passed, those that favoured him cried ' a Whorwood ! a Whorwood ! ' ; which he also answered with waving a hat over his head. Yet the greatest noise there was ' a Pudsey ! a Pudsey ! ' You must note that he, the Lord Lovelace, and other grandees of the discontented faction, came purposely to the towne to have Brome Whorwood and Alderman John Wright (two clownish and ill naturesd persons) chose again for the ensuing parliament."

This torchlight procession was within a fortnight of the day (27th of January, 1681) when Convocation had read Charles II's letters stating that he was convening his Parliament in less than a month. Lord Lovelace's escapades, according to Wood, were even more marked :—

" Oct 19, 1689, I heard at Weston that the vice-chancellor of Oxford and Dr Fell had denied Oates his incorporating D.D. You must note that Lord Lovelace brought Oats to the hors-race at Woodstock on Holyroode day ; and because he would have company come there to

the enriching of the towne, caused him to preach on Sunday and Tuesday. This was partly to spite the Lord Treasurer and the King for taking away his place of ranger. After the horse race was done, Oats sent word to the vice-chancellor that 'he would come and wait on him, not surprise him, for his degree.' But they denied him—that is, if he was Doctor of Divinity at Salamanca they would incorporate him. Hereupon he and the citizens say wee are papists." "July 13, a councill called by the city of Oxford. lord Lovelace Reynold Bray made free. Lord Lovelace at the entertainment drank a health 'to his Majestie' and a health to the confusion of all Popish princes." "September 16 duke of Monmouth at Oxon racing in Port Meed by the meanes of lord Lovelace." "September 17 there againe. The University took no notice of him. Alderman Wright with a crew cried out 'God save him and the Protestant religion'."

Broome Whorwood of Holton, eldest son of Sir Thomas Whorwood, represented the city of Oxford in Parliament from 1661 to 1681, and is said to have been the prime mover for the Transubstantiation Test of 1673 :—

"I, A.B., do solemnly and sincerely, in the presence of God, profess, testify, and declare that I do believe in the Sacrament of the Lord's Supper there is not any Transubstantiation of the Elements of Bread and Wine into the Body and Blood of Christ."¹

He was a rich man, for, when in 1677 his daughter Diana married Edward Masters, LL.D., he gave her £2,500 down with promise of £1,500 more at the birth of her first child and a further £1,000 at his own death. But surely his chief title to fame is through his wife. Mrs. Broome Whorwood came near to effecting the escape of Charles I from his confinement in 1647-8. She carried to him at Hampton Court money collected from the loyalists of London in 1647. After going to Lilly the astrologer for advice as to the details of her plans, she sent files and aquafortis to Carisbrook to be used upon the bars of the King's chamber there. She did much towards

¹"The Fathers or rather Midwives of the first Transubstantiation Test, in the year 1673, were the two famous Burgesses of Oxon, who brought it forth without so much as consulting their learned University. How much the gentleman Burgess understood I can only guess; But I am very apt to believe that his brother, the Alderman (if the Tryal were made), cannot so much as pronounce the word, much less hammer out the Notion." *Reasons for Abrogating the Test*, by Samuel Parker, Bishop of Oxford, 1688.

fitting out a ship that, on May 4, 1648, hung about Queenborough in waiting to carry Charles off to Holland. "Mrs. Whorwood," says a letter of that date to Colonel Hammond, Governor of the Isle of Wight, "is aboard the ship, a tall, well-fashioned, and well-languaged gentlewoman, with a round visage and pock-holes in her face." Charles I's letters have frequent allusions to Mrs. Broome Whorwood as "N" or "715".

The name of William Lenthall, in connection with these deletions, is puzzling, for Speaker William Lenthall had died at Burford eighteen years earlier (1662). His heir and successor had been his son John Lenthall, who accepted a knighthood from Charles II in 1677, and it has always been stated that this John was the only surviving son at Speaker Lenthall's death. However, the birth of a William—younger brother of this John—is entered in the Burford Church Register, and it is just possible that he lived to grow up and to be a Justice of the Peace, though I can find no mention, in Anthony Wood or elsewhere, of his political, or other, activities. Yet, if it was the next William Lenthall—John's son who died in 1686 aged twenty-seven¹—one would have supposed that his extreme youth would have rendered him an innocuous member of Quarter Sessions, though Anthony Wood's characterisation of him as "the Speaker's grandson—a fool" no doubt betokens that any political ideas he may have developed were on the side opposed to Wood's. Probably, if it were the ill-starred young William's name that was erased by the Commission of the House of Lords' Committee of 1680, it was the Lenthall name, rather than any action of his, that was distasteful to Charles's adherents. It may be, too, that his very unpleasant wife (and first cousin)² had been using her much too notorious court influence against her husband. Gossip accused her of constant unfaithfulness, and within a few months of William's death, on September 6, 1686, she was married again, to another of her first cousins Charles fifth Earl of Abercorn, and the following April 5 saw Lord Abercorn upon trial, at Oxford Assizes, for murdering a trustee of William Lenthall's boy sons.³

¹ *The Life and Times of Anthony Wood*, Vol. III, p. 195.

² Catherine Hamilton, daughter of James Lord Paisley and of Catherine, daughter of Speaker Lenthall. *The Scots Peerage*, Sir James Balfour Paul, Vol. I, p. 49.

³ "The Tryal lasted from 7 Clock in the morning till 6 in the evening. The Murther was clear. Yet, the Jury, being brib'd, he was brought in not-guilty. They were also (especially the Foreman, my Lord ——) drunk." *Remarks and Collections of Thomas Hearne*, Vol. IX, p. 221.

One more possibility exists and that, perhaps, the likeliest. A William there was "son of Sir John Lenthall K^t of Creslow and Blechington and Haseley in Oxfordshire Knight, Keeper of King's Bench prison. He died in his house in Southwark¹ 20th day of October 1668, buried at . . . Oxon."² Now this William would have been, in fitness with the circumstances we require, of the same generation as John Lenthall of Burford Priory who was knighted in 1677—that is of age likely to have been a Justice of the Peace before 1680. More could not be learned of him by the *Visitation* compilers than "William Lenthall Esq^r of Hasley etc. and of the King's Bench in Surrey, dyed unmarried . . . day of . . . A. D. . . . buried at . . ."³ To that scant biography I am able to add the fact that, in 1664, he appears as a Subsidy Commissioner for Oxfordshire.⁴ The lists of Subsidy Commissioners would be made up in London, where, to a member of the King's Bench, ownership of property in a county would appear to be sufficient qualification for a Commissioner. But, even in the twentieth century, any J.P.s. who are members of the Lord Lieutenant's Advisory Committee for the Selection of Oxfordshire Justices of the Peace know well the county man's deep-seated objection to any share in the administration of county affairs being taken by persons not rooted in his county, or by those not proposed from the locality. This William Lenthall was a bachelor and his Hasely house had been let for a number of years before 1680.⁵ So it is easy to imagine that in July 1680 local pressure would have been exerted for removal of his name from the Commission for Oxfordshire; he would be said not to belong to the county life. This last identification will account for what otherwise is unaccountable—there being no mention at all in the writings of Anthony Wood of the existence or activities of a William Lenthall, who could have been adult in the year 1680.

Thus, the above four names being expunged from the Commission of the Peace for Oxfordshire, this *Liber Pacis* of 1680 contains the following names:—

Prince Rupert etc.

John L^d B^p of Oxford.

James L^d Norreys.

¹ See Subsidy Commissioners for the "Burrough of Southwarke," 1663. *Statutes of the Realm*, 15 Car. II, c. 9.

² *Visitations of Berkshire*, Vol. II. The Harleian Society.

³ *Visitations of Berkshire*, Vol. II. The Harleian Society.

⁴ *Statutes of the Realm*, 16 and 17 Car. II, c. 1.

⁵ See Robert Plot's Map of Oxfordshire, 1677.

The L^d Bruce.
 Sir W^m Dolben K^t.
 S^r Cresswell Levins K^t.
 Hen. Bertie Esq.
 S^r Tho Spencer.
 S^r W^m Walter.
 S^r Anthony Craven.
 S^r Robert Jenkinson.
 S^r Rich Wenman.
 S^r John Doyley
 S^r Littleton Osbaldeston Bar^t.
 S^r Timothy Tyrell.
 S^r Allan Apsley.
 S^r Tho Rowe.
 S^r Tho Tipping.
 S^r Tho Clayton.
 S^r Edw^d Norris.
 S^r Geo Pudsey K^t.
 S^r Rich^d Croke serg^t at Law.
 The Vice-chancellor of the University for the tym
 being.
 Rich^d Holloway serg^t at Law.
 Hen Alworth L.D.
 John Lamphire M.D.
 W^m Cope.
 John Stone.
 Geo Chamberlaine.
 Rich Powell.
 W^m Dormer.
 W^m Sheppard.
 W^m Whitelocke.
 Rob^t Perrot.
 Edm. Warcupp.
 Rich^d Libb.
 John Gower.
 Ellis Lloyd.
 Tho Wise.
 Hump Wickham.
 John Morton.
 John Gunn.
 James Herbert.
 Edm^d Gregory.
 W^m Pudsey.
 Hen Alnutt.

John Crooke.

W^m Bayley.

Hen Heylin Esq^r.

The two names on this list that were put into it by the House of Lords Committee of 1680 are those of Sir William Walter and Sir Robert Jenkinson, both of whom we find active at Quarter Sessions in our earliest local Justices' lists—lists of those who actually sat in the Quarter Sessions of 1683 and 1684. This Sir William Walter, of Sarsden, was eldest son of the Sir William Walter who had been made a baronet by Charles I: Sir Robert Jenkinson, who became M.P. for Oxfordshire in the Convention Parliament of 1688-9 and sat till his death twenty years later, was son and heir of the Sir Robert Jenkinson of Walcot, Charlbury, who had been created a baronet at the Restoration. I presume that the four other persons added to the Oxfordshire Justices by the House of Lords Committee, at the same date (July 8, 1680) when Sir William Walter and Sir Robert Jenkinson were added, could not have been sworn in when this *Liber Pacis* was compiled; for, though they are given in the Committee's Report,¹ they do not appear in the *Liber Pacis*. They were Tavernor Harris, Edward Hungerford K.C.B., Philip Harcourt Knt., and James Hayes Knt. Of these, Tavernor Harris never appears within our horizon as a Justice at all; Anthony Wood records that "after the parliament was ended at Oxon he was put out for whiggisme" and that news of his death, at Soundness near Nettlebed, arrived in Oxford in March of 1686. A single name, that of John White, had been put, by the Committee, into the Oxford Commission, on April 23 of 1680. The said John White, brother of Gilbert White the elder of Selborne,² and son of Sir Sampson White who is buried in St. Mary's, had married the daughter of Thomas de la More, author, of Taynton near Burford, and lived himself at Witney. He was an M.A. and, apparently, an estimable person. But I detected no reason why the House of Lords' Committee should have distinguished him thus, singly and separately, until I came upon this sentence of Anthony Wood's: "the said John White shewing himself too malapert when the popish plot broke out was left out of the commission. 1679." Then it became evident that this son of the most devotedly loyalist Mayor of Oxford was merely being reinstated in a position from which he had been deposed. In passing, this

¹ *Hist. MSS. Comm., MSS. of House of Lords 1678-1688*, p. 187.

² Grandfather of Gilbert White, the naturalist.

White family may be noted as an example of how much less marked in the seventeenth than in the eighteenth and nineteenth centuries were the social divisions between County and City, gentry and tradespeople. While John White was of Magdalen and University Colleges and a County Justice, with his brother Gilbert Rector of Selborne and Fellow of Magdalen and his sister Mary married to a son of Dr. Christopher Potter, Provost of Queen's, another brother—Henry—remained, like his father Sampson White before him, an Oxford draper in his shop in the High that looked across at St. Mary's. Indeed, if the whole truth must be told, the sister's husband—son of the Provost of Queen's—himself was a draper in London!

The persons of this *Liber Pacis* whom we know to have been really active as Justices are (taking them in the order of the list) Henry Bertie, Sir William Walter, Sir Robert Jenkinson, Sir Richard Wenman, Sir John D'Oyley, Sir Littleton Osbaldeston, Sir Timothy Tyrell, Sir Edward Norris, Sir George Pudsey, Richard Holloway, Dr. Henry Allworth, Dr. John Lamphire, John Stone, Robert Perrot, Edmund Warcupp, Richard Lybb, Thomas Wise, Humphrey Wickham, John Gunn, William Pudsey and William Bayley. Captain the Hon. Henry Bertie, younger son of the first Earl of Abingdon, commanded the company of militia that marched out of Oxford against James Duke of Monmouth in 1685¹, but in November of that year his commission was taken from him "because not forward in the Parliament to vote up the popish officers."² Three years later, on November 25, 1688, he rode out of Oxford with forty "smart lads of Oxon" on horseback behind him, to join the Prince of Orange; and on Thursday, December 6th, at noon, he and Lord Lovelace virtually proclaimed William as King, at Penniless Bench, Carfax. Sir William Walter and Sir Robert Jenkinson I have spoken of already. Sir Richard Wenman, of Thame, was son of Francis Wenman Esq. of Caswell and his wife Mary niece of the first Viscount Wenman. He married Catherine second daughter and co-heir of Sir Thomas Chamberlayn baronet, and he was the heir of his great-uncle Philip, third Viscount Wenman, who procured a new entail of his estates from Charles II, in order that his great-nephew should succeed to the titles of Baron Wenman of Kilmainham and Viscount Wenman of Tuam. Sir John D'Oyley, of Chislehampton,

¹ A drum and two muskets that belonged to this company are in All Souls College.

² *The Life and Times of Anthony Wood*, Vol. III, p. 171.

son of the Sir John who had been created a baronet on July 7th, 1666, belonged to the ancient Oxfordshire family that had founded the Abbey of Osney and the Castle of Oxford. Sir Littleton Osbaldeston lived at Chadlington; he had been made a baronet by Charles II on June 25th, 1664. In the period for which the Oxfordshire Sessions are calendared here he was very active as a Justice. He died, and was buried, at Woodstock in December 1691, leaving behind him one son—Lacy—the “little, poore thing” of Anthony Wood. Lacy, in his turn, was to have two sons,¹ the second of whom was to marry Catherine eldest daughter of Richard Viscount Wenman of Thame and widow of the Hon. Robert Bertie.² The landed families of Oxfordshire were extraordinarily intermarried in the seventeenth century. It would, I believe, be possible to prove relationship between all the Justices of the Quorum in Oxfordshire of 1681. *England's Remarques*,³ printed in 1666, describes Oxfordshire as possessing “Nine Parliament Men, Fourteen Hundreds, Thirteen Market Towns, Two hundred and eighty Parishes.” But in its leisured population the county was astonishingly circumscribed. For instance, in the list of “Nobility, Knights, and Gentry of the County of Oxon which have adhered to the late King”, as presented by themselves to General Monk in 1660, we find one name only that is not familiar to the readers of this treatise.⁴ Sir Timothy Tyrell, of Shotover, was a many-sided person. He had been a Privy Councillor under Charles I, had held Colonel's rank in the royal army, and was Governor of Cardiff and General of Ordnance under Lord Gerrard. His household must have held many interests, for he had married the only daughter of the learned James Usher Archbishop of Armagh and he was the father of James Tyrell (born in 1642 and living on at Shotover until 1718) who was the friend of John Locke and author of a “General History of England, both Ecclesiastical and Civil” and many other books.⁵ Sir Timothy maintained his great vigour into a ripe old age. On May 30, 1682, he banqueted an Ambassador from Morocco on his way, in the King's coach with six horses, from Windsor to Oxford,⁶

¹ St. Ebbe's Church Parish Register.

² *Burke's Extinct Baronetage*.

³ Wood 276 a, in Bodleian Library.

⁴ The list runs “Lord John Lovelace, Thomas Pope Bart, William Walter Bart, Sir Timothy Tyrrel Knight, Broome Whorwood Esq, William Shepherd, Capt Henry Heylin, Richard Baily D.D., Richard Powell Esq, John Lamphire M.D., William Wickham, John Dolben.

⁵ *Burke's Extinct Baronetage: The Dictionary of National Biography*.

⁶ *The Life and Times of Anthony Wood*, Vol. III, p. 17.

and until 1693 we find him constantly active and alert in our Sessions papers. Sir Edward Norris, of Weston-on-the-Green, had been knighted in 1662, and was M.P. for Oxfordshire in six Parliaments and, for Oxford, in three. Of Sir George Pudsey, of Elsfield, we have already heard as the repeatedly unsuccessful Tory candidate for Parliament against Broome Whorwood and Alderman Wright. He was a deputy-lieutenant of Oxfordshire and captain of a militia company, and he was knighted when Charles II was in Oxford in March of 1681. With regard to the House of Commons, too, Pudsey's persistency was ultimately rewarded, for he became member for Oxford city in March 1685. Anthony Wood, who is Pudsey's partisan always, finds himself forced to the admission that the speech Pudsey made upon his knee to James II in 1689 was "thought somewhat too long". He was full of words—a very pompous person, if not a mere windbag.¹ Richard Holloway was son of John Holloway, Public Notary, who lived in St. Aldate's, Oxford, and had married the sister of Dr. Thomas Annan, President of Corpus. Richard Holloway himself was a Fellow of New College, "living against the Blew-bore." In 1677 he had become a sergeant at law, having been an Inn "Reader" in 1675. In 1681 he was one of the prosecuting counsel at the trial of Stephen College in Oxford. In 1683 he was promoted to being a Justice of the King's Bench and he was, in that year, one of the Judges before whom Algernon Sidney was tried. Twice in 1685 and once in 1688 he came to Oxford as a Judge of Assize. Of March 15, 1688, Wood says:—"Judge Alibon and Judge Holloway came into Oxford to begin the Assize; the commission was opened between 6 et 7 and 21 justices of the peace of the countie were left out,² of whom some were Drs and Heads of houses, as Sir Thomas Clayton of Merton Coll, Dr. Henry Beeston of New Coll, Dr. John Lamphire."³ In July of 1688 Holloway forfeited his Judgeship by refusing to pronounce the Seven Bishops' Petition seditious. He

¹ Respecting his mortgaging of the Elsfield property see *The Manor of Elsfield*, by G. W. Clark, M.A., p. 13.

² This "were left out" raises the interesting question of how far the accountability of Justices to the circuit Judges had lasted into the late seventeenth century. In our twentieth century Oxfordshire only so many County Justices as were summoned for the Assize Grand Jury attended Assize. And now that the year 1933 has abolished the Grand Jury, the Justices' connection with High Court Judges is ended. Strangely, in recent discussion as to retention of the Grand Jury, there was no dwelling upon the educative value to amateurs of witnessing the professional Judges' procedure.

³ *The Life and Times of Anthony Wood*, Vol. III, p. 60.

then retired to private life, in his house in St. Aldate's, Oxford, and it is commonly asserted that he drew Anthony Wood's will in 1695, though the sentence in Tanner's letter to Dr. Charlett about Wood's death does not necessarily bear that construction.¹ Henry Allworth, of Clanfield and Christ Church, was chancellor of the Diocese of Oxford and had been made a D.C.L. in March 1661.² John Lamphire was Principal of Hart Hall from 1663 till 1688 and Camden Professor from 1660 to 1688. He was a very genial man—rather over-much given to his pleasures, Anthony Wood wishes us to believe, and Anthony Wood ought to know, for he partook fully and frequently of Lamphire's dinners. Dr. Lamphire did a great deal for the cleaning and paving of Oxford. It was he who informed Wood, in 1678, that Oxford possessed three hundred and seventy alehouses! John Stone, Lord of the Manor of Brightwell, was father of Carleton Stone.³ I give, in my Calendar, an indictment of a labourer of Rotherfield Greys "for defamation of John Stone armiger Justice of the Peace." Robert Perrot was of Northleigh and an executor of his brother, Charles Perrot, M.A., Fellow of Oriel College, who had left money for apprenticing poor Northleigh children in other parishes. Mr. Edmund Warcup, of Northmoor, was a nephew of Speaker Lenthall.⁴ In 1670 he became a D.C.L. and he was knighted by James II on December 15th, 1684. Richard Lybb,⁵ of Hardwick near Whitechurch, was son of the Richard and Anne Lybb whose virtues are recounted on a marble slab in Whitechurch church. Thomas Wise, B.D., Fellow of Exeter College,⁶ was of Hampton Powell.⁷ Humphrey Wickham may well have been of Garsington; but I cannot find a Humphrey of that name. John Gunn, "clerico", was, almost certainly, of the Gunns of Clanfield. William Pudsey, of Stanton St. John, was in

¹ Tanner's letter actually says :—" This morning we were with Mr. Wood again, and Mr. Martin bringing a form of will that had been drawn up by Judge Holloway, we writ his will over again as near as we could in form of Law." Wood's three friends may have merely employed an old, or a usual, form, drawn by Richard Holloway, as their model.

² *Life and Times of Anthony Wood*, Vol. III, p. 437.

³ Monument in Brightwell Church, and Plot's Map of Oxfordshire.

⁴ For John Lenthall's letters, about his money matters, to his " cousin Warcuppe " see manuscript *Wood 276 a* in the Bodleian Library.

⁵ See *Passages from the Diaries of Mrs. Philip Lybbe Powys of Hardwick House, Oxon., A.D. 1756-1808* by Emily J. Cleminson (1899), p. 102 and pedigree annexed.

⁶ *Hearne's Collections*, p. 126.

⁷ See tomb within the altar rails of St. Martin's Church, Oxford.

1676 a barrister of the Inner Temple; Anthony Wood names him under "Counsellors and barristers living in Oxon this yeare" (1684). His son was at Lincoln College in August 1688 "filius Gulilelmi Pudsey de Stanton St. John, Oxon, generosi; aetat 16".¹ William Bayley, of Ducklington, had been a gentleman commoner of Magdalen College, whence he had gone out to fight for Charles I. Consequently he was one of those who, in 1660, petitioned the University for the degree their "service" had prevented them from being able to obtain. All these petitioners were granted their M.A. degrees in 1660,² and William Bayley was one of the University delegates entrusted with the ordering of affairs for Charles II's visit to Oxford in 1663.

Throughout the seventeenth century Oxfordshire Quarter Sessions had no permanently appointed Chairman. Bulstrode Whitelock, of Fawley Court near Henley, a barrister of the Oxford Circuit, says in his *Memorials*:—"1635 At the Quarter Sessions at Oxford I was put into the Chair in Court, though I was in coloured Clothes, a sword by my side and a falling band which was unusual for Lawyers in those days; and in this garb I gave the charge to the Grand Jury."

Later, in connection with Easter 1688-89 Sessions, we shall note the Justices' indecision as to who was to be considered as the reigning Sovereign.³ So it seems of interest to describe here a document which I have come upon in the Bodleian Library. This is headed *A Presentment of the Grand Jury for the Body of the County of Oxon at the Assizes held there March 5th 1689-90*, and sets forth that "Deputy-Lieutenants, Justices of the Peace and others in Publick Impleys" are being traduced "as enemies to their Majesties and Protestant Religion." And "therefore we" (the undersigned) "will endeavor to bring such to condign punishment

Carlton Stone	Thomas Jordan
Francis Clerk	Martin May
Robert Mayot	Jo Wise
William Blackall	Griffith Gregory
John Reston	William Biggs
Thomas Abell	George Cave
Henry Hall	Sutton Coghill" ⁴

¹ For the family of William Pudsey, Esq., see Register of Baptisms in St. Martin's Church, Oxford.

² This point is interesting in connection with Oxford's granting of degrees after the war of 1914-1918.

³ *Appendix*, p. 6.

⁴ Wood, G.G., 423.

SEVENTEENTH CENTURY OXFORDSHIRE OFFICIALS, GAOLS, HOUSES OF CORRECTION.

CHAPTER II.

From a century before our Oxfordshire sessions records begin in a number of counties the offices of LORD LIEUTENANT and CUSTOS ROTULORUM had been combined in the same person; and the combining of the offices was one among the many signs of the increased importance of the Justices. As we have seen in my opening chapter, under James I the Justices had been individually accountable, by way of the Crown's locally-unattached circuit Judges, to the King. Now, in 1687, such link as remained between the Justices and the Privy Council was through one of the Justices themselves, the Lord Lieutenant—chief of them certainly, but chief of them *locally*.¹

Oxfordshire's Lord Lieutenant in 1687 was James, Lord Norreys, first Earl of Abingdon; in 1688 he was succeeded by the first Earl of Litchfield; and in 1697 (in May) our Chief Lieutenancy was taken by Thomas Wharton, the early adherent of King William III who had just been created a Marquis. In this connection it may be noted in passing that on his way from Torbay to London in November 1688 William III issued orders from Sir William Bulstrode's House at Henley.

CLERK OF THE PEACE. In the year of our first County Hall documents, 1687, Clerks of the Peace were appointed by the *Custos Rotulorum* for the lifetime of the *Custos* under the Statute of 1545. But in the very next year, the first year of William and Mary (1688), an Act² gave the Justices power to remove from his office any ill-behaved Clerk. Those formally

¹ "The practice for the person appointed Lord-Lieutenant to be also appointed Keeper of the Rolls only became common in most counties during the seventeenth, and in some as late as the eighteenth, century, when the Lieutenancy had become, what at the end of the sixteenth century it was only on the way to becoming, a permanent office retained for life, identified with a single county. Nevertheless, long before that development the office was carrying with it, as Lord Cromwell saw, a certain dignity which made men eagerly seek for the honour of filling it. In his community the Lieutenant not only rapidly became the important person socially, but the practice soon arose of making him arbitrator in all kinds of disputes and difficulties. Lord Hunsdon, in his letter to the Sheriff and Justices of Norfolk, represented himself as mediating between them and the demands of the Crown." *Lords Lieutenants in the Sixteenth Century*, by Gladys Scott Thomson, pp. 142-3.

² 1 William and Mary, c. 21.

appointed were barristers of one of the Inns of Court, but so usual had become the habit of sub-letting the office to a deputy that it is impossible to feel certainty as to the social status of some of the "Clerks" whose signatures appear on these documents. The names that we have of seventeenth century Oxfordshire Clerks of the Peace are

1605 ——— Stevens. (1629 George Box "deputy Clerke")

1684 ——— 1691 Richard Stevens.

1691 ——— 1696 Edward Prince.

1696 ——— 1716 Edward Clerke.¹

But so many and heavy were the duties left now by the *Custos* to the Clerk that even the acting Clerk must have been a person of some legal knowledge. He was not a salaried official; his payment was only by fees. Disputes as to his, and his assistants', fees were frequent. But I take the following Table of Clerk's Charges given in *The Office of the Clerk of the Peace*. 1682.

"For drawing every Indictment in Felony, Trespass, Assault, Battery, Force, Riot and the like 2s.

For the Copy of any such Indictments 1s. or 4d. *per* Sheet at the Election of the Clerk.

For drawing any such Indictment that exceeds the length of seven Sheets 3s. 4d.

For the Copy thereof 1s. 8d. or 4d. *per* sheet at the Election of the Clerk.

For drawing every Indictment upon a Statute 3s. 4d.

For the copy of such Indictment 1s. 8d.

But if such indictment exceed the usual length, then 4d. the sheet.

For drawing every Information 3s. 4d.

For the Copy of every Information 1s. 8d. or 4d. *per* sheet at the Election of the Clerk.

For every Appearance to an Indictment of Trespass, Assault, Force, Battery, Riot or the like 2s.

For every Appearance to an Information 2s. 4d.

For the Discharge of any person upon Bail for the Peace, good Behaviour, Contempt or the like 2s.

For the warrant of Discharge thereupon 4d.

For every Imparance upon Indictment 2s.

For every License to compound with an Informer 2s. 6d.

For awarding and making forth Process against the Defendant upon an Information 2s.

¹ Son of Sir John Clerke, baronet, of North Weston, near Thame.

- For the Discharge of every indictment for Felony, where *Ignoramus* is found 7s. 4d.
- For the dismissal of any person Indicted of Trespass, Riot, Forcible Entry, or the like 4s. 4d.
- For the plea Not Guilty to an Indictment 2s.
- For the plea Not Guilty to an Information 2s.
- For drawing all Demurrers, special Pleas, Replications and Rejoinders, for every sheet 8d.
- For the Copy thereof 4d. *per* sheet.
- For relinquishing a plea 2s. 4d.
- For a submission 2s.
- For Judgment thereupon 2s.
- For a Discharge 2s.
- For entring the Issue, Roll and Assignment of time to the parties for Tryal upon the Record 8d.
- For the *Venire Facias* upon the plea Not Guilty 2s.
- For a *Distringas Jur.* or the continuance of the *Venire Facias* for such Tryals, for the Record 2s.
- For a Copy of the Traverse 2s. 8d.
- For every Subpoena *ad testificand* 2s. 6d.
- For every Ticket 4d.
- For the Appearance upon the Recognizance to Traverse 2s.
- For reading the Record 2s.
- For reading every Evidence upon the Tryal 1s.
- For taking and entring every Verdict found Not Guilty 2s.
- For entring the Judgment thereupon 2s.
- For the Copy of every Judgment given after Verdict 2s.
- For every Acquittal upon an Indictment for Felony 9s. 4d.
- For entring Judgment upon every Information 3s. 4d.
- For every judicial Writ thereupon 2s.
- For the discharge of a Judgment 2s. 10d.
- * For the continuance of any matter upon Information or Indictment, after issue joyned, for every Sessions 2s.
- * For every writ of Restitution to restore stollen Goods 6s. 8d.
- For every Writ of restitution 6s. 8d.
- For the Appearance upon every recognizance 2s.
- For the Discharge upon every recognizance 2s.
- For the respiting of every recognizance 2s.
- For taking a new Recognizance 2s.
- * Where a person bound by Recognizance for Felony, Peace, or good Behaviour, dyeth before the day of Appearance: Upon which the Sureties pleade the

- Death, for drawing the plea, entring the Judgement and the Clerk's Fee 13s. 4d.
- * For entring the submission of every recusant his plea and Judgment thereupon 13s. 4d.
- * For the allowance of every Supersedeas for the Peace or Good Behaviour 4s.
- For the Allowance of every *Certiorari*, Writ of Error, special *Supplicavit*, or *Procedendo* 6s. 8d.
- For the Return of every name upon several *Certioraries* 2s.
- But if the return be extraordinary long as of Orders or the like, then for drawing and ingrossing every sheet 8d.
- For the Copy of every Writ of Error, *Certiorari*, special *Supplicavit*, or *Procedendo* 1s.
- For certifying every Indictment or Presentment before Tryal 2s.
- For taking security by bond for payment of Costs upon Indictment of Forcible Entry, Riot and Battery 2s.
- For certifying every Recognizance 6s. 8d.
- For every *Scire Facias* upon a recognizance 2s.
- For drawing and entring of every Order of Sessions of an ordinary length 2s. 6d.
- For the Copy of every Order 2s. 6d.
- For the Copy of every old Order 2s.
- For drawing and entring of Orders of more than an usual length 3s. 4d.
- For the Copy of any such Orders 1s. 8d.
- For drawing every Certificate for the repairing Highways, and Bridges 1s.
- For the allowance thereof and filing 2s.
- For every Badger's License 1s.
- For taking the recognizance upon the same 8d.
- For entring the License 4d.
- For a License to draw and sell Beer 1s. 6d.
- For taking the recognizance upon the same 1s.
- For inrolling a Bargain, and sale of Lands, not exceeding forty shillings *per annum* 1s.
- For inrolling a Bargain, and sale of Lands, exceeding forty shillings *per annum* 2s. 6d.
- For License to shoot Hawks-meat and taking recognizance thereupon 1s.
- For making of Estreats for levying Fines for the Defaults of High-ways upon the view of a Justice of the Peace in every pound 1s.

For the Clerk of the Peace his hand to every Record 1s.
For the entring or certifying of every record of Conviction

11.¹

For every Warrant of the peace or good Behaviour 2s.

For every *Capias* to Fine 2s.

For the Ticket of every person elected Constable to be paid by him that is discharged 1s.

For the Ticket of every Treasurer discharged out of his Office 2s.

For the Discharge of every grand Jury man by order of Court from his appearance 2s.

For the Discharge of every man of the petty Jury upon the like order 1s.

For the filing of every Certificate or report 1s.

For every certificate to the Lord Chancellour or Lord Keeper of loss by fire, in order to the obtaining of Letters Patents for recovery of such loss by a charitable collection 6s. 8d.

For a *supersedeas* to every *Exigent* 2s. 6d.

For the appearance and discharge of every one upon the exigent 8s. 8d.

For drawing up every Record whereupon any person stands Outlawed 4d. *per* Sheet, and for ingrossing in parchment and transmitting every such Record upon *Writ of Certiori* 8d. *per* Sheet, in the whole 1s.

For taking and drawing up of every special Verdict 6s. 8d.

For a Copy thereof *per* Sheet 4d.

For the entry of every Commitment 1s.

For the discharge of any Recognizance, or other charge drawn into Estreat and ingrossed ready to be transmitted into the Exchequer according to the length thereof and charge of parchment.

Note, that the Fees which have this mark * be taken out of the Table of Fees in the Crown Office."²

HIGH, HEAD, or CHIEF CONSTABLES. Of all the lists of names in our earliest documents perhaps those of the High Constables are the most interesting. For to anyone with local knowledge of the slight social standing of the possessors of the names it seems astonishing that those possessors should

¹ This 11. is distinctly printed in the book. But must it not be a misprint?

² *The Office of Clerk of the Assize Together with the Office of The Clerk of the Peace*, 1682, pp. 247-253.

have proved capable of performing their complicated duties. They had to administer the Lord and Deputy Lieutenants' orders to the militia; to maintain, and collect money for, beacons; to direct hue and cry, watch and ward; punishment of rogues and presentation of harbourers of them; to report nuisances to the Justices at both the Justices' monthly meetings and Quarter Sessions; to organise the defence of the Hundred should it be sued for a robbery; and execute Justices' orders in general throughout the area of their Hundred. To the High Constable fell the duty, also, of maintaining and conducting his own Petit Session Court—colloquially known as "Petty Sessions" for hiring of servants. In the first year of our County Hall documents we have the *Rate of Wages for Oxfordshire* agreed at the Easter Quarter Sessions of 1687. And in this we have the statutory payments of plowrights, carpenters, masons, carters, mowers, reapers, harvesters, ordinary labourers, casual summer labourers, boys, women, servant-maids, chamber-maids, young maids, and daily maids (with or without food), as they would be proclaimed by the Chief Constables at the Hiring Session accompanying every Oxfordshire town Fair¹ of 1687 and early 1688. Further we have in our sessions papers, before the seventeenth century ends, two other wage ratings; but neither of them, not even that of ten years later, Easter 1698, differs materially from this earliest one.

The Easter 1687 Oxfordshire Wages schedule reads:

Oxon: A rate of wages agreed upon at the general Sessions of the Peace for the said County on Tuesday next after the close of Easter in the Third Year of the Raigne of our Sovereign Lord James the Second King Over England &c. Delivered to the Sheriff to be Proclaymed according to the Statute in such cases made and provided

	l	s	d
For a Bayliffs Wages for Husbandry for a yeare	6	0	0
For a Cheife Carters wages for a yeare	5	0	0
For a under Carters wages for a yeare	3	0	0
For a Shepherds wages found in the house for a yeare	3	15	0

¹ In the next—the eighteenth—century there will be more to say of these wages rates. But here, in passing, it is interesting to note that the relic of these *Petit Sessions*—the "Mop" or "Hiring" of labourers in the open street on the first day of the annual town Fair—persisted, in Burford for instance, till 1914.

For a Boys wages for a yeare	1 12 6
For a Chamber Maids wages for a yeare	2 10 0
For a servant Maids Wages of the second sorte for a yeare	2 0 0
For a young Maids wages for a yeare	1 6 8

	In the South Division	In the North Division
For a Mowers Wages with meat and drinke a day		0 0 10
For a Mowers Wages finding himselfe a day		0 1 4
For a Reapers Wages with meat and Drinke a day		0 1 0
For a Reapers Wages finding himselfe a day		0 1 6
For a Maids Wages for the same worke with meat and drinke a day		0 0 6
For a Maids Wages for the same worke finding herselfe a day		0 0 10
For a Labourers Wages for makeing hay and rakeing of Barley		0 0 10
For a Womans Wages for the same worke a day		0 0 6
For Taskers and all other Day Labourers from the first day of November to the first day of February yearely		0 0 10
For all such Labourers after the same time to Harvest a day		0 0 9
For a Plowright Carpenter and Masons Wages in the Winter finding them- selves a day		0 1 2
In the Summer finding themselves a day		0 1 4

And onerous beyond all other duties of the High or Chief Constable must have been his financial responsibilities; for his release from office was dependent on "payment of all he owed to the County," and that "owing" was the quota that Quarter Sessions had decided was to be his Division's share of the County Rate, and not the sum he had succeeded in collecting. He was accountable to Quarter Sessions for his Hundred's rating towards support of poor prisoners in the County Gaol, the relief of maimed soldiers and poor prisoners in the King's Bench and Marshalsea, and towards the upkeep of County hospitals and almshouses. Moreover our County Hall documents make very evident how heavy

a task was the High Constable's overseeing of the petty—the village—constables. On one single page of my Appendix will be found the Chief Constable of the North Division of the Bullingdon Hundred presenting, for not making their returns, the petty constables of Marston, Elsfield, Waterperry and Stanton St. John; Anthony Price Chief Constable of the East Division of Thame presenting the petty constable of Tetsworth; Robert Welles High Constable of Ploughley North Division presenting the petty constable of Stratton Audley.

Of PETTY CONSTABLES, *The Office of the Clerk of the Peace* tells us "If any of them have refused to keep the publick Peace of our Sovereign Lord the King, or have not duly kept Watch and Ward or have not apprehended all suspected persons, and Night-walkers, all Rogues Vagrants and Vagabonds that they have known have passed thorow their Precincts, or have not speedily pursued all Thieves and Murthers upon Hue and Cry, or have not monthly searched Ale-houses and places of Gaming and Bawdry, or have not upon a warrant from two Justices of Peace seized all setting dogs, nets or other engines kept by persons not qualified for the destruction of the Game; or have not well and duly returned all Precepts and Warrants to them directed from any Justices of the Peace, or have neglected any other thing incident to their office, the offender shall pay a Fine and suffer imprisonment." It was necessary for the Petty Constable to be an adult man resident in the Parish and, in theory, also of good estate. But any study of seventeenth century Oxfordshire Petty Constables' "reports" makes evident their very low level of learning if not of intelligence. For instance, we have "The Returne of the Connstabels of Witney for the Quarter Shesons hild at gilld hall in Oxford the 3 of October 1687. Itum owre pore are brovided for oure stokes and pound and pillery are in sofishent Rapare Itum wee know of no vagrants Rogues nor sturdy begers that came in our liberty sence the last Shesons but have beeing sent away, akording to the order our hiwayes are in sofishent Rapare We have nothing else to present to the best of oure knowing." Usually these Petty Constables' scrawls are, numbered, replies to a formula which they term "the Seventeen Articles," and these clearly have relation to the inquiries which concern them in the Charge given at Quarter Sessions. The following are the replies given by the Chipping Norton Petty Constable at Trinity Sessions of 1687—

- "1. We have not Apprehended any Rogues Vagrants or Sturdy Beggars since the last sessions
- 2 We have not received any such by pass
- 3 Our officers have not been Charged with any Convey
- 4 We know of None that did receive Any such psons as did not Apprehend them or that suffered any such psons to Lodge in any of their out houses
- 5 We have duly kept our watch and ward and privy Searches and have found no suspicious psons.
- 6 We have no unlicensed Alehouse within our Liberty nor any that Suffer Tipling or Drinking or Unlawful Gameing in their houses
- 7 We know of none that have Continued Tipling or Drinking in any Tavern Inn or Alehouse contrary to the laws
- 8 We have no Brewer that hath served any unlicensed Alehouse with Ale or Beere
- 9 We know of none that hath been Drunk wthin our Liberty
- 10 We know of no profane Swearers or Cursers in our Liberty
- 11 We know of no butcher that hath put any meat to sale on the lords day
- 12 We know of none that have Traveled or done any worldly labour or exposed any goods or wares or used any exercise or Pastime on the lords day
- 13 We have had No Inmates admitted since the last Sessions
- 14 We have had no unlawful destroyers of the Game nor any that do carry such game to sale
- 15 We have no fore-stallers Regrators or Badgers in our Liberty
- 16 Our high ways are now repairing and o^r common streets and bridges are in good repair wee have none that Neglect or Refuse to do their servis for the Repairing of the same
- 17 We know of no Travelling waggon Cart or Carriag that go on the Common high ways drawne with more than five horse beast at length Contrary to the Statute or greater weight than the Statute allows"

These scraps from the Petty Constables, more than anything else perhaps, afford a vivid glimpse of those motley Sessions which, still so formalised legally, accepted and housed these tatters alongside the parchments.

CHURCHWARDENS, their primary concern being maintenance of the Church fabric and furnishings and secondarily the regular attendance and behaviour of the congregation, are excellent examples of the Tudor skill in roping anciently

existing officials into the new network of elaborated, and Justice-dominated, local government. First Henry VIII slipped Churchwardens into the statutes as collectors of alms for the poor;¹ then Elizabeth and James I used them to levy fines upon absentees from church services;² and they were statutorily joined with OVERSEERS OF THE POOR (who were created in 1597 and 1601) for the arranging of poor relief. Doings of CHURCHWARDENS and OVERSEERS may be separable academically. But the inextricable medley of the seventeenth century accounts of the two, as they are now to be found in ancient Church chests, makes evident that their functions were not distinguished in the minds that recorded them.³ On page 11, page 26, and indeed throughout my *Appendix*, Churchwardens and Overseers of the Poor will be found petitioning, certifying, acting—and, more often, as on page 54 (iv), refusing to act—completely as one. For poor persons' petitions to Quarter Sessions against joint Overseers' and Churchwardens' refusals to aid them are frequent. And these appear to be, so far as the Sessions documents tell, usually successful; but we should bear in mind that the documents go only so far as to say that the aid petitioned for is granted unless the "next two" Justices see cause for objection; and, as this "next two" designates the two Justices geographically nearest to the recalcitrant Overseers and Churchwardens (the two Justices who, by statute, checked those Churchwardens' and Overseers' Poor Law payments each month) the petitioners may well have been moving but in a circle!

SURVEYORS OF HIGHWAYS. Created in 1555, the Surveyors through most of the seventeenth century had practically been "Justices' men." Hardly could it have been otherwise (in spite of their being in theory appointed by the Parish until the Act of 3 William and Mary c. 12) when an Elizabethan statute had given a single Justice the right to "present" any decayed piece of highway. A large part of a seventeenth century Justice's work had been concerned with the upkeep of roads. And the fact that, after the Restoration, their authority was contending with suddenly increased traffic gives their regulations of it at the period our County Hall documents begin a special interest for us to-day. For the

¹ 27 Henry VIII, c. 25.

² 1 Elizabeth, c. 2; 3 James I, c. 4.

³ Such as those I have studied in Taynton Church Chest. For comprehending the County Hall documents it is needful to have some familiarity with Parish papers.

rebuilding of London after the Great Fire there was, particularly from Oxfordshire, an immensely greater amount of stone and timber travelling; moreover large numbers of families were then moving hither and thither because of the plague. So it was enacted that Quarter Sessions, through two or more Justices, "lay out so much of any man's several Lands next adjoyning to the said Common and Publick High Way where they shall enlarge the said way to the full breadth of eight yards," because of the unprecedented burdens being carried. But this increasing of space on the highway led to use of waggons so heavy that the road surface was ruined and "the said High wayes are become very dangerous and almost impassable." Thereupon it was enacted that "after the Nine and twentieth day of September which shall bee in the yeare of our Lord One thousand six hundred and sixty and two no travelling Waggon Wayne cart or Carriage wherein any Burthens Goods or Wares are or shall be carried or drawn for hire other then (*sic*) such carts and carriages as are employed in and about husbandry and manuring of Lands and in carrying of Hay Strawe Corne unthreshed Coal Chalk Timber for Shipping Materials for building Stones of all sorts or such Ammunition or Artillary as shall be for His Majesties Service shall att any one time travel be drawn or go in any Common or Publique High way or Road with above seaven Horse-beasts whereof six shall draw in paires and not with above eight Oxen or six Oxen and two Horse-beasts nor shall att any time carry above Twenty hundred weight betweene the First day of October and the First of May nor above Thirty hundred weight betweene the First of May and the First of October (except such particulars as aforesaid)""¹ Meanwhile on this state of affairs there necessarily ensued a considerable theoretic increase in the powers of the Surveyors. It was laid down "That if any person or persons shall faile or make defaulte to doe their respective Dayes Labour in every yeare for and towards the repaireing of the Highwayes or neglect to send their respective Carriages Horses and Carts according as by Law they are respectively required, It shall and may be lawfull for the Surveyour or Surveyours of every Parish, and they are hereby required to make complaint thereof to the next Justices of the Peace, who are hereby authorized and required upon prooffe of any such Defaulte or Neglect made before them by Oath of one credible Witsnesse (which Oath they are hereby impowered to administer) to

¹ 14 Charles II, c. 6.

leavy by Distresse and Sale of the Goods of every person faileing or neglecting as aforesaid (and not haveing a reasonable Excuse to be allowed by the said Justices) the severall Penalties hereafter mentioned (rendering the Overplus) reasonable Charges of destraining being first deducted that is to say

For every Day labourer faileing or neglecting as aforesaid One shilling and sixpence.

And for every Man and Horse that shall make defaulte three shillings.

And for every Cart with two Men ten shillings for every respective day wherein they shall make defaulte.

Which respective Penalties soe leavyed shall be employed for and towards the repaireing of the Highwayes in every respective place and Parish."¹ But our seventeenth century Sessions papers make very evident that the Highway Surveyor of this time was between the deep sea and the devil. As I have said, any unrepaired piece of his roads could be "presented" "on his own view" by any single Justice. On October 1st 1688, we find the following, addressed by Justice Timothy Tyrell to Richard Stevens, Clerk of the Peace at that date, "Mr. Steephens This bearer William Robinson tho hee had noe orders hath worked severall dayes at Shottover hill in reparinge and fillinge of holes and opening the Trenches for the water to pass I have seene it and thinke that it is butt reasonable thatt hee should be payed for his paynes it beinge noe great matter that hee demanded if Sir John Curson be at the Bench hee hath seene it as well as myselfe. I am not able to bee there myselfe beeinge not well rigt . . . Barkinge hath an inditement from mee which I pray you putt into the Grand Jury." And again: "Mr. Stevens I present on view a Plaine highway lying in a certain place called by the name of Rofford in the parish of Chalgrove in the county of Oxon as much in decay and out of repaire. The place presented is called by the name of Rofford Lane viz^t from a certaine place called Rofford Bridge or Rofford ford next to Little Milton field and so all along Rofford Lane to the end thereof going into Chalgrove field aforesaid. Witness my hand the first day of October Anno Dmi 1688 Tim: Tyrell."² Also though the Surveyor possessed full right to arrange compoundings with persons preferring money payments to road-repairing services, we find a Petition from William Tompson

¹ 22 Charles II, c. 12.

² *Appendix*, p. 86.

and Thomas Day, overseers of the highways of Dorchester, stating that, the highways being out of repair, it had been agreed by the inhabitants responsible that the Surveyors should undertake repair, and be repaid by "a yard land tax, and also a tax upon other persons inhabiting within the parish but not having lands there"; and that the Surveyors had expended between eleven and twelve pounds of their own money and now the inhabitants refused to reimburse them.¹ Impressive as the powers the late seventeenth century conferred on the Highway Surveyor may appear upon paper, they do not impress those who have spent much of their lifetime in the English countryside. Carrying of stone for road-mending was then entirely dependent on the provision of teams by the farmer, and then, doubtless, as since, farmers were the most difficult persons of the realm to compel or cajole to community service. At the best, the Highway Surveyor would have to obtain his materials at time and place that was convenient to the farmers, and meanwhile he was contending not with a fixed task but with one that was extending enormously.

TITHINGMEN—the earliest of our Oxfordshire Sessions bundles contains a presentment of the Liberty of Minnigrove for not providing a constable "and a tything-man according to the ancient custome"²—were minor constables, usually acting within the hamlets.³

COUNTY TREASURERS. At the time our County Hall papers begin Oxfordshire possessed two Treasurers, one for the South and one for the North of the County. These were persons not quite of the Justices' rank, but of some business standing. The earliest named is John Lydall, of whom, at Easter Sessions 1688, we have this entry: "John Lydall, gentleman, Treasurer of the South Division of the County, having served for a year, petitions to be relieved of the office, and nominates Samuel Toovey of Wormsley gentleman Edward Wise of Stodham gentleman Edward Whidler of Gathampton" ("electus" is written by the 1688 Clerk of the Peace against Samuel Toovey's name.) At the Michaelmas Session of 1691 it is "ordered that the Treasurers of this County doe make their collections at Michas and Lady Day yearly and not before." And in the same Sessions the

¹ *Appendix*, p. 36.

² *Appendix*, p. 7.

³ "Constables, Borholders, and Tithingmen, whose duty is the same, though they have distinct names." *The Office of the Clerk of the Peace*, 1682, p. 131.

Treasurer of the North Division—styled variously Griffin and Griffith—is seen to be giving trouble. An entry in the *Minute Book* says: “Griffin Gregory Treasurer of the North Division to make his accompts within a Month before S^r Littleton Osbaldeston S^r Edmond Warcupp D^r Aylworth and Rob^t Perrot Esq^r or any two of them and to pay the fine of 5^l for not performeing his Duty in not paying money according to the Orders of this Co^rt.” Matters must be grave, we should suppose, for this £5 fine, on an official, to be levied. Yet nearly three years are to elapse before we read, at the Easter Sessions of 1694: “Griffith Grigory of Brize Norton treasurer for the North Division to be summoned before S^r Edmund Warcupp S^r Robert Jenkinson Do^r Ayleworth & M^r Rob^t Perrot or any 2 of them to make upp his Accounts & to pay in what mony is in his hands & upon his refusall to be bound over to the next sess and in the meanetye to recave no mony in arrear to the Treasurer. M^r Thomas Abell of Witney nominated Treasurer of the North Division in the roome of the s^d Griffith Gregory. M^r Edmund Duffield of Golder named Treas of the South Division in the roome of M^r Richard Blackall & M^r Blackall to Make his Accounts before M^r John Stone M^r Carleton Stone & M^r Whorwood a Deane or any two of them.” But the upshot of this inquiry, in terms of the *Minute Book* at least, is mild. We read, for Michaelmas Session 1694: “Upon the report of S^r Edmund Warcupp Do^r Aldworth & M^r Rob^t Perrot to whom the examination of M^r Gregiryes Acc^t was referred ordered that the s^d M^r Gregory be dischardged from the office of treasurer of the north division he payeing the sum of 5^l to M^r Abell of Witney & delivering him the booke of the steward’s acc^{ts}.” The mildness of phraseology, in regard to a case such as Gregory’s had been, renders it difficult to discern which of the inquiries into Treasurers’ accounts that are noted in the *Minute Books* are for suspected corrupt dealing and which merely at expiry of office. At Easter Session 1696, we read: “M^r Edw^d Wise of Stadham Treasurer of the South Division for the yeare ensueing in the roome of M^r Edw^d Whistler referred to Sir John Doyley M^r Stone Sen^r & Ju M^r Whorwood a Deane or any two of them to audit the Acc^{ts} of M^r Whistler late Trea^r of the S^o Division & make report next sess.” Probably in a time of vague account-rendering even at the centre of Government, the auditing Justices themselves were not willing to be too sure where lay the line between slackness and peculation. For,

as late as the Easter Sessions of 1705, three Oxfordshire Justices report that, having inspected the accounts of the Treasurer of the South Oxfordshire Division they found them, as accounts, "very fair"—the total that ought to be paid over to the incoming Treasurer being in their opinion 25^l 11^s 8^d. All, in fact, that we are able to deduce from entries respecting the seventeenth century Oxfordshire Treasurers, is that they were regularly appointed yearly, fairly regularly supervised, and that the total sums of money they were dealing with were small. Only one entry in the century suggests that money of the County may have been put out at interest; that is, at the Epiphany Sessions of 1697, when Mr. Thomas Abell "made oath that 50^l principall money is due to him upon A bond wherein Richard Castell & John Castell stand bound to him in 100^l penaltie." Castell is an ancient Oxfordshire tradesman's name. But if this £50 was so lent Mr. Thomas Abell must have been unusually enterprising; for Mr. and Mrs. Sidney Webb quote, from the Essex Quarter Sessions records as late as 1760, the following: "It is ordered by this Court that the moneys which from time to time shall be received by the Treasurers of this County shall be locked up and kept in an iron chest provided for that purpose from the receipt thereof until the same shall be paid out again." It is, in truth, extremely difficult for us to imagine the fashion in which money was dealt—or rather not dealt—with at this date. My own vision of the matter is greatly helped by this Petition in our Oxfordshire Sessions documents at Michaelmas 1691: "Sr, Mr Braythe Wor^r carrier tells me he is like to receive trouble for useing more horses than the Statute allows. The reason occasion^d this transgretion was by having the Kings money w^{ch} I sent up in March for the q^{ty} paym^t of the pres^t Tax & I am sure the money & cheast did not weigh less than 16 or 17 cwt. I hope you will be favourable to him by w^{ch} you will oblige Sr yo^r humble ser^t Philip Bearcroft Wor^r 28 July 91."

The principles underlying local "County Stock" payments—the Treasurer's disbursements to demands within the locality—are not easy to discover. The earliest entry of such payment in our Oxfordshire documents is of Michaelmas 1687, £32 odd for repairing one arch and part of the wall of Dorchester bridge, "to be paid by the Treasurer as the County Stocke will beare"; the second is at Easter 1688, when £5 14s. 10d. for repairing the East end of Magdalen Bridge (the bill having been certified as correct by "G. Ironside Vicechancelore")

is ordered "to be paid by the Treasurer of the North Division." These two appear as ordinary payments; but the next, again at Easter Sessions 1688, seems extraordinary. A demand has been made, by Black Rod at Whitehall, for homage fees asserted to be due from every County on a King's first visit to it after his accession. Those fees—the list of them is of interest¹—are said to amount to £36 6s. 8d. for Oxfordshire; and Oxfordshire Quarter Sessions is informed that, Berkshire having disputed a similar claim, Berkshire Sheriffs had been sued in the Court of Exchequer, whereupon our Quarter Sessions makes order for the £36 6s. 8d. to be "paid out of the Hospital and Goale money," the said money to "be raised from two parts where it now stands to full four parts for the payment of the same." The Oxfordshire Clerk of the Peace endorses this order that the money is to be paid to him and by him to Black Rod. At Michaelmas Session 1688 the Treasurer of North Oxfordshire pays to the Gloucester Clerk of the Peace for the conveyance of prisoners, destined for overseas transportation, from Oxford Castle to Gloucester. At Trinity Sessions 1691 payment from the County Stock is made to Thorpe, Keeper of Oxford Castle gaol, for repairs there. At Epiphany 1692 the Treasurer, "of the South Division" this time, meets further charges for repairs to Magdalen Bridge. Recurring mentions in these seventeenth century Sessions documents of the County of Oxford's payments to the King's Bench and Marshalsea Prisons—that contribution in the year 1696 being £2 2s.—take us back to the origin of the TREASURERS themselves. Early in Elizabeth's reign parish rates were being collected for destruction of vermin;² relief of prisoners;³ repair of highways;⁴ disabled soldiers and sailors.⁵ And a statute of the forty-third year of her reign, further decreeing rating for *Releife of Souldiers and Mariners*,⁶ had enacted that "the Churchwardens and pety Constables of evrie Parishe shall trulie collect everie such summe, and the same shall pay over unto the Highe Constables in whose Division their Parishe shalbe situate Tenne Dayes before the Quarter Sessions to be holden next before or aboute the Feast of the Navitie of Saint John Baptist nexte, in the Countie where the said Parishe shall be situate, and soe from tyme to tyme quarterlie within Tenne Dayes before everie Quarter Sessions; And that every suche Highe

¹ *Appendix*, p. 71.

² 8 Elizabeth, c. 15.

³ 14 Elizabeth, c. 55.

⁴ 18 Elizabeth, c. 10.

⁵ 35 Elizabeth, c. 4.

⁶ 43 Elizabeth, c. 3.

Constable, at everie suche Quarter Sessions in suche countie, shall pay over the same to two such Justices of Peace or one of them, or to two such other persons or one of them as shalbe, by the more parte of the Justices of Peace of the same countie elected to be Treasurers of the saide collection . . . which Treasurers in everie countie as chosen shall continue but for the space of one whole yeare, and then give up their charge, with a due account of their Receipts and Disbursements, at their Meetinge in Easter Quarter Sessions, or within Tenne Daies after, to suche others as shall from yeare to yeare in the forme aforesaid successively be elected." These first Elizabethan Treasurers were honorary treasurers of but one particular fund. But the rates, levied from time to time by Quarter Sessions, grew in number and had—or might have had—at times a surplus. So the Statute of 1601 *For the Relief of the Poore* gave consideration to employment of "the surplusage of money which shalbe remainye in the Said Stooke of any Countie," and for administration of this Stock a general County Treasurer, as distinct from treasurer of one particular fund, was needed. One whole chapter of *The Countrey Justice* is devoted to "Stock of the Shire." The Act instituting Treasurers had made their service compulsory. Ordinarily that service, with its difficulty in extracting the amount of the rates from the Constables, must have been unpleasant; at times it must have been bewildering in the extreme. For instance, certain Justices, in the year 1633, made inquiry of the Judges of Assizes "Whether the tax for the County-stock, Gaol, and House of Correction is to be made by the Statute of 14 Eliz. 5, 43 Eliz. 2, by ability, and upon the Inhabitants of the Parish only, or upon them, and the occupiers of Lands dwelling in that Parish, or whether such as occupy Land in that Parish, and dwell in another Parish shall be taxed?" and the answer they received was: "If the Statute in particular cases gives no special direction, it is good discretion to go according to the rate of Taxation for the Poor".¹ *The Resolutions of the Judges of Assizes 1633*—answers given by the Judges to a number of points on which the Justices consulted them—are of much interest though, like this answer, the answers are not always illuminating. For the Poor Rate collecting at this time differed from parish to parish.

Into the eighteenth century numbers of Counties contented themselves with their Clerk of the Peace as COUNTY TREASURER.

¹ *The Countrey Justice*, by Michael Dalton. (1705 edition) p. 165.

In the matter of appointment of TREASURERS Oxfordshire appears to have been ahead of most other Counties.

At Michaelmas 1696 the Treasurer of the South Division is to repay Thorpe, Keeper of the Gaol, 10s. "which he hath laid out in endeavouring to apprehend a felon." A large possibility of income for the gaoler which it must have been impracticable to check or assess seems indicated here. But on the subject of this Thorpe and his wife I must confess to being prejudiced by having come upon the following letter written by Thomas Hill, a debtor; "From the Castle Prison at Oxford Nov: 6, 1690. Sir I am constrained to inform you of some intolerable Abuses put upon the poor imprisoned debtors here in this cursed Prison. Last Saturday when we were going to be locked up in the Tower, where we have neither Beds nor Straw to lodge on; its a place worse than the Dungeon, we are but seven hours out of the twenty-four out of it" "Mistress Thorpe the Prison-keeper,"¹ the letter continues, "A man had better be subject to slavery than to this Woman, for she is the Devil."² At Epiphany Sessions 1697 we read "The Dungeon at the Castle and the rooms over it to be Repaired at the charge of the County," and Thorpe is to receive 11s. a week from the first day of this Sessions till next Assizes for the maintenance of "eleven felons now in his custody." For May 7th 1698 we find that a certain Francis Calcott, brought into the prison on a charge of shop-breaking, had been "very much wounded" and died within a fortnight. Thereupon the payment required by Thorpe is "attendance and other necessities 14/; the crowner 13/4; warneing the Juery 2/6 total 4li 8s.10d" (*sic*). Most readers of this book will have been inside this tower. So, when they realise that debtors were immured there for seventeen hours out of each twenty-four hours, they will not be surprised to hear that conditions of the dungeon, in which criminals were at this date, are indescribable. These buildings with their lack of sanitation, warmth, lighting, being as they were, and even University authorities writing with complacency of a man such as Thorpe "The Gaoler in the mean time making a good advantage of his place by Fees and otherwise,"³ the one aspect that bears dwelling

¹ See *Appendix*, p. 62, for mention of money for relief of poor prisoners paid to "Mrs. Eliz. Thorpe."

² *The Cry of the Oppressed*:—two letters of the year 1690 from Thomas Hill in Oxford Prison. (London 1691: Moses Pitt.)

³ *The Case of the University of Oxford presented to the Honourable House of Commons*. Jan. 24, 1689-90 (Oxford: Printed at the Theater, 1690).

on is that the prisoners' misery had attracted outside attention. A number of the colleges were sending food to the prison, and the earliest of its money benefactions dates from June of 1691, while a very considerable bequest—from a Mr. Horde of Cote near Bampton—was near at hand. That came in the year 1715. The whole history of Oxford Prison benefactions from the seventeenth century onwards is of much interest. Later I shall recount that history, with its ramifications of our own day. But here, before leaving the matter of the Oxford seventeenth century Prison, it is of value to note, in connection with controversy as to the history of Oxford prisons and the whereabouts of different categories of prisoners at this date, that I find in *The Case of the University of Oxford presented to the Honourable House of Commons Jan 24 1689-90*, "We say though the City have one Gaol with the custody whereof they are charged, yet there is another within the Liberties of the City and used by the County, to which the University does commit most of their Prisoners, and may do so by all."

In our Sessions documents for 1687 there is a summons of the Keeper of the Witney HOUSE OF CORRECTION for assault on one of the inmates. As far back as 1557 London had turned a disused royal residence into an institution providing employment for applicants for relief and vagrants. Shortly afterwards similar "Houses of Work" had been opened at Ipswich, Norwich, Bury, York, Gloucester, Winchester and other places. Then in 1611, every county that had not yet a House of Correction had been instructed by Act of Parliament to erect one.¹ It seems probable that in the early part of the seventeenth century the Bridewells, as at first they were called, achieved some successful reformatory work; for, writing the second part of his *Institutes* in 1628,² Sir Edward Coke could say, in speaking of Houses of

¹ "Be it further enacted and established by the authority aforesaid, That before the Feast of St. Michael the Archangell which shalbe in the yeere of our Lord God one thousand six hundred and eleven, there shalbee erected built or otherwise provided, within every Countie of this Realme of England and Wales where there is not one Howse of Correccion alreedy built purchased provided or contynued, one or more fitt and convenient Howse or Howses of Coreccion with convenient Backside thereunto adjoyninge together with Milles Turnes Cards and such like necessarie Ymplements to sett the said Rogues or other such idle persons on worke." 7 James I, c. 4.

² Part II of the *Institutes* was written directly after Part I, though, owing to Charles I's seizure of Coke's MSS. at Coke's death in 1634, the publication of it was long delayed.

Correction, "Thus much have we written for the better and more speedy execution of these excellent Statutes: and the rather that few or none are committed to the common Gaole amongst so many malefactors but they come out worse than they went in, and few are committed to the House of Correction or Working House but they come out better." They certainly were not for the first fifty or sixty years of their existence, prisons. The *North Riding Quarter Sessions Records* show that, as late as April 1652, the House of Correction at Thirsk was paying, for work done in the House, the current rate of wages of this district. What this arrangement, actually, meant for inmates depends entirely, of course, on the sum the governor of the House was subtracting as their cost of living. But that the Justices' contract with the governor insisted on his paying the current wage sufficiently establishes the point that the Judicature was still conceiving of these places as Workhouses, and not as Prisons.

A single Justice could commit to the House of Correction. Every Quarter Sessions built, or established, its own house, appointed the governor, and made with him whatever arrangements it willed.¹ In Oxfordshire, clearly, the arrangement made was a very inexpensive one. The theory of the Bridewells was that they should be self-supporting; but as they had to house some aged and infirm persons most Quarter Sessions provided for these some £50 or £60 a year out of the rates. But I do not find any mention of such payment in our seventeenth century County Hall documents, indeed not of any expenditure on the House of Correction at all until the year 1710 when Francis Collier, "Keeper of Witney Bridewell", received, as salary, £4 a year.

At Epiphany Sessions 1687-88 the Witney House of Correction contained two women only, both committed for bearing illegitimate children, and one of them "refusing to confess the father thereof." That clause from the indictment of a Susan Munday, brings us to the most dramatic story in our earliest County Hall papers. On January 14th 1688 Susan Munday's deposition, taken before Robert Perrot, recounted that a daughter Mary, who had been born of Susan at Burford shortly before Easter 1687, was the child of an undergraduate to whom Susan for a long time past had believed herself to be married.

¹ Miss Joan Wake, in *Quarter Sessions Records of the County of Northampton*, gives, in full, a Justices' Order for the appointment of a governor for their House of Correction.

“She the sayd Susan Munday sayth, that the female child called Mary w^{ch} was borne of her body about a fortnight before last Easter in Burford, was begotten on her by one M^r Thomas Smith who was at that time it was begotten for a week in her father’s house in Burford where, as man and wife, they layed together & afterwards 2 or 3 days at Mother Wrights at Boteley she remembers not the tyme. She sth she was married to the s^d Thomas Smith about 8 years agoe at the Six bells Alehouse without North Gate in Oxford between 8 & 9 a clock in the morning in the chamber; that she was married by a Gentleman but knowes not whether he was a minister or not: but he did weare a gown & married them with a bible & with a ring: she knowes not his name, nor of w^{ch} Colledge: but he with two or three more Gentⁿ were then brought thither by the s^d Thomas Smith & were present at their marriage: but she knowes none of them, that none of the house were present, but only those Gentlemen, who were all Schollers. One of these Gent was called M^r Thomas, whose father was said to be a K^{nt} Baronet: that the said Thomas Smith was then said to be a Scholler, but she knowes not of w^{ch} house: she was then a servant at the s^d Six bells Alehouse & lived there a year & half and he continued in Oxford afterw. about a year and half & used to come to her at the Alehouse where & at Boteley they often layed together but the people of the house at the six bells, she believes, did not know of their marryage. That she declared her marryage to her sister Mary Munday about a month or six weeks after the same.

“She says, that she saw the s^d Thomas Smith about half a year agoe at her Father Edward Munday’s house in Burford, where he stay^d with her about a week. He then told her he was shortly to go into France to wayt upon a young Gent; but she knows not whether he went or not, nor where he is, having not heard from him since; at the time of his being with her last, he left ten pounds for her with Mr. Walter Collyer of Witney her master, w^{ch} she hath receaved of him at severall times, & more. She sayth she hath heard that the s^d Thomas Smith’s friends live in Derby shire but she knowes not whereabout there. She positively saith upon her oath that this her child Mary was begotten on her body by the say^d Thomas Smith & further saith not.”

With this deposition is the note :—

“Epiphanie Anno Regni Regis Jacobi secundi Ange &c. tertio. It is ordered by the Court that Suzan Munday now prisoner in the house of Coreccon of this County, shall be dischargd from thence So she declare who is father of her child w^{ch} is borne of her bodie & doe give securitie for her good behaviour & personall appearance at the next Sessions of the peace

per Curiam
Stevens.”

Hardly could the normal inmates of the Witney Bridewell¹ have been so innocuous as this poor Susan. Yet none who were sent there in the seventeenth century appear in our records as criminals. An entry of Easter Sessions 1694 reads :—“If William Wakelin of Whately don’t work” (was he a relative of Peter Piper of the peppercorns ?) “att such rates as the town shall allow the next Justice of the peace is desired to send him to the howse of Coreccon.” And at Michaelmas 1700 William Fletcher of Heyford, who is dangerously insane, is either to be controlled by his relatives or “in default” sent to the House of Correction.

In the century we have next to view—the eighteenth century—all English Houses of Correction were to become prisons. The whole history of the serviceableness of the permissive mid-sixteenth century Bridewells, their decay at the end of that century, and their re-birth as statutory institutions in 1609-10 is of great interest. But the early portion of that story lies before this book’s scope ; all that lies within it is onward from that Act of the seventh year of James I which has been quoted. Yet, to finally establish the fact that the early Houses of Correction were not for criminals, I may mention the letter of a Somerset Justice of the Peace, a Mr. Edward Hext, when he was forwarding to Cecil the Somersetshire Assize Calendars in September 1596. Hext is loudly lamenting that juries have been acquitting so many accused persons, for these persons, he says, “will rather hazard their lives than work.” “And,” he continues, “this I know to be true ; for at such time as our houses of correction were up (which are put down in most parts of England, the more pity) I sent divers wandering suspicious persons to the House

¹ The second of the Oxfordshire Bridewells—the “Thame House of Correction”—does not appear in our County Hall records till 1707, though from shortly after that date until 1782 it is to figure there equally with the Witney House of Correction.

of Correction and all in general would beseech me to send them rather to the gaol. And denying it, then some confessed felony unto me, by which they hazarded their lives, to the end they would not be sent to the House of Correction.”¹

¹ *Strype's Annals*, Vol. IV, p. 405.

SEVENTEENTH CENTURY OXFORDSHIRE SESSIONS AND JURIES.

CHAPTER IV.

In their work *English Local Government ; The Parish and the County* Mr. and Mrs. Sidney Webb write, after discussing Divisional Sessions, "By 1689 another kind of 'Privy' or 'Petty' Sessions had come into existence, as a result of the various statutes by which duties had been imposed on two or more Justices. Under the Poor Law Acts, from 1597 onwards, two Justices had annually to meet in each locality to appoint the Overseers of the Poor for the neighbouring parishes, and to pass their accounts. Moreover, although the great mass of what we now call summary jurisdiction had not then begun, so that the smallest charges of petty larceny or assault could be disposed of only at Quarter Sessions or the Assizes, various statutes already empowered any two Justices of the Peace, sitting together, to try and sentence certain offenders, or to give orders to parochial officials in matters of Poor Law and highway administration. Hence, there existed in 1689, alongside of the Quarter Sessions and the Divisional Sessions, a rough and ready organisation of Petty Sessions or Privy Sessions—informal meetings of two or three Justices at the village inn, or even in their own parlours."¹ Instinctive retort to that "Hence" is to question at what point is organisation so "rough and ready" as not to be organisation at all? Obviously the "two" or "three" Justices, to be two or three, must be in presence of each other. But where exist any seventeenth or early eighteenth century records of these Justices' "Assemblies" (later "Monthly Meetings of Justices") which show them as having legal competence of Sessions? On the contrary, the wording of that Privy Council Order of June 1605² expressly says that the "assembly" of local Justices is to inquire, examine, and certify, but only to "*deal with*" such matters as lay within the competence of "two or three Justices" by statute. An "assembly" is to "*execute*" the law respecting Labourers, Alehouses, Assize of Bread and Drink, Rogues and Vagabonds, binding of Apprentices and House Servants. But its members

¹ *English Local Government : The Parish and the County*, p. 298-299.
Given pp. xxv-xxviii as in the *Devon manuscript copy*.

are to "*be informed*" concerning Recusants, Popish Sectaries, Murderers, Felons, "and thereupon to take such course that the same be dealt with and reformed according to the law." And that course was, to certify and "present" to Quarter Sessions.

There did *not* exist in Oxfordshire in 1689 an "organisation of Petty Sessions" in any sense in which the present-day student ought to accept the term. It is commonly known, of course, that the Elizabethan labourers' hirings had been called *Petit* Sessions and everyday speech of the seventeenth century attached that name at times to Justices' meetings—meetings, that is, to adjudge matters within the "two Justices'" competence and to put other business in readiness for Quarter Sessions. But the fact of this colloquialism makes the best of reasons for avoiding any confusion of it with a later, definite meaning. It is unfortunate that Mr. and Mrs. Webb should have applied, in connection with the 1605 Privy Council Order, to the Justices' "assemblies" the word Sessions, which nowhere occurs in the pertinent clauses of the 1605 Order. It is more unfortunate still that Dr. Beard,¹ treating of the sixteenth and early seventeenth century, should head one of his paragraphs "*Special or Petty Sessions*," though the confusion in this case is patent because Dr. Beard writes (as though "*Special Sessions*" and "*Petty Sessions*" were one) "*held with aid of a Jury from the Hundred.*" Dr. Beard was a distinguished Professor of Columbia University; but cannot be expected to be familiar with that A B C of our Petty Sessional Courts where at almost every sitting a prisoner is asked does he elect to be tried, summarily "*by this (Petty Sessional) court OR by A JURY, that is at Quarter Sessions.*" There is not, and never has been, a Jury at a Petty Session. In view of Dr. Beard's monograph and of a footnote of Mr. and Mrs. Webb's² it is necessary to state here, even at risk of some repetition, that seventeenth century "*Special Sessions*" were sittings of the same tribunal as that which sat at Quarter Sessions; they were in fact extra Quarter Sessions. And as Dr. Beard's monograph is based on Lambard, while Mr. and Mrs. Webb refer us to *Eirenarcha* (1602 edition, page 558), we do best to see exactly what Lambard there says. He

¹ *The Office of the Justice of the Peace in England.* Charles A. Beard, Ph.D. (Columbia University Press, 1904).

² *English Local Government: The Parish and the County*, page 297, footnote 2.

explicitly states that the Sessions he is discussing are the Extra (Discretionary or Special) Sessions—"General Sessions diversely summoned," he says. His whole argument, indeed, developed further on page 569, is that he feels anxiety lest these (between-time) Sessions shall assume that their competence is identical with that of Quarter Sessions while they are not being held on the statutory Quarter Sessions date. He writes: "If the Justices of the Peace do not hold their Quarter Sessions according to the time appointed by the Lawe, they be not Quarter but Speciall Sessions."

The confusion of writers on the subject of Petty Sessions is further confounded by their mentions of Act 11 Henry VII c.3, though this can have no sort of bearing on the matter, because what that did—in the suspending of juries¹—applied to Assize and Quarter Sessions only; the Act explicitly saying that it appertains to Justices "in their open Sessions." In mention of 33 Henry VIII, c.10, there is slightly more pertinence, because that Act did introduce the *divisional* idea (though with respect to Quarter Sessions business); but it was repealed three years after its making "for as muche as the Kinges most lovinge Subjects are much Trayvaled and otherwise encombred in comynne and keeping of the said Sixe Weeks Sessions their Costes Charges and Unquyetnes."² And a large, if not the largest, item of trouble which had led to the Act's swift overthrowing was the summoning of juries for the (between-Quarter-Sessions) Discretionary, or Special (sometimes Divisional) Sessions it had instituted. And, as has been pointed out, the presence of a jury removes those Sessions from any connection with Petty Sessions.

Actually the seventeenth century possessed

(A) QUARTERLY SESSIONS OF THE PEACE held by Statute at fixed seasons. These could be adjourned.

(B) DISCRETIONARY, OR SPECIAL, SESSIONS. These, extra, between-Quarter, Sessions sometimes were for "special" purposes—such as to relieve pressure on the Gaol or House of Correction. As matter of convenience they were attended by the Justices living nearest the town they were held in (they were held in various places), therefore they took on some divisional character. But that was adventitious merely; their constitution and, it was assumed,³ their competence was the same as Quarter Sessions.

¹ At a time when Dudley and Empson were Clerks of Forfeiture.

² Preamble to the repealing Act of 37 Henry VIII, c. 7.

³ Cf. Lambard's anxiety, because of this assumption.

(C) JUSTICES' ASSEMBLIES OR JUSTICES' MONTHLY MEETINGS. These were Justices' meetings that possessed only the competence given by the Statutes to "Two Justices." In our County Hall records references to Justices' *Monthly Meetings* in the Divisions occur. Unquestionably the Hundreds remained in some sense units for local government and inevitably each such district lay under the particular surveillance and dominance of the Justices residing within it. This factor of geographical proximity, potent till the last quarter of the nineteenth century, must have been very much more operative in the isolation of districts in the seventeenth and eighteenth centuries. But that the Divisions in the seventeenth century possessed no Petty Sessions—no allocated "Benches" of any sort—is proved, if proof were needed, by the following document of May 21st, 1706, in our Oxford County Hall records: "At a Meeting of her Maties Justices of the Peace for the County of Oxon in pursuance of a Letter from the Privy Councill bearing date the 4th day of Aprill last¹ it was Agreed and Ordered that the severall persons hereunder named, are appointed to Act in the severall Divisions as follows:

The Vice-Chancellor of
Oxford

Sr John D'Oyly Barr^t

Sr Henry Ashurst Barr^t

Sr Sebastian Smythe Kn^t

Dor Barnard Gardiner

Francis Clerke Esq^r

Tho : Carter Esq^r

Dor Arthur Charlott

William Wright Esq^r

(in another handwriting)

} For the division of Thame
Bullingdon and Dorchester
Hundred

Sr Tho : Wheate Bar^t

Sr Tho : Crispe Kn^t

Tho : Nappier Esq^r

Dor John Connaught

Sr Francis Blake Kn^t

} Wooten Hundred

Sr Robt Dashwood Bar^t

Sr William Glynn Bar^t

Sr Edward Norreys Kn^t

} Poughley Hundred

¹ Letter " From the Council Chamber at Kensington, the 4 day of Aprill 1706."

Sr Francis Blake Kn ^t	}	Bampton Hundred
Sr Edmund Warcuppe Kn ^t		
Thos Jordan Esq ^r		
Thos Nappier Esq ^r		
Robert Barber Esq ^r	}	Bloxham Hundred
Tho : Woodhull Esq ^r		
Sr Tho : Wheate Bar ^t		
(<i>apparently another name was here</i>)		
Henry Cole Esq ^r	}	Chadlington Hundred
Sr Robert Jenkinson Bar ^t		
Sr John Walter		
Dor Robert Cox		
Hary Cole Esq ^r	}	Ewelme, Lukenor (<i>sic</i>) and Pyrton Hundred
Richard Eyans Esq ^r		
James Jennings Esq ^r		
John Clerke Esq ^r		
Richard Lybb Esq ^r	}	Binfield, Langhtree (<i>sic</i>) and the half Hundred of Ewelme " ¹
Sr William Whitlock Kn ^t		
James Jennings Esq ^r		
Richard Lybb Esq ^r		

To us in Oxfordshire the particular allocations are of much interest. But the list's outstanding value is in proving that previously no such allocations were in existence. Queen Anne's Ministers had here to create them. This Privy Council letter of April 4th 1706 is addressed to all Lords Lieutenant respecting deputy-Lieutenants, and to every Custos Rotulorum respecting Justices of his county; and it requires them "to assemble together" (deputy-Lieutenants or Justices—as the case may be) all of them "and being so assembled, then to agree on the most proper manner to subdivide themselves into severall subdivisions for the more effectual performing of the said service within such subdivisions." The requirement here, in 1706, was for stricter watching of papists. But that particular does not concern us; for the point is that this Privy Council letter orders (a) Assembly of all Justices of a County to *appoint* acting Justices in their several divisions; (b) account to be taken of the "names *designed*" and forwarded. Obviously, had there already been Petty Sessional Benches, all that would have been needful would have been to requisition lists already existing.

¹ Manuscript document, County Hall, Oxford.

Through the seventeenth century County Quarter Sessions were regularly held in the old Oxford Town Hall—a small building in St. Aldates, but “adjourned Quarter Sessions” were held during the century at the Cross Inn, Oxford, the “Sessions House”, Churchill, the George Inn, Burford, the White Hart, Chipping Norton, the Bowling Green, Bicester, the Salutation at Witney. The gatherings, in Oxford at any rate, were large and impressive. “The procedure was still the medieval procedure the whole County met the Justices of the Peace in their Sessions.”¹ I am aware that Mr. and Mrs. Webb incline to belittle the importance of Quarter Sessions in the seventeenth century; but the survey presented in *English Local Government: The Parish and the County* begins with the year 1689 and therefore its facts are almost entirely those of the eighteenth century. Certainly in Oxfordshire records I discover no decline in Quarter Sessions attendance or in the place it occupies until well into the eighteenth century—that is in the County Quarter Sessions that were held in Oxford Town Hall.² Respecting these gatherings the description of Quarter Sessions, written in 1682,³ that I have detailed in my opening chapter may be accepted as accurate; and all I need add to it here is some analysis of the nature of the JURIES that the Sheriff summoned to those seventeenth century Quarter Sessions. These were two,⁴ THE GRAND JURY OF GRAND INQUEST, and THE PETTY, TRAVERSE, or FELONS’ JURY.

At Assize, the Grand Jury was composed of the “gentlemen of the best quality, estate, and understanding of the County”—all of them, as I have noted on page xv, addressed as “Esquire.”⁵ But at Quarter Sessions the Justices

¹ *A History of English Law* by Sir William Holdsworth, K.C., Vol. IV, p. 143

² The adjourned Quarter Sessions and those held in minor Oxfordshire towns are a different matter as to which, for the seventeenth century in Oxfordshire, no opinion can be expressed at present.

³ *The Office of the Clerk of Assize . . . Together with the Office of the Clerk of the Peace.* 1682.

⁴ If a HUNDRED JURY, of Inquiry and Presentment, had been there it would have been summoned by the Bailiffs of the Hundreds. But in Oxfordshire this Jury had fallen out of use before our Sessions documents begin.

⁵ In writing of another century I shall describe the point at which Oxfordshire decided that the best means of obtaining the type of persons required was by limiting Assize Grand-Jurors to County Justices of the Peace. That limitation obtained for many years. Mr. Justice Darling, at an Oxfordshire Assize in the year 1922, called his Court’s attention to the fact that the writer of this essay was, necessarily, on this basis, the first Woman Assize Grand-Juror in English history, because only that day were Grand Juries being re-instituted after the 1914–1918 war, and Women Justices had not existed before the war.

themselves were the judges sitting. So for QUARTER SESSIONS GRAND JURY a second best had to serve, and the Grand Jurymen for 1687 and 1688 who are given in my *Appendix* are of the same calibre as Oxfordshire Quarter Sessions Grand Jury-men of our own day—each of some substance but not, in general, entitled to write “generosus” after their names. Lambard had laid down that a Grand Jury should always consist of an odd number, “17, 19 or 21 to the end that if they should dissent in opinion almost equally there should always be one to weigh down the side and cast the balance.”¹ And now in our period, in the sixteen-eighties, district representation was being considered also; “For the Grand Inquest or Grand Jury it is meet,” says the author of *The Office of The Clerk of the Peace*, “that three or four be returned out of every Hundred and the names of the Hundreds to be written in the margin.”² It was the business of the Grand Jury then (as till last year) to determine, on criminal indictments, whether a *prima facie* case existed to go before Quarter Sessions for trial. The seventeenth century Grand Jury sat (as it sat till 1933) in a secondary room of the Court House, outside the Court room. Cases it decided to send on into the Court for trial were endorsed “True Bill”—the “*Billa Vera*” of our documents; such indictments as it decided to ignore, it threw out, endorsing them “*Ignoramus*.” But this procedure in criminal cases, which is all that pertained to a Grand Jury in our day, was but a fraction of the seventeenth century Grand Jury’s task. The Grand Jury then was guardian and mouthpiece of the whole life of the county, stating its problems, framing every sort of presentment, planning and authorising public expenditure. When a bridge, or a Sessions Hall, or the Gaol, were needing repair, the Grand Jury had to frame a formal Presentment of the facts to Quarter Sessions before any action could be taken. It presented “founderous” roads, careless landowners, farmers, constables, and every sort of parish official. It drew attention to increase of vagrants, fires, disorderly ale-houses, libels, forestallers and regrators; it inaugurated petitions and phrased addresses to the Crown.

THE PETTY JURY of the seventeenth century was, except

¹ *Eirenarcha*, 1599 edition, p. 386.

² *The Office of the Clerk of Assize . . . Together with the Office of The Clerk of the Peace*, p. 103.

in its property qualification,¹ exactly what a Petty Jury is to-day—a jury of twelve to try accused persons who put themselves “upon the country,” that is, plead “not guilty”—unanimity being necessary to its verdict. Why the decreed number for this Jury is twelve evidently exercised seventeenth-century minds. The writer of *A Guide to English Juries* published in 1682 summarises a theory amusingly; “In analogy of late,” he says, “the jury is reduced to the number of twelve to foretell the truth—the discoverers twelve sent into Canaan to seek and report the truth; and the stones twelve that the heavenly Hierusalem is built on,” and Blackstone says, with regard to the legal number of twelve, “in which patriarchal and apostolic number Sir Edward Coke (1 Inst. 155) hath discovered abundance of mystery.”²

¹ 4 William and Mary, c. 24, re-enacted, from Charles II, that all jurors at Quarter Sessions or Assize “in any County of this Realme of England shall every one of them have in their owne name or in trust for them within the said County Ten pounds by the yeare att least.” The list of £10 freeholders of the County was always brought into Quarter Sessions by the Under-Sheriff in case of the non-appearance of full juries of those who had been summoned. In such case, the Under-Sheriff would call, as jurors, “some of the Freeholders of the County that are present”; but consent of the Justices would be required for each name. *The Office of the Clerk of Assize . . . Together with The Office of the Clerk of the Peace*, 1682.

² *Commentaries*, III, 365.

JUSTICES AND OVERSEAS TRANSPORTATION.

CHAPTER V.

In even the latest histories of English law and English prisons the origin of the system of transporting English convicts overseas has been left unexamined. Sir William Holdsworth has not dealt with the question; and Mr. and Mrs. Sidney Webb in the *Prisons* volume of their *English Local Government* say "we leave on one side the whole subject of transportation" and they say that in a footnote only—a footnote which continues "beginning in the seventeenth century, the earliest case is in 1619." I am now able to show that *Oxfordshire* prisoners were being transported overseas as early as 1617.¹ The subject is involved and dependent on Privy Council papers not yet in print; but inquiry into it makes evident two separated tendencies that unite in the Transportation Statute of 1718,² at which point writers less erudite than Sir William Holdsworth and Mr. and Mrs. Webb have been content to suggest that the subject begins!

Origin of one of the tendencies lies, without doubt, in the fourth clause of the Elizabethan Act—*For Punyshment of Rogues, Vagabonds and Sturdy Beggars*. "If any of the said Rogues shall appear to be dangerous to the inferior sorte of people where they shalbe taken, or otherwise be such as will not be reformed of their rogish kinde of lyfe by the former Provisions of this Acte, That in every such case it shall and may be lawfull to the said Justices of the Lymittes where any such Rogue shalbe taken, or any two of them, whereof one be of the Quorum, to commit that Rogue to the Howse of Correcion or otherwise to the Goale of the County, there to remain untill their next Quarter Sessions to be holden in that County, and then such of the same Rogues so committed, as by the Justices of the Peace then and there presente or the moste parte of them shalbe thought fitt not to be delivered, shall and may lawfully by the same Justices or most parte of them be banysed out of the Realme and all the other Domyonions thereof and at the charges of that County shall be conveyed unto such partes beyond the Seas as shalbe at any tyme

¹ Page xciii—Privy Council Order of 13 July, 1617.

² 4 Geo. I, c. 11.

hereafter for that purpose assigned by the Privie Counsell unto Her Majesty her Heires or Successors, or any six or more of them, whereof the Lord Chauncellor or Lord Keeper of the Great Seale, or the Lord Treasurer for the tyme being, to be one, or otherwise be judged perpetually to the Gallies of this Realme, as by the same Justices or the moste parte of them shalbe thought fitt and expedyent."¹ That *Rogues and Vagabonds Act* was of 1598; but clearly the banishment overseas portion of it remained a dead letter for six years at least, because on September 16th, 1603, the following Privy Council Order was issued from the Court at Woodstock: "Forasmuch as it hath appeared unto us as well by our owne views in our travailes in this present Progresse of his Majestye as also by good and credible informacion from diverse and sondrie parts of the realm that rogues growe again to increase and bee incorrigible and dangerouse, not onely to his Majesty's loving subjects abroad, but also to his Majestie and his most honourable Household and attendants in and about his Court, which growing partly through the remissnes of some Justices of the Peace and other officers of the countrie, and partly for that there has bin no suite made for assigning some place beyond the seas to which such incorrigible or dangerouse rogues might be banished according to the statute on that behalf made; we therefore of his Majestie's Privie Councell whose names are hereunto subscribed, finding it necessitie to reforme great abuses and to have the dewe execution of so good and necessarie a law, do according to the power limited unto us by the same statute heerby assigne and thincke it fitt and expedient that the places and parts beyond the seas to which any such incorrigible or dangerouse rogues shalbee banished and conveyed accordinge to the said statute shalbee theise Countries and places following, viz., the New Found Land, the East or West Indies, France, Germanie, Spaine, and the Low countries or any of them."² The idea here, of sending overseas, is idea of banishment merely, not of employment for others' profit or of penal servitude. At first sight, this—difference between banishment and enforced labour within Crown dominions—appeared to me as the difference between the Elizabethan Rogues and Vagabonds legislation and the Transportation enactments.

¹ 39 Elizabeth, c. 4.

² The italics are mine. Rymer, Vol. xvi. As I have stated on page xxv, the *Registers* of this date (from beginning of 1602 to May 1613) were all burned. But this particular Order, given in Proclamation form by Rymer, is also in the *British Museum Additional MSS.* 11402, fol. 91 (15 Sept., 1603).

But the real distinction has had to be found in another direction. And the necessity for seeking it in another direction ought to have been evident to me from the first, because the 1598 Statute permitted *either* banishment of the Incurrigible Rogue *or* committing him to the galleys for life; and, in the latter case, his labour was being utilised.

For the fountain-head of the Transportation enactments is in the Royal Commission document of June 14th, 1602, which gives "full power, warrant and auctoritie to you or to any sixe or more of you (whereof some of you the said Lord keeper, Lord Treasurer, or Lord Admyrall to be twoe) at all tymes, and from tyme to tyme hereafter, to re pryve and stave from Execution suche and so many Persons attainted and convicted of and for anye Robbery or Felonye by them or any of them committed or to be committed (willfull Murther, Rape and Burglarye onely excepted) being of strong and able Bodyes to serve in Gallies, as you or any sixe or more of you as is aforesaid shall thinke fit and convenient, and the same so reprived and stayed from Execution, from tyme to tyme to appoynte bestow and commit to serve and be used in some of our Gallies, in such order and forme, and for and during so longe Tyme as you or any suche sixe or more of you as is aforesaid shall lymitt and assigne,"¹ and in a Minute of the Privy Council of four days later which reads thus—"Letters to all the Justices of Assize throughout the realm for the reprieving of all such felons as shall be condemned in their several Circuits to serve in the galleys, if they be not condemned for rape, burglary or other notorious offences."²

Fifteen years after, in 1617, pressure on the Home government for labourers for Virginia had become heavy. Therefore the conditions after reprieve take another form. Yet, if only from its "willfull murther and rape" clause, it is clear that this, from the Privy Council at Hinchinbrooke on March 24th, 1617, is a direct descendant of the Galleys Order just given: "Whereas it hath pleased his Mat^{tie} out of his singular Clemencie and mercy to take into his princely Consideration the wretched estate of divers of his Subjectes who by the Lawes of the Realme are adjudged to dye for Sondry offences thoughte heinous in themselves, yet not of the highest nature, soe as his Mat^{tie} both out of his gracious Clemencye as also for divers weighty considerations could wishe they

¹ *Commissio Specialis pro Condempnatis ad Galeas transferendis* 14 June, 1602. T. Rymer, Vol. xvi.

² *British Museum Additional MSS.* 11402, f. 85.

might be rather corrected than destroyed, and that in their punishmentes some of them might live, and yealde a profitable Service to the Common wealth in partes abroad, where it shall be found fitt to imploye them For which purpose his Ma^{ties} having directed his Commission under the greate Seale of England, to us and the rest of his privy Counsell, gyving full Power Warrant and Authoritye to us or any Sixe or more of us where of the Lord Chancelor or Lord Keeper of the Greate Seale, Lord Treasurer, Lord Privy Seale and one principall secretarye to be two, to Reprive and stay from execution suche persons as now stand convicted of any Robbery or felony (willfull murther, rape, witchcraft or Burglary onely excepted) who for strengthe of bodey or other abilityes shall be thought fitt to be employed in forreine discoveryes or other Service beyond the seas, as shall be Certify^{ed} unto us in writing by any one or more of the Judges, or Sergeantes at Lawe before whom suche felonies have been tryed, or in their absence, then by two suche principall Commissioners, before whome suche felons have been convicted, and the said partyes so reprived and certified as aforesayd to appoint bestowe and Committ to serve in suche Discoveryes or other forraigne employmentes, as wee or any Sixe or more of us shall assigne, or appointe, and the time to be prefixed by us or any such Sixe of us aforesayd, how long the sayd Offenders or any of them shall remagne in such employmentes, Willing and Commanding by vertue of the sayd Commission all his Ma^{ties} Judges, Justices, Sherifes, Gaolers, and all other his Ma^{ties} officers and loving Subjectes to whome it shall appertyne to be syding with assisting to the Due performance of the premisses with this special proviso, that if any of the sayd Offenders shall refuse to goe, or yealding to goe, shall afterwards come back and returne from those places where they are, or shall be sent or imployed, before the time limmitted by us his Ma^{ties} Commissioners be fully expired, that then the said Reprivall shall not longer stand nor be of any force, but the sayd offender or offenders shall from thence forth be subject to the execution of Lawe for the offence whereof he was first convicted as if nothing had been done by vertue of this Commission. These are therefore to signifye unto all his Ma^{ties} officers and other persons whome it may Concerne that having received a Certificate from S^r Henry Finch knight one of his Ma^{ties} Serjeantes at Lawe, and S^r William Lovelace knight one of the Justices of Peace in the Countye of Kent, that John Browne now prisoner in his Ma^{ties} Castle of Canterbury,

being a person of able bodye, and fitt to be employed in the partes beyond the Seass, hath had his Tryall before them and standes convited of felonye (but not for any Murther, Rape, Burglary or Witchcraft) wee doe by vertue of his Mat^{ties} sayd Commission Reprive the sayd John Browne from execution of Lawe, and soe appoint him to be delivered unto S^r Thomas Smith knight Governor of the East India Company or his Assignes, to be conveyed to the East Indies or other partes beyond the Seaes where he shall direct, with all convenyent speede, and not to returne agayne upon the payne before specified without warrant first obteyned under the handes of Sixe of us his Mat^{ties} Privey Councell. And doe will and in his Mat^{ties} name Command the Highe Sherife of the Countye wher the sayd John Browne doth remayne to deliver him accordingly to the sayd S^r Thomas Smith or those whome hee shall appoint to receive him. For doing whereof this being according to his Mat^{ties} Commission, shall be to him a sufficient Warrant and discharge in that behalfe.”¹ And the very next Privy Council Warrant after the one contained in this initial Convict Transportation Order relates to prisoners in Oxford. “Whitehall, Sunday afternoon 13 July 1617. An open Warrant for the reprive of Christopher Potley Roger Powell Sapcot Molineux Thomas Middleton and Thomas Crouchley Prisoners in Oxford Gaole, and to deliver them unto S^r Thomas Smyth knight to be transported into Virginia or other partes beyound the Seas with proviso that they retourne not againe into England according to the forme of a former Warrant enterd at large the 24 March last.”²

The *Register*, June 19th, 1661, records the presentation of a Petition from a London Merchant Company asking that prisoners from London prisons may be handed over to the said Company for labour on the Company's Jamaica estates. Thereupon the Privy Council requests the Lord Chief Justice with the Recorder of London to decide which of the prisoners now lying in the London prisons are suitable for use in Jamaica, and what is the best manner of giving warrant for the delivery of such as are suitable to the petitioning Company “for the more certain putting of them on shipboard and acquitting this nation from them.”³ An entry of a month later—July 19th, 1661—says that the Lord Chief Justice has been too occupied to give his attention to the matter of the Merchant

¹ *Acts of the Privy Council*, James I, Vol. III.

² Unpublished *Registers* of the Privy Council, P.R.O., P.C. 2/55.

³ *Ibid.*

Company's request, and that the Recorder of London has pronounced that the selected prisoners cannot be handed to the Company unless they have, first, been pardoned.¹ On August 7th, the merchant Petitioners (Jeremy Bonnell, Edward Bernerd, and others of the Company of London Merchants) report to the Privy Council that, since the Council's last hearing of their suit, they had waited upon the Recorder of London at the Assizes being held at Kingston on Thames on July 23rd; but that the Recorder "being out of Towne and therefore not able to certify to each man a particular case did think it expedient that all such persons as are now in Newgate under condemnation and not for murder, should be Transported, the Merchants undertaking to kepe them from returning by the space of tenn yeares at the least."² Consequently the Petitioners are now asking the Privy Council for a special warrant to the Lord Mayor of London and the Sheriffs of London, Middlesex, and Surrey, "to deliver unto them such convicted persons as remaine in the said Gaoles." Hereupon an Order, to the Lord Mayor of London and the Sheriffs of London, Middlesex, and Surrey, is made, telling them to deliver to the petitioners, or the petitioners' nominees, all convicted prisoners except those condemned for murder or burglary, "in such manner as will be conceived best and safest for the more certain putting them on shipboard and Transporting them to Jamaica, they, the said Merchants, undertaking to kepe them by the space of Ten yeares at the least."³ Here, with the Recorder's admitted inability to review each individual case, and the Privy Council's Warrant to the Lord Mayor and Sheriffs to deliver over prisoners in classes, we seem to touch that slackening of Privy Council methods which was to become so marked after Clarendon's fall. Yet for a number of years still the *Register* entries were to contain, and theoretically at least the Lords of Council were to pass in review, the names and crimes of persons to be transported. The *Register* on May 14th, 1662, has, "His Mat^{tie} being informed that divers persons who were condemned at the Lent Assizes in the Severall Circuits are Reprieved. It is this day ordered by his Mat^{tie} in Councell that the Lord Cheife Justices of both Benches the Lord Chiefe Baron and all the other Judges (who rode these Circuits) doe meete together and prepare Lists of the names of such persons as

¹ Unpublished *Registers* of the Privy Council, P.R.O. P.C. 2/55.

² *Ibid.*

³ *Ibid.*

were then condemned, and after Reprieval, in their severall Circuits respectively, with Accompt of the Facts for which they were so condemned, which Lists they are hereby desired Speedily to Returne to his Mat^{tie} or this Board, And that they Likewise give their Opinion how his Mat^{tie} may extend his pardon to such as hee shall think fitt, so as they may be Transported beyond Seas, and not returne againe to this Kingdom."¹ On July 5th, of the same year, referring to the above entry, the *Register* says, "And thereupon three Certificates hath been returned the first signed by the Lord Chiefe Justice Bridgman and Justice Browne and in that for the County of Sussex named John Pope, for the County of Essex Jane Landford and Henry Johnson, for the County of Surrey Margaret Wright John Levett and Robert Fry, and for the County of Kent Richard Braxford Thomas Studman and Edward Leeds, in the second signed by Justice Twisden for the County of Northampton John Allen, for the County of Leicester Elizabeth Wallyn, for the County of Lincolnshire Roger Bind and John Sumpter And in the third signed by Justice Tirrill for the County of Southampton William Nixon, in the County of Devon Henry East and George Dennis, in the County of Somerset Richard Alder Thomas Cooke and Samuell Browning. And it is all their opinions that if his Mat^{tie} shall please to Graunt Pardons to any of the said reprieved Persons that it is felt that the Securitie be first taken by the Clerk of the Councell or the Clerkes of the Assizes respectively for their transportacions, And that the Pardons bee conditionall, and with this Reservacion, so as they goe by such a time to the place designed, And provided that if they doe returne without his Mat^{ties} Leave within such a time then the Pardons be void. Whereupon it was this day ordered that his Mat^{ties} Attorney General do draw up a Pardon of Course for the said Persons, according to the said judges opinion aforesaid And that the Clerkes of Assizes respectively doe take Bond with security accordingly as is by the Judges directed."¹ That is, until well into the sixteen-sixties, Orders of the Privy Council were making clear that the position in law remained what it always had been—transportation of a felon, whether a convict from Quarter Sessions or from Assize, required explicit permission from Lords of the Council.

Yet, in practice, the Justices' *Rogues and Vagabonds* powers, at the Restoration, had considerably stretched, partly owing

¹ Unpublished *Registers* of the Privy Council, P.R.O. P.C. 2/55.

to the Privy Council's preoccupations, partly from general familiarity with the idea of transportation that had resulted from the sending of political prisoners and Quakers to the Plantations. Of stretching of Justices' transportation powers to touching the royal prerogative, and Chief Justice Jeffreys's dealing with that, we have to speak next. Meanwhile the following communication to the Privy Council from Westminster Justices, shows, towards the uncondemned, an inclusiveness that is startling indeed: "Aug. 24 1663, A Certificate from S^r Hugh Cartwright K^t, S^r George Farewell, Henry Peck and Richard Newman Esq^{rs} Justices of the Peace within the Liberties of Westminster being this day read at the Board, declaring that Peter Beane Richard Winter Thomas Hill Prisoners in the Gate House, and Joane Taylor and Sussana Merrick who have been *Comitted for severall felonies and Misdemeanours brought before the said Justices and others at the Quarter Sessions held for that Liberty, and for want of prooffe not found Guilty of the Crimes layd to their Charge, and remitted to Prison as sturdy and Incorrigible Persons untill they could finde Sureties for their good behaviour, or for want of sureties, to be transported to some of his Mat^{ties} Plantacions beyond the Seas according to the Law, And the said Justices signified that the said severall persons have been fowre moneths and upwards in Prison, and were produced to engage for their good behaviour and they are fitt persons to be Transported beyond the Seas to any of his Mat^{ties} Plantacions, they will give Order for the delivery of them to such Merchants as will transport them.*"¹ And, referring to this, the *Register* of two years later, Jan. 29th, 1665, says: "Two or more Justices of the Peace for the city of Westminster, in like manner, to transport."² Yet the point to be noted here is not the inhumanity of the proceeding but that it is a Magistrates',³ and not a central Government's, proceeding. For, under James I, we find in the Privy Council *Register* of 1620 "that the City of London hath by an Act of Comon Councell appointed one hundred Children out of the Multitudes that swarme in that place, to be sent to Virginia there to be bound apprentices for certaine yeares, with very beneficall Conditions for them afterwards: And have moreover yielded to a Leavy of five hundred poundes for the apparrelling of these children, and towards the charge

¹ Unpublished *Registers* of the Privy Council, P.R.O. P.C.2/55. The italics are mine.

² Ibid.

³ "Magistrate" is Jeffreys' word in his speech at the Bristol Assize, Sept. 1685.

of their transportation: Wherein as the Citty deserveth thankes and Comendations, for redeeming so many poore Soules from mysery and ruynes, and putting them in a condition of use and service to the State: Soe forasmuch as Information is Likewise made That among the number there are divers unwilling to be carried thither: And that it is conceived that both the Citty wanteth authority to deliver, and the Virginia Company to receive, and to carry out theis persons against their Wills. Wee have thoughte meete for the better furtherance of so good a Worke, hereby to authorize and require, as well such of the Citty as take charge of That Service as the Virginian Company or any of them to deliver receive and transport into Virginia all and every the foresaid Children as shalbe most expedient And if any of them shall be found obstinat to resist or otherwise to disobey such directions as shalbe given in this behalf: Wee doe likewise hereby authorize such as shall have the Charge of this Service to Imprison, punish, and dispose any of those Children upon any disorder by them or any of them comitted as cause shall require: And so to shipp them out for Virginia with as much expedition as may stand with convenience. For which this shall be unto all persons whom the same may any way concerne a sufficient warrant." But under James I—and this fact ought to preface all our thinkings of Justices' doings in the first quarter of the seventeenth century—the central Government was keeping a very tight hold over all doings of the Justices, by means of the Charges James I gave to, and the detailed reports he received back again from, his circuit Judges. "You have," he said to these Judges in a Star Chamber speech, "charges to give to justices of peace, that they doe their dueties when you are absent, as well as present: take an accompt of them, and report their service to me at your returne So let the judges be never so careful and industrious, if the justices of the peace under them put not their helping hands, in vaine is all their labour." This survey of Oxfordshire Justices' work in the seventeenth century opened with that detailed letter of instructions James I sent in 1605 to all Justices in England—a letter requiring every one of them to account to the Privy Council both for his attendances at Quarter and other Sessions and what Justice's work he was performing between the Sessions.¹ But how far matters eighty years later had slipped from such exactitudes was dramatically shown when Chief Justice Jeffreys, at the

¹ Pages xxvi-xxviii.

Bristol Assize of September 1685,¹ placed the Justices themselves in the criminal dock on charge of illegal proceedings. "Good God ! Where am I ?" bellowed Jeffreys. "Magistrates can discharge a felon or a traitor provided they will go to Mr. Alderman's plantation at the West Indies !" and he proceeded to make clear, to thoroughly cowed hearers, that not by any possibility could *mittimuses* be made and destroyed. Persons liable to hanging must either be hanged or recommended to the *royal prerogative for reprieve and transportation*. The Bristol Justices had delivered themselves into Jeffreys's hands ; for, unlike the Westminster Justices, their unrighteous transportings had gone outside the law. "There had," Roger North tells us, "been an usage among the aldermen and justices of the city (where all persons, even common shopkeepers, more or less, trade to the American plantations) to carry over criminals who were pardoned with condition of transportation, and to sell them for money. This was found to be a good trade ; but not being content to take such felons as were at their assizes and sessions, which produced but a few, they found out a shorter way, which yielded a greater plenty of the commodity. And that was this. The mayor and justices, or some of them, usually met at their tolsey (a court house by their exchequer) about noon, which was the meeting of the merchants as at the Exchange at London ; and there they sat and did justice business that was brought before them. When small rogues and pilferers were taken and brought there, and, upon examination, put under the terror of being hanged, in order to which mittimusses were making, some of the diligent officers attending instructed them to pray transportation, as the only way to save them ; and, for the most part, they did so. Then no more was done ; and the next alderman in course took one and another, as their turns came, sometimes quarrelling whose the last was, and sent them over and sold them. This trade had been driven for many years, and no notice taken of it."² The "notice" Jeffreys, now in September 1685, took of it was considerable ! His letter of report for the King on the subject I append here : "I am just now come (my most Honourable Lord) from discharging my Duty to my Sacred Master in executing his Comission in this most factious Citty, for, my Lord, to be playne, upon my true Affection and Honour to your Lordship and my Allegiance & Duty to my Royall Master,

¹ At the close of *The Bloody Assize*.

² *The Life of Francis North, Lord Keeper Guildford*, by Roger North.

I think this Citty worse than Taunton, but, my Good Lord, tho' harras'd with this dayes fatiague, & now mortified with a Fitt of the Stone, I must begg leave to acquainte your Lordship that I this day committed Mr Mayor of this Citty Sir Wm Hayman & some of his Brethren the Aldermen for Kidnappers & have sent my Tipstaffe for others equally concern'd in that Villany; I therefore begg your Lordship will acquainte his Majestie that I humbly apprehend it infinitely for his Service that he be not surpriz'd into a pardon to any man, tho' he pretend much to Loyalty till I have the Honour and Happyness I desire of kissing his Royall Hand

Bristol 22 Sept.

1685.

Your Lordships most Dutifull
gratefull and faithfull as I
am your most obliged Servant
Jeffreys"¹

The State Papers of this time are not yet calendared or indexed; among them, however, is a long document respecting the trials and penalties that immediately ensued.² Jeffreys made the most of his opportunity!

Yet complete as victory over these Bristol magistrates was, it was victory in a losing, and quickly losing, cause. Professor Trevelyan says, "The Revolution of 1688 in one of its aspects was a revolt of the localities against the central government, in other words, of the Squires against the Privy Council." For if, in 1685, Justices were thus penalized for actions they could not legally justify, from 1688 until 1878 their administrative freedom from oversight was to be almost unlimited. For that period they, and not the central government, were the rulers of provincial England. Whitehall did indeed pass the 1835 Prison Act; but so fixedly were the County Justices in the saddle that, for the forty years that followed, Whitehall found itself practically no further forward in possession of the prisons. In fact, down to our own day stubborn objectings to Home Office Orders have persisted. But the story of the overweening growth of Justices' authority belongs to my survey of eighteenth century documents. The point we are immediately concerned with here is that a Statute of the year 1718 was to give Justices of the Peace the right of transporting criminals.

In the earliest of Oxford County Hall Sessions documents, one of April 5th, 1687, a prisoner, William White,³ is in Oxford

¹ *State Papers Domestic*, James II, Vol. I, part 3, No. 201.

² *Coram Rege Roll* 2046. Michaelmas I, James II (Rex M. 32. Civitas Bristol.)

³ *Appendix*, p. 18. See also pp. 29, 44, 62 and 75.

Castle awaiting transportation. In August 1688, in the writing of the Worcester Assize Clerk of the Peace, is the following note to the Oxford Castle gaoler: "William White" (with three others) "being to be transported by their owne Consent It is ordered that you deliver them into the Custody of John Langhorne Keeper of his Ma^{ties} Gaole for the County of Glouc^r who hath undertaken safely to transpor(t) them." And to the above is appended: "Mr Justice Goodyer It is thought fitt that the County of Oxon be att the charge of conveying them to Glouc^r or make some convenient allowance therefore to Mr Langhorne for taking them away," and, again to this last, this time in writing of the Oxfordshire Clerk of the Peace, "referred to Mr. Deane of Christchurch and Mr. Wright to examine the Charge & allow it to be paid by the Treasurer of the North division of this County."¹ Whether the long delay, nearly a year and a half, in removing this William White out of Oxford Castle was due to waiting for the checking of transportation lists by Lords of the Council we have no means of knowing. But I have found in the *Rawlinson MSS.* at the Bodleian Library a Petition to Charles II, forreprise and transportation of a felon from the Justices of Gaol Delivery of Oxford City, which has, in the endorsement—on the back of it—allusion to the "nexte general pardon for poore convicts." That endorsement reads: "At the Court at Whitehall 18 Octob^r 1681. His Ma^{tie} having graciously considered the humble Certificate and Representation of the Mayor Vice Chancellor Recorder & others of His City and University of Oxford (being Justices of the Gaol Delivery from his said City) on the behalf of Samuel Hurst convict for Felony at the Last Quarter Sessions, is graciously pleased to Order and Comand that the Execution of the said Samuel Hurst be forborn, and that he be inserted in the next general pardon for poore convicts, which shall pass for the s^d city or county of Oxford, with a clause of Transportation as is made in such cases."² The words I underline here suggest that in Oxford in 1681 the form only was being supplied from the central government—names being left to be filled in locally.

The Act of 1718 which completely established Justices' power of transporting criminals was to say: "Whereas it is found by Experience, That the Punishments inflicted by the Laws now in Force against the Offences of Robbery, Larceny and other felonious Taking and Stealing of money

¹ *Appendix*, p. 90.

² *Rawlinson MSS.*, D.395, pages 227 and 228.

and Goods have not proved effectual to deter wicked and evil-disposed Persons from being guilty of the said Crimes : and whereas many offenders to whom Royal Mercy hath been extended, upon condition of transporting themselves to the West-Indies, have often neglected to perform the said condition, but returned to their former Wickedness, and been at last for new Crimes brought to a shameful and ignominious Death : And whereas in many of his Majesty's Colonies and Plantations in America, there is great want of Servants, who by their Labour and Industry might be the means of improving and making the said Colonies and Plantations more useful to this Nation : Be it enacted That where any Person or Persons have been convicted of any offence within the Benefit of Clergy before the twentieth day of January one thousand seven hundred and seventeen, and are liable to be whipt or burnt in the Hand, or have been ordered to any workhouse, and who shall be therein on the said twentieth day of January : as also any Person or Persons shall be hereafter convicted of Grand or Petty Larceny, or any felonious stealing or Taking of Money or Goods and Chattels, either from the person or from the House of any other, or in any other Manner, and who by the law shall be entitled to the Benefit of Clergy, and liable only to the penalties of Burning in the Hand or Whipping, it shall and may be lawful for the Court before whom they were convicted, or any Court held at the same Place with the like Authority, if they think fit, instead of ordering any such offenders to be burnt in the Hand, or whipt, to order and direct, That such Offenders, as also such Offenders in any Workhouse, as aforesaid, shall be sent as soon as conveniently may be, to some of his Majesty's Colonies and Plantations in *America* for the Space of seven years ; and that Court before whom they were convicted, or any subsequent Court held at the same Place, with like Authority as the former, shall have power to convey, transfer and make over such Offenders, by Order of Court, to the use of any Person or Persons who shall contract for the Performance of such Transportation." That the powers established by this Act of 1718 were widely used by Oxfordshire Justices will be clear in the next—the eighteenth century—section of this work. For, within one quarter of one year, of that century, almost £300 is spent on arranging for the county's oversea transportations, although all the freight charges are being paid by the contracting merchants.

(1)

APPENDIX.

A FULL CALENDAR OF THE EARLIEST EXTANT
OXFORDSHIRE QUARTER SESSIONS RECORDS
IN THE COUNTY HALL, OXFORD.
EASTER SESSIONS 1687 TO TRINITY SESSIONS 1689,
INCLUSIVE.

APPENDIX.

In calendaring these documents I have placed them under the following headings :—

i. CONSTABLES' PRESENTMENTS.

Usually these are the Presentments from Petty Constables ; but there are, also, some few Presentments, from Constables of Hundreds, of Petty Constables who have neglected to make their returns. As only a small number of these last are to be found, it is likely that they were preserved when they contained detail of some misdemeanour, though it has to be admitted that a few exist without any such ostensible reason. Most of the Constables' Presentments are countersigned by a Justice. The normal Presentment that we find in the Bundles has taken its shape from an accepted formula obviously related to the Charge. Many refer explicitly to "seventeen articles" and, most fortunately for us, several Presentments, notably one from the parish of Chipping Norton at Trinity Session of 1687 (p. 22) are in the form of numbered replies to these articles. Many of the Petty Constables' Presentments, however, are mere formless scraps of paper noting freedom from rogues and vagabonds, due licensing of alehouses with absence of tipplers, relief of the poor, repair of highways, stocks and pound.

ii. CONSTABLES' APPOINTMENTS.

iii. MISCELLANEOUS PETITIONS AND CERTIFICATES, ETC.,
TO QUARTER SESSIONS.

These include petitions for leave to ask alms from persons who had lost their houses and property by fire. They include also reports of the repair of highways, estimates for repair of bridges and bills for such repair, and occasional reports by Justices of enquiries carried out by order of Quarter Sessions.

iv. DEPOSITIONS AND INFORMATIONS.

There are unfortunately comparatively few of these documents.

v. RECOGNISANCES.

Occasionally for the peace or for good behaviour, but as a rule for appearance at the ensuing Quarter Sessions—either to answer charges or to prosecute or give evidence.

vi. INDICTMENTS.

As a rule short documents in the form of presentation by the Grand Jury, but occasionally long memoranda in cases in which the indictment had been traversed and postponed from Sessions to Sessions.

vii. CALENDAR OF PRISONERS IN THE COUNTY GAOL (*the Castle*) AT OXFORD.

Accompanied at times by a similar Calendar of persons detained in the House of Correction at Witney.

viii. PETTY JURY PANELS.

This class of document is very imperfect. For some Sessions there are none.

ix. GRAND JURY PANELS.

x. LISTS OF { CHIEF CONSTABLES OF HUNDREDS
BAILIFFS OF HUNDREDS.

These two documents are always fastened together, attested by the High Sheriff, and have attached to them the Chancery writ to the Sheriff, duly endorsed by him as executed in the attached documents.

The word "*Noted*" I have used to signify the entry made by the Clerk of the Peace on a document to record the decision reached. The meaning of his entries on Recognisances and Indictments is clear enough as a rule, though clerks of the seventeenth century reduce words to two or three letters and whole phrases to two or three stumps of words, at times written without the usual signs of contraction or suspension. The following are some of the most frequent entries on the records here dealt with. ON RECOGNISANCES the two common formulæ are: "*Co et ex*" and "*Non co extract*"; with an occasional addition to the latter phrase, "*in scacc^m*." "*Co et ex*" is the entry on Recognisances to which an appearance has been entered, and the case concluded. The guide to the extension of the phrase is the fact that in some other Quarter Sessions records the entry appears in a rather fuller form as "*Comp et exon.*" It may, therefore, be extended as "*Comparuit et exoneratur.*" "*Non co extract*" is the entry on estreated Recognisances—"Non comparuit extractum"—with the occasional addition "*in scaccarium.*"

ON INDICTMENTS "*po se cul*" (or "*non cul*") is "*ponit se culpabilis*," "*pleads guilty*," (or "*non culpabilis*," "*not guilty*,") "*Po se in gram cur*," being "*Ponit se in gratiam curiæ*" is "*places himself at the mercy of the Court.*" Every indictment is endorsed "*Jur' in Cur*," signifying that the

matter of the indictment had been sworn to in Court by the prosecutor. (This endorsement being invariable is omitted in the Calendar.)

MINUTE BOOKS. Following my Calendar of the Quarter Sessions "Rolls," or loose documents, I append a transcript of the earliest pages of the "Minute Books of Quarter Sessions." These do not begin until the Easter Session of 1688, and my transcript has been made up to, and including, Trinity Sessions 1689. The description "Minute Books," while justified by the character which these books assume in after years, is unsuited to their early form. They are thin notebooks, in which the Clerk of the Peace, after a full formal preamble, including names of Justices present, began a list of recognisances taken by Quarter Sessions (as distinct from recognisances for appearance etc. entered into before one or two Justices.) The necessity for keeping some such memoranda is obvious. After a few years, the clerk began to make notes of other decisions of Quarter Sessions, in a very informal way, as if mainly for a reminder to himself, concerning such matters as settlement of poor persons, repairing highways, and the issue of instruction to constables. Gradually such entries grew more varied until the volumes became genuine Minute Books. In these books the cause of the recognisance is entered by the clerk, in very abbreviated form, in the left-hand margin. Where the case was concluded, he wrote the result in very abbreviated form above the line that recorded the recognisance. These abbreviations, except in one case, are the normally employed abbreviations such as "p bo g & Co" meaning "pro bono gestu et comparendo." The unusual case is the word "consil" written with merely a mark of extension. Within the two years' documents of my Appendix the clerk has written it five times, three times as "pro consil" and twice as "pro consil ad assisas." Obviously "consil" with extension mark merely should stand for "consilio" and not "consimili," though "pro consimili" is common in the Sessions documents of some counties.¹ Sir John C. Fox² suggests the meaning may be that the matter is not disposed of finally—that the Court "reserves further consideration" as in the present-day phrase. But on the other hand Dr. Bertha Putnam states that in the fourteenth century legal records the

¹ See Mr. S. A. Peyton's edition of *The Proceedings in Quarter Sessions held for the parts of Kesteven in the County of Lincoln, 1674–1695*.

² Author of *The History of Contempt of Court*; *Handbook of English Law Reports*; etc.

abbreviated form "consil" is very common and clearly meant for "consimili." Therefore it seems probable that in the course of years clerks, ignorant of Latin, had merely dropped out the line that should run through the l.

On lines of general historical interest there are in these earliest "Minute Books" some noteworthy facts, foremost among them perhaps, that Epiphany Session 1689 merely renewed outstanding recognisances and took some new ones. No bundle of documents for this Session exists. Formally, it was adjourned till March 1st. But there is no evidence that the adjourned Session was held. And, clearly, there was none at that Easter; the Minute Book has no Easter Session entries, not even a list of recognisances; and, again, there are no documents at all. Moreover it is to be remarked that the formal Preamble in the Minute Book to the Epiphany recognisance list gives, additionally to the regnal year, the calendar year—the formula being "Epiphanie anno regni Regis Jacobi secundi quarto annoque Domini 1689." Such insertion of the calendar year does not previously occur neither is it continued after this 1689 entry. Its presence suggests desire to certify the date in case of difference of opinion as to name of the Sovereign reigning. Minute Books for later in the century, also, contain some vivid echoes of this differing. At Easter 1690 a shoemaker at Garsington has sworn before Sir Timothy Tyrell that Thomas Kembar a yeoman of Littlemore had met him going to Oxford on March 18th 1690 and offered him a horse costing twenty pounds, a further twenty pounds in cash, and a safe conduct, if he would go to Ireland to serve King James; and had said to him that "King James was turned out of his Kingdom by this King Pipin." At Trinity Sessions 1693 a man from Devizes is charged by two men of Witney with saying "in the little parlour of Staple Hall Inn," "I will maintain that King James is King of England now," and Robert Collier the petty-constable of Witney, from the next room in the inn, has overheard the saying. Below this last indictment is written that the said man from Devizes, Nathaniel Hitchcock by name, pleads that he was drunk at the time and that he now repents and takes the oath of obedience owning himself a subject of King William and Queen Mary.

About the years 1698 and 1699 there are notes respecting some number of petitions for help in paying the Window Tax.

Again, on the much-argued question as to how far the Wage Rates that Quarter Sessions decreed, were enforced, some

light is thrown by entries such as one of Easter 1692, which orders Anthony Hungerford Esq^r to appear at the next Sessions to show cause why he is not paying to his servant Robert Monke wages now due; and another Order of Michaelmas Session 1693, that Robert Lord of Little Tew gent pay to his shepherd Thomas Miller 6¹¹ 1^s now in arrear within a week from date of this notice. That these Wage Orders, and some very interesting Debtor Prisoner petitions of the 1690's, are not treated at length, here, in the Seventeenth century, is because their development belongs to the Eighteenth century.

EASTER SESSIONS, 1687.

CONSTABLES' PRESENTMENTS.

Whitchurch—John Sparrowhawk, victualler, unlicensed, Roger Pain, victualler, "unlyscenc'd."

Bix—The Liberty of Minnigrove for not finding a constable and tything-man, "according to the ancient custome."

Blackbourton—John Turner and Lucy his wife, John Monke, wheeler and Joane his wife "for not resorting nor repairing to any Church or Chappell to heare divine service and common prayer ffor the three Sundays last past."

Cassington and Worton—"Wee have none that absent themselves from Church in time of divine service except Mr. Christopher Renolds and the wife of John Cozier."

Crowmarsh Gifford—"The Returne of the (Constable of Cromish Gifford to the Quarter Sessions at Oxford Tuesday & 5th of Aprill 1687)

- 1 I have not seene any Rogues hr since last Sessions
- 2 I have reed none by pass
- 3 } Answrd by the 1st & 2nd
- 4 }
- 5 Watch & Ward have beene kept & a weekly Search at uncertaine times made for the findeing & apphending all Rogues hr but cannot finde any
- 6 Noe Alehouse
- 7 None that drinke or contrary to Law
- 8 Answrd by the 6
- 9 I have not fond any drunke
- 10 I have not heard any curse or Sweare pphanely
- 11 Noe Butcher

- 12 (I pſent Thomas North & his wife Jane Childre
widdow Mary Butler Anne Smith Samuel Abbot
& his wife Philip (*sic*) & his wife for not coming
to our p^{iſh} church to heare divine Sunday (*sic*)
the 27th of March & the 2 pceding Sundays)
- 13 Noe Inmates lately admitted
- 14 Noe Poachers
- 15 Noe forestall^{rs} Regrat^{rs} or Ingrossors
- 16 Our high ways are in good repaire
- 17 Noething presentable by this Article
- Ex. by me Mathew Clark Constable "
- Jo. Stone

(*Passages within brackets in heading and articles 6 and 12
are in another ink*)

Fulbrook—"Imprimis I the said constable do present that
on or about Fryday the 17th of December last I being
informed that some of the Inhabitants of Fulbrook
aforesaid were then going to pull downe a Wall which
Mr. Richard Jordan of the same Towne had then
lately erected to inclose to himself parte of the West
in the Comon highway there and an horse poole which
served as a great convenience for the use of the Inhabi-
tants there, And doubting that it might occasion some
disturbance of the peace, did goe toward the said
place to see the peace kept, and did then see the said
Mr. Jordan, together with William Hicks, John Staite,
Edward Cripse Elizabeth Box & Judith Owen come
forth altogether out of the said Mr. Jordans Yard, hee
himself with a prong and all the rest of the said men
with prongs and long staves And make unto one Armes
Collyer and William Fitchett who then stood in the
highway with iron barrs picking down the said Wall
and thrust him by force over the said Wall Where-
upon they closed and threw one another downe, and
whereupon others also ingaging there happened a
great disturbance & breach of the peace, And the
said two persons were forced of from their said worke
soe that the said Wall Still stands and is continued
by the said Mr. Jordan as a publique nuisance."

(*This document is endorsed "Juratus in Curia."
On a copy not quite identically worded the
endorsement is "Allowed by mee Tim:
Tyrrell."*)

Willescott—

“No Rogues Vagrants or sturdy Beggars have been apprehended w^{thin} my liberties since the last meeting of the Justices of the peace although diligent search hath been made for them according to the Statute, No Unlicensed Alehouse w^{thin} my liberties, nor have any sate tipling here contrary to the Lawe to the best of my knowledge

No comon Drunkards

No profane cursers or swearers

No Butcher hath sold any meat on the L^{ds} day

No Carier Drover Horsecourser Wagoner Butcher Higler or any of their Servants have travelled or come into any Inne or Alehouse on the Sunday

No persons have done any Worldly labour or business of their ordinary callings or exposed any wares or goods to sale or used any exercise or pastime on the L^{ds} day contrary to the Statute

No Inmates lately admitted

No pochers or Unlawfull destroyers of the Game

No psons have shot or by any means killed Pigeons or House Doves

No Forestallers Regrators Ingrossors or Badgers of Corn or Grain

Our Highwaies Comonstreets & Comon Bridges are in sufficient good repair

Nor do any psons Neglect their Duties fo the ameaning thereof

No travelling Cart Wagon or Cariage have gone on the Comon Highwaies wth more than five horse beasts at length Contrary to the Statute ”¹

(Beginning with the third article the above are included in one large bracket and noted collectively “w^{thin} my lib^{ties} to the best of my knowledge”)

“All other matters and things w^{thin} my liberty belonging to Office of a Constable to enquire into & not before

¹ 22 Charles II, c. 12, An Additionall Act for the better repairing of Highwayes and Bridges: “. . . noe traveling Waggon, Wayne, Cart or Carriage wherein any Burdens Goods or Wares are or shall be carryed (other then *sic*) such Carts and Carriages as are employed in or about Husbandry and Manureing of Lands and in the carrying of Hay, Straw, Corne unthresht, Coale, Chalke, Timber for Shipping, Materialls for Building, Stones of all sortes, or such Ammunition or Artillery which shall be for his Majestyes Service) shall at any one time travell or be drawne, or goe in any common or publike Highway or Road with above Five Horse Beasts at length.”

particularly expressed are in good order to the best of my knowledge therefore nothing now presented by ”
 “ Allowed by me ” (No signatures).

Bampton and Weald—“ Wee present John Carpenter Coller-maker, John Hall Coombe maker Robert Winterbourne & Walter Winchcoomb for not resorting to any Church or Chappell to hear divine service & Common prayer for the three last Sundays.”

Hardwick—“ These are to Sattisfie the honorable Bench : that our Stoocks and pound are in good Repaire and our poore are provided for According to the Law : and that have nothing to presente to the best of my knolidge
 Thomas Cadwallinden ”
 “ Edw Norrey ”

Hardwick—“ I return Thomas Cadwalenton ” (sic) “ ... of Hardwicke (for not bringinge in his returne ”)
 (Words in brackets in another ink ; no signature.)

St. Clement's, Oxford—“ A returne made by the Constable of St. Clement for the sessions to be holden at Oxon for the countie of Oxon on the 5th of Aprill 1687

- 1 I have not seene any rogues or vagrants in my weekly Search since my last return, my said search being made on uncertin dayes & times.
2. None arrived by pass.
3. This is answered by the first and second.
4. Wee have none that harbour such people.
5. I have kept watch and ward.
6. Our Alehowsekeepers are licensed.
7. I have not seen any tipling on sundays wth us since my last return.
8. This is answered by the first.
9. This is answered by the seaventh.
10. No comon swearers.
11. No meate exposed to sale on sundays wth us since my last return as I know of.
12. Nothing presentable in this article.
13. No inmates.
14. No pochers.
15. No forestallers.

16. Our high wayes are all repaired except those that will be now tried.

17. Nothing presentable in this article.

William Charles

Aprill the 2^d 1687

Seen & allowed

by me

Joh : Venn Vice-chancelor
of Oxford."

MISCELLANEOUS PETITIONS, CERTIFICATES, &C., TO QUARTER SESSIONS.

i. "Wee the Minister Churchwardens overseers of the poore & others parishioners and inhabitants of Hooknorton . . . Doe hereby Certify that Elizabeth Smith of our said parish Singlewoman is not in a Condicon to travell to Oxon being sicke & weake ever since her deliv^r of a child of which she narrowly escaped her life being forced to have a Chyrurgion to execute the office of a Midwife (as wee are credibly informed) and wee doe further certify that shee is a very poore indigent & helplesse creature being not capable of any business whatsoever whereby shee may gett her a livelihood nor can shee subsist without the help & assistance of her sister Anne Smith & the small porcon her Father left her, her mother lyeing now weake & sick & senselesse on her deathbed and not like to live a weeke Witness our hands this fourth day of Aprill Anno domini 1687 "

Signature of Thos. Fletcher, Minister; Nathanile (*sic*) Heynes and John Witon, churchwardens; Jeffery Hitchman; Onor Deane; Thomas Parran, "overCeare pore"; Richard Witon, constable; Rich: Baldwin; Robert Samon; Nath: Walford; Rich: Wiatt; John Gosse; John Washbrook; Fr: Corbett.

ii. "Moneys disbursed & to bee paid by Elizabeth Smith of Hooknorton in the County of Oxon singlewoman upon the Accompt of her being with child & in the tyme of her delivery and late dangerous sickness.

£ s. d.

Imprimis to James Beats mercer as appears
by his bill

1 18 7

It To Dr. Walford as appears by his note

3 4 6

It To a nurse & her Dyett

1 3 0

It To the Butcher for meate in her lyeing
in

0 6 9

(h)

	£	s.	d.
It To two midwives	0	6	0
It For wine Cirrups & other things at the Apothecaries	0	6	0
It For fuell	0	8	0
It For bread milk butter Cheese Chickens for the women attending her lyeing in	0	5	4
It For Ale for the woemen two dayes	0	10	0
It For 6 pd of Bacon cheese & other things for the woemen	0	4	6
It For flower & eggs	0	1	4
It To Dorothy Calcott for bread & Cake at the funerall	0	8	6
It makeing the grave	0	1	0
<i>Noted</i> —Referred to the next Justices of the peace to make such allowance for the charge of Lyeing Inn as they shall thinke fitt.			

iii. "Wee whose names are hereunder written doe
hereby Certify That wee are not against Thomas White
his digging Clay in Lammas Ground¹ in Marsh Baldwin"
5th April 1687.

John Pollard, Joseph Bampton,
Richard Spindler, Thomas Brooke,
James Polton, Thomas Clinkeard.

Noted.—Allocatus in Curia exoneratus.

iv. Certificate that, whereas at the last Michaelmas Sessions Abraham Fulsis "late pretended Constable of Horley" had presented a small gutter or watercourse running between and parting the common fields of Horley, Horneton, Wroxton and Bulscott "by the name of Blakenell River" for being "out of repaire and for not being sufficiently scowred by the Comoners belonging to the said Fields," "wee whose names are subscribed haveing ourselves not onely viewed the said Watercourse but discussed with divers of the most substantiall Comoners Inhabitants of the said Townes Do find that there was no good ground for the said presentment."

(Signed by George Chamberlayn and Hum : Wykham.)

v. Certificate that the highway in the parish of Waterstock leading from Wheate Bridge to Thame has been duly put in repair.

(Signed by Timothy Tyrrell and Edward Master.)

¹ Lammas Ground would be the common meadow of the manor, wherein there was not even the degree of severalty which existed in the common arable. Hence every individual operation in it could only be by consent.

vi. "Abill of worke dunn for the repaire of the East End of madgdalen (*sic*) bride since the 10 of October

For robert robinson 6 dayes	0	10	0
For will robinson 9 dayes	0	15	0
For charles robinson 7 dayes	0	7	0
For will Emson 7 dayes	0	8	2
For mikell Emson 7 dayes	0	4	8
For 12 load of dirt carred from the bridg by Edward (<i>illegible</i>)	0	6	0
For 2 load of gravell	0	1	8
For 26 foot of (<i>illegible</i>)	0	6	8
For 15 foot of ashler	0	1	6
For 2 bushell of lime	0	1	6
For 1 load from the quarie	0	2	0
For (<i>illegible</i>) 12 load of (<i>illegible</i>)	0	6	0
(Against the last item the word "more" is written in the margin)	3	14	2(<i>sic</i>)

Allowed by

Timo : Hatton vice chanc^r

Hen Beeston

John Lamphire

Joh : Hammond

vii. "November the 20 1686

Recevd of Daniel Payton the som of Six Shillins in full of All depts dewes and damands and doe Accquit him of all Clamors beetwen us to this Day witnes our hands

Edmund Kempster

John Dorrill his mark."

Richard Chary

viii. Petition by Symon Hawkins of Tackley for a licence to ask alms, his dwelling-house and mill having been burned to the ground "in a suddaine and Dredfull fire" on February 7th, 1686, at a total loss of £280.

Noted—Super sacramentum Thome Tymes mason

Samuel Douglas carpenter

"Carpenter and masons worke 210s besides"

Petition of other inhabitants of Tackley in support of above statement of losses.

Signatures of John Morton, Philip Gardner, Thomas Wheeler, Thomas Liddom, Thomas Burle, Edward Grantham, Gabriel Myrry, Robert Bratherton, William Howes, Thomas Burren, Edward Forist, Richard Freeman, William Rushton; Timothy Green and William Tredwell, churchwardens,

DEPOSITIONS AND INFORMATIONS.

i. Examination of Anne Carter, taken at Adderbury before George Chamberlayn and Humphry Wykham, Justices of the Peace, upon oath, alleging that Thomas Awstin of Adderbury, innholder, was the father of two children born of her.

Letter from the same two Justices stating that Awstin having been brought up on a warrant, and having refused to contribute to the maintenance of the children and also to be bound over to appear at Quarter Sessions "if hee thought wee would not doe him Justice therein," had been committed by them to the gaol at Oxford.

Warrant referred to in the above letter :

"To all Cheife Constables Petty Constables Tythingmen and other his Majesties Officers within the said County whom this may concerne and more especially to the Cheife Constables of Bloxham Hundred in the said County and to either of them And that the said Thomas Awstin lyes concealed in severall places of the said Hundred so that his body cannot (*sic*) easily attached. These are therefore in his Majesties name to Command you and every of you to whom this shall come that you make diligent Search and enquiry within your respective liberties for the said Thomas Awstin And if upon your Search you shall find him the said Thomas in any of your liberties that then such of you in whose liberty he shall be found Do bring him the said Thomas before One of us (or some other Justice of the Peace of this County) to the end he may be bound to the next Quarter Sessions (after his being taken) to be holden for this County that a Course may be then taken with him for the saveing of the township of Adderbury harmless of and from the maintenance and keeping & educacon of the said children or either of them."

ii. Deposition of Jonah Camden of Northleigh, husbandman, before Robert Perrott, Justice, 24th March, 1687, that he lost on 13th or 14th March two geese "and 18 goos eggs whereon they sate" and two roost cocks and three hens, and "beleeves that the same were feloniously taken and carryed away thence by Edward Baldwin Joseph Powell of Ensham and others, in that night ; and those who did it he traced the next morning by their footings & fethers towards ensham afores^d."

Abel Powell of Eynsham, boatman, on the same deposition "confesseth that he himself, with the sayd Edward

Baldwin and Joseph Powell were of those who that Sunday night or munday morning did steale take & carry to Eynsham" (*sic*) the said geese, &c., "some of which were afterward conveyed to Oxford; others of them spent in Eynsham. He sth that he is sorrie for it that he was so concerned and promiseth that he will never hereafter be concerned in the like practice; & sth that he never was engaged in the like before."

RECOGNISANCES.

i. Jonah Camden, in £10, before Robert Perrott, 2nd April, to prosecute Edward Baldwin of Eynsham, labourer, and Joseph Powell of the same, boatman.

ii. Abel Powell, in £10, before Robert Perrott, 10th March; to give evidence in the case.

iii. Edward Baldwin, in £40, and William Wise junior of Eynsham, generosus, and Joseph Powell of the same, boatman, in £20 each, before Robert Perrott, 19th March, for the appearance of Baldwin at the Sessions.

iv. John Nobes of Great Haseley, mason, in £20, before Sir John D'oyly, 3rd March, to appear at the Sessions to answer matters preferred by Jane Michell of Little Milton, spinster.

INDICTMENTS.

i. Edward Wise of Little Baldon, for assault on Nathaniel Howes, on 20th March, 2 James II.

Noted—Billa vera.

Ponit se in gratiam Curiae Finis 6s. 8d.

ii. Richard Bradley of Churchill, yeoman, for theft of a shirt, value 4d, from Moses Crosse, on 27th January, 2 James II.

Noted—Ignoramus.

iii. Edward Baldwyne of Eynsham, labourer, and Joseph Powell of Eynsham, boatman, for theft of fowls, &c., from Jonah Camden (*see depositions above*).

Noted—Ignoramus.

iv. Nathaniel Wood, of Bridgsett alias St. Clement's, for theft of three cravats, value 2d. each, a whip, value 2d., and a tobacco box, value 2d., from Tobie Peade, on 2nd January 2 James II.

Noted—Billa vera.

Cognovit indictamentum Judicium quod
flagellandus imprisonandus domum correctionis
pro mense et tunc mittendus ad Abbots
Bromley in Com. Kanc.

v. Edmund Camden of Standlake, blacksmith, for theft of a pair of harrows, value 6s., from John Walker, at Brightendon in the parish of Standlake, on

Noted—Billa vera.

Ponit se non culpabilis.

vi. Charles Moulder of Curbridge, blacksmith, for assault on Arthur Kite, on 22nd Oct. 2 James II.

Noted—Billa vera.

Ponit se non culpabilis.

vii. Thomas Moulder, of Curbridge, blacksmith, for assault on Thomas Harris, and theft of a shirt value 3s., a dimity waistcoat value 2s., a pair of dimity drawers value 1s. 6d., two handkerchiefs value 6d. each, three bands value 1s. each, and four cravats value 1s. each, on 19th Oct. 2 James II.

Noted—Billa vera.

Ponit se non culpabilis.

viii. Elianora Bettrice of Shiplake, "persona mali nominis fame luxuriose et libidinose conversationis," for slandering Henry Davis of Brightwell Baldwin, gentleman, on 3rd Dec. 2 James II.

Noted—Ignoramus.

ix. Richard Jordan of Fulbrook gentleman, William Osmond of Burford mason, Jonathan Osmond of Burford mason, Richard Osmond of Burford mason, Henry Midwinter of Fulbrook "agricola," William Hix of Fulbrook "agricola"; for enclosing by force a common pool, on 1st. Oct. 2 James II. (*See constable's presentment above*).

(*No verdict or sentence recorded; see Appendix, pp. 24, 66, 78, 85, 94.*)

x. Armes Collyer late of Fulbrook "agricola," Richard Aldworth late of Fulbrook "agricola," William Fitchett of Fulbrook "malster," Thomas Aplegarth of Fulbrook "malster," George Osmond of Fulbrook slatter; for riotous assembly on 24th Dec. 2 James II, Breaking down a wall with iron bars and an axe, assault on Richard Jordan, and breaking into his premises.

Noted—Billa vera.

Osmond non culpabilis Armes Collyer
Willelmus Fitchett Thomas Aplegarth culpa-
biles finis separatim xiii^s iiij^d Ricardus Aldworth
culpabilis finis x^s

xi. Henry Wells of Mapledurham "agricola," for ploughing up and converting to his own use a portion of the king's highway in Whitechurch leading from Henley-on-Thames to Pangbourne, on 1st Dec. 2 James II.

Noted—Billa vera.

(No entry of verdict or sentence.)

xii. Thomas North of Crowmarsh Gifford and his wife ; Jane Childrey of the same, widow ; Mary Butler of the same ; Anne Smith of the same ; Samuel Abbott of the same and his wife ; John Turner of Blackbourton and Lucy his wife ; John Monke senior of the same and Johanna his wife ; John Carpenter of Bampton and Weald, collar-maker ; John Hill of the same, combmaker ; Robert Winterbourne of the same ; and Walter Winchcomb of the same ; for recusancy.

Noted—Ignoramus.

xiii. Highway indictment of James Earl of Anglesey, in respect of a highway in Bletchingdon, between Huckleston Gate and London Road, part of the highway from Bicester to Oxford.

Noted—Billa vera.

xiv. Highway indictment of the inhabitants of Bletchingdon, in respect of the same.

Noted—Billa vera.

xv. Memorandum of indictment of the inhabitants of St. Clement's in respect of a portion of the highway from Headington to Oxford, the presentation having been made at Epiphany Sessions 1 James II, and the inhabitants ordered to appear at Easter Sessions 2 James II.

(Entry at foot, but the document is badly damaged and the entry illegible.)

GRAND JURY PRESENTMENTS.

"Easter Sessions 1687 yt is expected that the Grand Jury shoold make presentations for highways being out of repaire soe that at present knowing none much out of repaire but what were alredey Indighted and the tyme of the yeare is now com for repaireing and amending highways wee forebeare to proseede any farther as to yt and noe other misdemeanour wee know of to present.

Antoney Peesely Forman."

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*the Castle*)
AT OXFORD.

Oxon : A Callendr^r of the Prison^{rs} in the Castle of Oxford for
felloney & other Misdem^{rs} 5th Ap : 87.

Tho : Carter Jun. Charged with felony & Burglary for
breaking open the house of Hen : Cross
in the night time as an Accessary
before the ffact &c.
Comitted by Edm : Goodere Esq^r

John Carter sen. Who did Feloniously Breake open the
dwelling house of the said Cross in
the night time &c.
Com^d Edm : Goodere Esq^r

Rich : Noun Charged also for Breakeing open of the
Indictamentum cognovit said Crosses house in the night time
Judicium flagellandus who did desperately wound him in
imprisonandus domo twenty severall places and takeing
correctionis pro mense from him divers^s of his goods.
mittendus Abbotts Com^d By Sir Littleton Osbaldeston
Bramley in Com. Kanc. Kt.

Tabitha Smith Charged for Speaking Treason^{able} &
Seditious words ag^t his Mat^{ie} & the
Govern^t
Com^d By Dr Jo Venn Vic : Chanc
of Oxon

Peter Beer Upon suspition of Breaking open the
house of Rich : Perkins in the night
time & feloniously takeing thence a
Bascut of table linnen &c.
Com^d by Geo : Chamberlayne } Esq^{rs}
& Hum : Wykham }

Tho : West Who is suspected to be Guilty of the
murder of a Bastard Child by him
begotten &c.
Com : Robert Waterfall
Warden of Henley

W^m White To be transported &c.

Nathaniell Wood Charged with the felonious stealing
and Carrying away of certaine leaning¹
& other thinges of Tobias Peade w^{ch}
hee hath Confessed.
Com^d By Sr Tim : Tyrrell

John Lloyd for not p^eing a finn of tenn Mark.

PETTY JURY PANELS.

*(In each case the writ for summoning the jury, duly endorsed
as executed by Sir Roland Lacy, sheriff, is attached to the
panel.)*

In the St. Clement's highway case.

Juratus	Richard Harris of Shorthampton
juratus	Peter Harvey of Churchill
juratus	John Hyat of Chipping Norton
juratus	Henry Smith of Fifield
juratus	Humphrey Cox of Enstone
—	John Crayne of Kelmscott
juratus	Nicholas Saunders sen. of Filkins
juratus	William Sperring of Clanfield
juratus	William Wellicome of Astone
—	Thomas Smith of St. Clement's
—	Peter Hayley of Churchill
—	Henry Smith of Fifield

(Two copies of this panel.)

In the case of Thomas Moulder.

*(Names the same up to the name of Wellicome, then the
following) :*

juratus	Sampson Rawlings of Duckington
juratus	William Keen of Brighthampton
juratus	John Halle of Horspath
juratus	Jerome Quatemaine

In the case of Charles Moulder.

*(The same, omitting John Halle, and describing Quatermaine
as of Horspath.)*

In the case of Armes Collyer and others.

*(The same, omitting William Keen and inserting Henry
Franklin of Witney.)*

¹ Presumably " linen." See p. 15 No. iv of Indictments.

LISTS OF CHIEF CONSTABLES AND BAILIFFS OF HUNDREDS,
AND GRAND JURY PANEL

Chief Constables.

Thomas Hall	}	Hundred of Banbury
Robert Drake		
Matthew Wise	}	Hundred of Bloxham
Richard Soden		
John Councer	}	Hundred of Wootton
Alexander Pencot		
Richard Mullineux	}	Hundred of Bullington
Edgar King		
Francis Clements	}	Hundred of Chadlington
Thomas Rooke		
Thomas Yate	}	Hundred of Bampton
Samuel Shorter		
Benjamin Lasenby	}	Hundred of Dorchester
William Milton		
Matthew Crewes	}	Hundred of Thame
William Eldridge		
John Box	}	Hundred of Poughley
Thomas Walker		
Jeremiah White	}	Hundred of Pirton
Joseph Cornish		
John Day	}	Hundred of Ewelme
Alexander Hawkins		
Francis Bowler	}	Hundred of Binfield
Joseph Sounday		
John Higgs	}	Hundred of Langtree
John Davy		
Richard Winlow	}	Hundred of Lewkner
John White		

Bailiffs.

John Price gen :	}	Liberty of Burford
John Haynes gen :		
Thomas Parmay gen :	}	Liberty of Witney
John Constable gen :		
Edgar Heming sen.		Hundred of Chadlington
William Johnson		Hundred of Chilterne

John Goodwin	Hundreds of Banbury and Bloxham
William Juggings	Hundred of Bullingdon
James Cowden	Hundred of Thames
John Hanwell	Hundred of Wootton
Edgar Heming jun.	Hundred of Bampton
William Stevens	Hundred of Poughley
Roger Bettrice	Hundred of Dorchester

Grand Jury

Chadlington	John Hacker of Churchill gen :	—
	John Stone of Chipping Norton gen :	—
	John Weeler of Salford gen :	juratus
Chilterne	John Ward of Wivold	juratus
	Henry Lugrove of Checkendon	juratus
	William Barnes of Bix	juratus
	William North of Lewkner	juratus
	Charles Simonds of Eye & Dunsdon	juratus
Bullingdon	Edgar Franklin of Horspath	juratus
	Thomas Symes of Shotover	juratus
Bampton	Thomas Enston of Brizenorton gen :	{ procuratorem per ordinaci- onem curiae
	John Quench of Stanlake	
Poughley	Benjamin Lock of Bissiter	juratus
	James Jakeman of Kirtlington	—
	John Wilson of Bignell Farm	juratus
Wootton	Gabriel Merry of Tackley gen :	juratus
	William Wise of Ensham	juratus
	James Quarterman of the same	juratus
	Thomas Wing of Northleigh	—
Dorchester	Antony Pysley of Clifton gen :	juratus
	Benjamin Lasenby of Drayton	—
Burford	Thomas Parsons of Burford gen :	juratus
	William Turner of the same	{ procuratorem per ordinaci- onem curiae
Witney	Henry Brian of Witney	
	John Young of the same gen :	juratus

Banbury & Bloxham	John French of Wardington gen :	juratus
	John Coles of Coton gen :	—
Thame	Thomas Tomlinson of Thame	juratus
	Edgar Leaver of North Weston	juratus
	Rolandus Lacy mil.	
	vic.	
Finis defalcatorum x ^s		

TRINITY SESSIONS, 1687.

CONSTABLES' PRESENTMENTS.

Chipping Norton

- "1 We have not Apprehended any Rogues Vagrants or Sturdy Beggars since the last sessions
- 2 We have not received any such by pass
- 3 Our officers have not been Charged with any Convey
- 4 We know of None that did receive Any such psons as did not Apprehend them or that suffered any such psons to Lodge in any of their out houses
- 5 We have duly kept our watch and ward and privy Searches and have found no suspicious psons.
- 6 We have no unlicensed Alehouse within our Liberty nor any that Suffer Tipling or Drinking or Unlawful Gameing in their houses
- 7 We know of none that have Continued Tipling or Drinking in any Tavern Inn or Alehouse contrary to the laws
- 8 We have no Brewer that hath served any unlicensed Alehouse with Ale or Beere
- 9 We know of none that hath been Drunk wthin our Liberty
- 10 We know of no profane Swearers or Cursers in our Liberty
- 11 We know of no butcher that hath put any meat to sale on the lords day
- 12 We know of none that have Traveled or done any worldly labour or exposed any goods or wares or used any exercise or Pastime on the lords day
- 13 We have had No Inmates admitted since the last Sessions
- 14 We have no unlawful destroyers of the Game nor any that do carry any such Game to sale

- 15 We have no fore-stallers Reqrators or Badgers¹ in our liberty
 - 16 Our high ways are now repairing and o^r common streets and bridges are in good repair wee have none that Neglect or Refuse to do their servis for the Repairing the same
 - 17 We know of no Travelling waggon Cart or Carriag that go on the Common high ways drawne with more than five horse beast at length Contrary to the Statute or Carry any greater weight than the Statute Allows
We have nothing else presentable
- | | | |
|-----------------|---------------|----------------|
| Richard Groves | Richard Ingpm | } Constables." |
| p Henry Wisdome | John Hull | |

Cowley

- "Oxon SS The returne of the Constable of Cowley to the Quarter Sessions held at Oxford for the s^d County on Tuesday the 24th day of May Anno Dmⁱ 1687.
1. I have not found any Rogues &c. since the last Sessions
 2. I have not received any such by pass
 3. This answered by 2^d
 4. We have none that receive, harbo^r, or lodge any Rogues &c nor any that hind^r the execucon of the Law against such
 5. Watch and ward is kept and a privat Search at uncertain times made for app^rhending Rogues &c but cannot finde any
 6. We have no unlicensed Alehouse
 7. We have not any that drinke in Inn or Alehouse Contrary to Law
 8. This answered by 6th.
 9. This answered by 7th.
 10. We have not lately heard any Curse or Sweare &c
 11. We have no Butcher that sells meate on Sundaies
 12. I have nothing to p^rsent in this article
 13. We have not any Inmates lately admitted
 14. We have none that destroy the Game unlawfully
 15. We have no forestallers regrat^{rs} or Ingrossers
 16. O^r high waies are in good repaire
 17. I have nothing to p^rsent in this article
- Allowed by me
Tim. Tyrrell James White Constable."

¹ Badger—one who buys corn and other commodities, and carries them elsewhere to sell; an itinerant dealer (*New English Dictionary*). By 5 and 6 Edward VI, c. 21, badgers were required to be licensed by the Justices.

Enstone "The presentments of the Constables of Enstone to the Generall quarter Sessions holden at Oxford the 24th day of May 1687.

Imp: wee have taken noe Rogues Vagrants or Sturdy beggers nor received any by pass since last Monthly meeting

It: wee have not any that sitt tipling or drinkinge in any Inne or Alehouse contrary to Statute

It: wee Returne William Right for selling Ale without Licence

It: Our highwayes and bridges are in good repaire

It: Our p^{ish} pound stockes and whipping post are in good repaire

It: our poor are well provided for

wee have nothing else to present at this time but all is well to the best of our knowldge by us

Allowed the 19th May 87

Nicholas Marshall

Edmd. Goodere

John Fawdery

Constables."

Fulbrook "Item we present Mr. Richard Jordan of Over Towne for inclosing to himself A Hors pole It being Taken out of The King's Highway. It sered (*sic*) most part of The Towne Before It was Inclosed."

Headington "Our highways are all repaired except the hollow way on Heddington Hill."

St. Clement's Oxford "I present Francis Smith of Heddington W^m Brumajam of Oxon and Edmund Yate of Oxford for layinge dunge on our highwayes and likewise Richard Bew for layinge stones on our highways."

Northmoor "The returne of the Constable of Northmore of Chadlington in the County of Oxon to the Sessions holden at Oxon May the 24th 1687.

Imp. our pound & stockes are in good repaire

Itm our poore are sufficiently provided for

Itm our highwayes & bridges in good repaire

and every thing else in good order according to the 17 artickes (*sic*) to the best of my knowldg

Tho: Martin Constable."

Wheatley "May 23: 1687 A returne of the constable of Whately

The poore are provided for

There is watch and ward kept

There is noe Unlicensed Alehouse

The high wayes are in repaire
 The stocks are in repaire
 Such Vagarants that wee find wandering are punished
 Allowed by John Smyth } constables"
 Tim. Tyrrell Francis Page(?) }

Bullington "The return of the cheife constable of the North Division of the Hundred of Bullington of the severall Townshippes hamlets & villages whose constables or Tythingmen ought to bring in their returns to this present Sessions (viz)

Piddington	Horton	Waterperry
Ambroseden	Holton	Stanton St Johns
Arncott	Beckley	Forresthill
Blackthorn	Wood Eaton	Heddington
Marton	Elsfield	Marston

May the 24th 1687

I return the constable of Marton for not bringing in his return to this sessions

Thomas Inns cheife constable

May the 24th 1687

I return the constable of Elsfielde for not bringing in his return to this sessions

Thomas Inns cheife constable

May the 24th 1687

I return the constable Waterperry (*sic*) for not bringing in his return to this present Sessions

Thomas Inns cheife constable

May 24th 1687

I return the constable of Stanton for not bringing in his return to this present Sessions

Thomas Inns cheife constable."

Anthony Price, Chief Constable of Thame, East Division, presents Francis Facett, Petty constable of Tetsworth, for not bringing in his return.

Robert Welles, High Constable of Poughley, N. Division, presents Robert Brookes of Strattonardly¹, "constabole," for not sending his returns.

¹ Stratton Audley, near Bicester.

i. Of death of a bastard child "Layed unto" Richard Crooke of Bensington, blacksmith, by one Katherine Mills of the same parish and that all the overseers' and churchwardens' charges have been satisfied. 23.5.87.

ii. Certificate that whereas John Parker of Coate, in the parish of Bampton, was under sureties to appear at Quarter Sessions as father of a bastard child by Katherine Pearson of Rowsham, Parker and Tomson Fox, of Bampton, had been with the Churchwardens and overseers of the poor at Bampton and compounded with them for the maintenance of the child by payment of £10, whereupon the inhabitants of Rowsham discharged him, and pray that he and his sureties may be discharged in Quarter Sessions.

Noted—presented in court. Edward Peirson overseer.

Noted—Allocatum in curia.

Mr. Caswell Brangwell of Caucutt for one draught¹
John Cad labourer

Noted—Order to be bound over to next Sessions for refusing their service.

Signed by Robert Perrot and Ja. Perrot, Justices
before whom the Cassington Churchwardens and
overseers appeared 6th May 1687.

¹ i.e., the provision of a horse and cart for road-mending work.

DEPOSITIONS AND INFORMATIONS.

- i. Examination of Thomas Mattingley of Chalgrove, labourer, taken before John Stone, Justice of the Peace, 13th April 1687.

That he sold to Thomas Wayte of Tetsworth about the latter end of October ten ewe sheep pitch marked on the near side with the letters T B, which he bought of Thomas Blackhall of Stoke, and had never seen again.

Information of John Quatermaine of Chalgrove

That a little before Christmas he impounded a few sheep in the pound at Chalgrove, being Hayward of Chalgrove; Thomas Mattingley came and said he knew who had bought them from him, and that, if he could have the sheep, he would deliver them to the owner, who would give him sixpence "for the Penlock," but informant since the delivery of the sheep had never had any reward.

Information of Thomas Wayte that he had lost before Christmas six sheep he had bought of Mattingley and "they never came into his hands since but heard they have been seene in Chalgrove fields among the sheepe of Thomas Mattingley."

- ii. Examination of Katherine Person of Rousham before Sir Robert Dashwood, 16th April 1687.

Deposing that John Parker of Coat was father of her child.

Warrant for arrest of Parker, of same date, signed Robert Dashwood.

RECOGNISANCES.

- i. Recognisance of Thomas Mattingley 23rd May before John Stone in £40 to appear at Quarter Sessions and of Thomas Wayte and John Quaterman in £20 each to prosecute.

Noted—Non solutum Comparuit renewed.

- ii. Recognisances of John Parker in £40, and his sureties Nathaniel Sidwell, of Bampton, yeoman, and Robert Smith of Aston, yeoman, in £20 each, for the appearance of John Parker at Quarter Sessions.

Noted—Comparuit et exoneratur.

- iii. Recognisances of Edward Baldwin of Eynsham, labourer, in £20, and John Baldwin of Witenham,

husbandman, mainpernor¹ for Baldwin, in £10, to appear at Michaelmas Sessions. Robert Perrott.

Noted—receptum pro recognitione 2s.

R.P.

Noted at foot—"The evid. for yr Rd is not ready for this Sessⁿ nor can some of the offenders be yet taken thrfore I thought it best to put off Baldwin to Mich. Sess: I shall bind over Abel powell & Camden to pros. & give Evid. then. R.P."

INDICTMENTS.

- i. Headington Road out of repair three furlongs.
- ii. Marston Road from Marston to Oxford out of repair for three furlongs 13 yards wide. The inhabitants of Marston should repair it.
- iii. Preist End Road from Weston to Henley on Thames out of repair. Thomas West of Mosten should repair it, it being near a close of his called le Breach.
- iv. Henry Saunders of Culham, labourer, for assault upon Cecilia Acard, throwing a bucketful of water at her (*date illegible*).

Noted—Billa vera. ponit se in gratiam curiae.
Finis iii^s iiij^d solutus vicecomiti.

- v. Henry Saunders of Culham, labourer, for assault on Wm Patey.

Noted—Billa vera. ponit se in gratiam curiae.
Finis iii^s iiij^d solutus vicecomiti.

- vi. Elianora Withington of Hasley, wife of George Withington, Elizabeth, wife of Edward Coles of Hasley, and Edward Francklyn of Hasley "agricola," for assault on Nicholas Mallant jun. 1st May.

Noted—Ignoramus.

- vii. Nicholas Malam (*sic*) of Great Hazeley "agricola," for assault on Elianora Withington on 15th May.

Noted—Billa vera. Ponit se in gratiam curiae.
Finis iii^s iiij^d solutus vicecomiti.

- viii. Edward Pusser of Witney, fuller, for plying craft of broad weaving for five full months without apprenticeship to the mistery. (*edge torn*)

Noted—pro mense xl^s finis solutus vicecomiti in curia.

¹ Mainpernor = *manucaptor* = surety.

- ix. Richard Cotton of Thame, butcher, for assault on John West on 1st April, the said Richard Cotton being then Constable of Thame.

Noted—Billa vera. Finis xxvi^s viij^d solutus vicecomiti.

GRAND JURY PRESENTMENTS.

The highway between Chanee Lane and the top of Heddenten Hill out of repair.

The lane called Masson lane out of repair and "wanting ammendment by the town of Masson."

Hensington lane leading from Woodstock to Campsfield towards Oxford out of repair, and ought to be repaired by the town of Hensington.

Highway in Bletchington from Huckleton Gate to London Road much out of repair and inhabitants of Bletchington should repair it.

John Fawdery Foreman.

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*the Castle*) AT OXFORD.

"Oxon SS A Callendr of the Prison^{rs} in the Castle of Oxford for felloney & oth^r misdeme^{rs} 17th May 87."

Richard Noun (as before)

Jo. Carter "

Tho. Carter "

John Poole & Charles Norcott " For endeavoring to brake open the dwelling house of Jone Carter & taken a way a horse & beast et."
Committed by Sir Edward Reade.

Tabitha Smith (as before)

Peter Beer "

Tho. West "

Margaret Saunderson " Charged with the felonious picking of the Pocket of Jane Busby & takeing thence som mony, w^{ch} she hath confessed &c."

Committed by Edm. Johnson Major
Sir Littleton Osbaldeston
Rich. Hinton Esq^r

John Lloyd (as before)

W^m Whitt "

PETTY JURY PANELS.

(In the Fulbrook riotous assembly)

Robert Harris of Minsterlovell	generosus	Juratus
Elias Freeman of Overnorton		Juratus
Thomas Andrews of Chippingnorton		Juratus
Philip Ordway of Deddington		Juratus
William Adams of the same		Juratus
Richard Harris of Shorthampton		Juratus
Nicholas Mallant sen. of Hazely		Juratus
Nicholas Mallant jun. of the same		—
Richard Wyat of Lefield		Juratus
Robert Mace of Shipton under Wychwood		Juratus
Thomas Wast of Sutton		Juratus
Edward Cambden of Britenden		Juratus
Edward Gomme of Morton		Juratus
Silvester Marchant of Northmore		—
Christopher Seawell of Chinner		—
Henry Bath of Stanlake		—
John White of Witney		—

Rolandus lacy miles

vicecomes.

Quilibet Juratorum predictorum per se attachiatus est

*(For case of Edward Purser
the same jury.)*

LISTS OF CHIEF CONSTABLES AND BAILIFFS OF HUNDREDS.

(Changes from previous list : Chief Constables)

Samuel Goodwin	}	Hundred of Bloxham
John Lydiat		
Thomas Godfrey	}	Bullington
Thomas Inns		
John Claxon	}	Dorchester
Robert Day		
Hugh Thurston	}	Poughley
Robert Wells		
Simon Trout	}	Chadlington
Henry Percy		
Anthony Price	}	Thame
John Wells		
Thomas Nash	}	Pirton
Robert May		

Edward Winter	}	Ewelme
Richard Phelps		
William Pearman	}	Binfield
John Frewin		
Henry Lowgrove	}	Langtree
William Herbert		
(<i>torn</i>) Crooke	}	Lewkner
Stephen Gomme		

(From the Bailiff list omit the Bailiff of Chiltern, and add Rich. Haynes for the Hundred of Pyrton, Ewelme, Langtree, Binfield, Lewkner.)

GRAND JURY PANELS.

Chadlington	{ John Fawdrey of Clevely	generosus	Juratus
	{ George Peisly of Ascott	generosus	Juratus
	{ John Cowling of Shipton	under Wychwood	Juratus
Bampton	{ Nicholas Barker of Ducklington		Juratus
	{ Edmund Ricketts of Astone		Juratus
	{ William Butler of Brizenorton		Juratus
Chiltern	{ Edward Craford of Caversham		Juratus
	{ Michael Fowler of Sheeplake		Juratus
	{ Antony Spyer of Baldwin	Brightwell	Juratus
	{ Robert Phettyplace of Pishill		Juratus
Bullington	{ John Peck of Sandford		Juratus
	{ Thomas Kimber of Littlemore	generosus	Juratus
Thame	{ Stephen Kent of Old Thame		Juratus
	{ Antony Smith of Little Milton		Juratus
Wootton	{ Thomas Browne of Ensham	generosus	Juratus
	{ Richard Cherry of Cassington		Juratus
	{ Stephen Seale of the same		Juratus
	{ William Paine of Southleigh		Juratus
Poughley	{ William Brooks alias Darling of		
	{ Fencott		Juratus
	{ William Lawrence of Fricwell		Juratus
	{ Henry Addington of Frinkford	generosus	Juratus

Dorchester	{ George Winchurch of Culham	generosus	—
	{ Richard Wilder of Southstoake	generosus	Juratus
Banbury & Bloxham	{ Richard Wise of Boddicott		Juratus
	{ John Lydiat of Milton		Juratus
	{ John Hall of Wigginton		Juratus
Burford	{ Edward Kible of Burford	generosus	—
	{ John Vokins of Burford	generosus	—
Witney	{ John Pyrton of Witney		Juratus
	{ Robert Fisher of Witney		Juratus
Rolandus Lacy miles			
vicecomes			
Finis x ^s			

MICHAELMAS SESSION, 1687.

CHIEF CONSTABLES' APPOINTMENTS.

- i. Petition by Thomas Hall, one of the Chief Constables of the Hundred of Banbury, that he has served for a year, and prays to be relieved, nominating in his stead :

Thomas Key of Wardington
John Gardner of the same
Richard Humfrys of Williamscott.

(The word "electus" is written against the name of Thomas Key.)

- ii. A similar petition from Robert Drake, the other Chief Constable for the same Hundred, nominating :

Richard Warkhouse of Finstock
William Couldin of the same
Edward Holloway of the same.

(The word "electus" is written against the name of Richard Warkhouse.)

- iii. "The west Devision for the Cheife Constable
William Sperinck of Clanfield electus
Alexander Paulin of Alvescot
Daniell Warwicke of Kelmscot.
Thomas Yate."

- iv. "To the Honorable Bench. I nominate for High Constable of the east division of Bampton Hundred
 John Southby of Chimney electus
 Nicholas Barker of Ducklington
 Thomas Dale of Coate

Samuell Shorter."

(The two last documents are given in full ; they are not in the customary form of the petitions to be relieved. No. iii, which does not name the Hundred, obviously, from the names of the parishes, refers to the West Division of Bampton Hundred.)

PETTY CONSTABLES' APPOINTMENTS.

- i. John Hall, petty constable of Rotherfield Greys, petitions to be relieved, nominating :
 Joseph Bent
 Joseph Lane.
- ii. Matthew Clarck, petty constable of Crowmarsh Gifford, petitions similarly, nominating :
 Thomas North
 John Sadler sen.
- iii. John Smith, tythingman of Crowmarsh Gifford, petitions similarly, nominating :
 Thomas Smith
 John Story.
- iv. Robert Harris, petty constable of Minster Lovell, petitions similarly, nominating :
 John Williams
 Edward Brookes
 Thomas Bourton.
- v. John Symonds, petty constable of "Southly," petitions similarly, nominating :
 William Sheppard
 William Harper.

The document continues "Richard Gutteridge, Whitchurch, in the roome of Richard Smyth electus. Thomas Peverill, tythingman of Whitchurch, in the roome of William Higgs electus."

(In each of the above cases the word "electus" is written against the first name. These petty constable appointments are all on a single sheet in a good hand, which suggests that the constables concerned joined together to employ a lawyer's clerk to write out their petitions and

nominations. The two entries concerning Whitchurch are explained by a separate sheet, in a different hand, certifying that Smyth and Higgs had each served for a year.)

CONSTABLES' PRESENTMENTS.

- i. The Constable of the North Division of Poughley Hundred presents (John Bumpus of Souldern, John Hore of Somerton), John Wesbery of Stokeline, for not sending their returns.
At the foot of this document is added in another hand :
"Constabulus de Heythrope pro non mittendo Constabuli de Witney pro non signando."
(The words in brackets are crossed out in another ink.)
- ii. St. Clement's: "I present Edward Shepheard of Heddington for laying streete dirt of (*sic*) the highe way, Richard Beir for laying stones there and Edmund Yate for laying streete dirt on the highway."
- iii. "The Returne of the Connstabels of Witney for the Quarter Shesons hildd at gilld hall in Oxford the 3 of October 1687.

Itum owre pore are brovided for oure stokes and pound and pillery are in sofishent Rapare. Itum we know of no unlisanced alehouse. Itum wee know of no vagrants Rogues nor sturdy beggers that came in our liberty sence the last Shesons but have beeing sent away, akording to the order our hiwayes are in sofishent Rapare We have nothing else to present to the best of oure knowing.

John Druce

Wallter Smith Connstabels."

(Presumably the note on the previous document "Constabuli de Witney pro non signando" refers to the fact that this Return does not bear the counter-signature of a Justice of the Peace, and therefore is irregular.)

- iv. Enstone. "The presentments of the Constables of Enstone at the generall quarter Sessions holden at Oxford the fowerth day of October 1687.
Imp: wee have taken no Rogues vagrants or Sturdy Beggars nor received any by passe since the last monthly meetings
It. wee have not any that sit tiplinge or drinkinge in any Inne or alehouse contrary to the Statute

It. wee have not any that Sellale (*sic*) without Licence
 It. our highwayes and Bridges are in good repaire
 It. our p^{ish} pound Stockes and whippinge post are
 in good repaire
 It. our poor are well provided for wee have nothinge else
 to present but all is well to the best of our knowlidge

Nicholas Marshall

John Fawdrey

Constables "

MISCELLANEOUS PETITIONS, CERTIFICATES, &C., TO QUARTER
 SESSIONS.

- i. Certificate of Henry Alworth and James Perrot, Justices, that they had viewed Minster Lane in the parish of Minster Lovell, and found it well amended and in sufficient repair. 3rd Oct. 1687.

Noted—Allocatum in curia.

- ii. Certified account of repairs to Dorchester Bridge. Account of Thomas Day and William Tompson, "surveys" of the Highways of Dorchester, for repair of one of the arches of Dorchester Bridge and a part of the wall of the bridge "gon to decay in the foundation the length of the Wall 40 ffoott Long and the depth 19 and a half."

" Imp.

In freeston 158 Foott	2	12	0
In Milton Stone 10 Loads	1	3	4
In Lime 100 bushells	2	10	0
pd for the carriage of the lime		13	9
pd for the carrage of 158 foott of free stone	1	19	6
pd for the ten loads of ston from Milton			
the carrage	2	0	0
allowed the workmen for loading of the			
stone at Hedington and Milton		3	4
pd for diging and the carrage of Fifteen			
loads of gravil for Morter		15	0
pd for a whele barrow Hand barrow Lader			
baskett and buckett		6	10
pd for a Mattock and Iron barr		3	6
pd for the foure Masons for their work	11	16	6
pd the thre Labourer for serving the			
Masons	2	2	0
pd for 54 foott of plankes to make the			
Centern for the arch		13	6

Carpenter's Bill

pd for 50 foott of bord	6	3
pd for nails and spicks ¹	3	6
pd for props timber and slabs	1	10 0
pd for the hire of severall pootes ² to bar up the sid of the bridg and to make the scaffels upon	8	0
pd for Materall to make the Scaffold	12	8
Carpenter's bill for his work with pills ³ for the foundation of the Arch	1	2 6
Mine own expences in Jornies and expended upon workmen at the Quarries and Milton and bridg	1	3 8
Sum totall	32	5 10

Wee whose names are hereunto subscribed Justices of the Peace for this county of Oxon did in pursuance of an order of Sessions view Dorchester bridge and did find one arch thereof much out of repair and did thereupon order the repaire thereof.

J. D'oyly

Edward Master."

Noted—To be paid by the Treasurer as the County Stocke will beare.

- iii. Petition by William Tompson and Thomas Day, overseers of the highways of Dorchester, stating that, the highways being out of repair, it had been agreed by the inhabitants that the surveyors should undertake repair, and be repaid by a "yard land tax, and also a tax upon other persons inhabiting within the parish but not having lands there"; that the surveyors had laid out between eleven and twelve pounds of their own money, and the inhabitants now refused to reimburse them; and petitioning for an order for levying the charge.

Noted—Referred to the foure next Justices to (examine and allow as they shall see cause) and pay or be bound over.

(The bracketed words are crossed through in the document.)

¹ Spike-nails (*New English Dictionary*).

² Pote, a broad piece of wood, used by thatchers (*New English Dictionary*).

³ Piles.

- iv. Petition by Alice Cotton, widow, John Burton junior, Thomas Burton senior, and others of New Thame, stating that their houses had been burnt down, and praying for a certificate of their losses for presentation to the "Rt. Hon. Geo Lord Jeffrys Baron of Wem and Lord High Chancellor" to procure Letters Patent authorising them to ask for the benevolence of well-disposed persons.

Noted—Super sacramentum Leonardi Burton Mason Roberti Robinson Carpenter et Roberti Barry generosi Certificate to my Lord Chancellor.

"The valuation of the severall houses that were burnt down by the fire that hapened in New Thame Sept 6 1687.

bay	The valuation of the houses		
2	The widdow Alice Cotton two space of building being six little roomes above and below and two leanto	18	0 0
2	John Burton jun. two space of housing and a leane to	22	0 0
3	Tho Burton sen. his dwelling house being two space of bricke building and a gate-house and a Chamber over it	30	0 0
4	more foure space of backer building being dwelling houses	24	0 0
7	more seaven space of barning	45	0 0
3	more three space of other barning and a stable of one space	24	0 0
<hr/> 21 bay ¹ at		163	0 0

Geo. Burrows
John Eustace
William Webb
John Cowley

Robt Barry
Tho Tomlinson
John Young
Andrea Parslow

¹ Bay—A division of space in a building between two main beams (Wright's *English Dialect Dictionary*). Professor Wright also quotes: "A bay of building mensura viginti quatuor pedum." Coles, 1679.

The definition given in the *New English Dictionary* is as follows; A division of a barn or other building, generally from 15 to 20 feet in length. Applied to a house it appears to be the space lying under one gable or included between two party walls.

It would appear that the definition in the *Dialect Dictionary* is the more applicable here. A house valued at £18 would hardly be likely to have more than one gable, and therefore would not, on the *N.E.D.* definition, comprise two bays.

The losse in goods :

Alice Cotton and William Manders	6	0	0
Tho. Heele	1	10	0
Edward Heele	5	0	0
Eliz. Worly and Judeth Stranger	4	0	0
Edward Cowden	5	0	0
Tho. Burton sen.	14	10	0
The Widdow Bley	18	0	
John Burton	21	10	0
Henry Cooke his Mother and sister all theire household goods and wearing Apparrell	25	11	10
More in Corne, hay, wood, harnesse and other implements of Husbandry	39	0	4
	123	0	2
	163	0	0
	286	0	2 "

- v. " To the honourable and Right Worth his Mat^{ties} Justices
of peace for the County of Oxon in Sessions assembled
The humble petition of Joane Walker of Burcester
alias Bissiter the relict and widow of William Walker
late of Blackthorne in this County gent. deceased

Most humblie sheweth

That your pet^r ever lived in good fame credit and
reputation carrying and behaving herselfe as a
very honest sober and civill person living virtuously
justly and uprightly without any wrong or injury
to any person or persons whatever

That severall wicked and malicious persons envieing
the good name fame credit and reputacon of your
pet^r have unjustly and without any ground or collor
of reason given out in speeches that your pet^r is a
witch which odious name your pet^r utterly abhorrs
and detests and all the works of the devill

For takeing of which scandall and reproach your pet^r
humblie desires that by order of Sessions your pet^r
may be searched by foure and twenty honest sober
judicious matrons and make report of their opinions
at next Sessions and that whosoever shall abuse

your pet^r in the like nature for the tyme to come may be by order of the Sessions bound to good behaviour And your pet^r shall ever pray &c.”¹

Noted—Referred to the two next Justices to examine and binde over the rayzers of the report to the good behaviour to the next Sessions if they shall see cause.

- vi. Petition by Katherine Walker of Cassington, stating that, having saved money for the purpose, she had bound “hir poore Child” apprentice to John Scharsbroke of Long Combe, collar-maker, “not above 9 mos since and gave seaven pounds with her sone since w^{ch} tyme his Master is gon a way and Left hir sone destitute of a Master Yett . . . his brother would have the boy Turnd over to him for the Residue of his Apprenticeshipp but he is noe house-keeper but a Kinde of an Idle fellow which wilbe the utter Ruine of hir poore Child. Request: . . . either to force the Master or his wife to provide hir sone a substantial housekeeper for his Master or else to returne part of his mony.”

Noted—Referred to the next Justices.

- vii. Petition by Alice Jackson of “Culnham,” stating that she has three small children, the eldest not 14, and is very poor; that she had had 2s. a week in relief, and that the Inhabitants are willing for this to be continued, and Sir Thomas Clayton, a Justice, had directed a warrant for payment; but the overseers are now refusing to pay; and praying for an order for continuance of the 2s weekly and for payment of arrears. 4th Oct. 1687.

Enclosed with the petition:

Note of arrears amounting to £1 17s.

Order signed “tho Clayton” Aug 25 1687

Certificate that “wee farmers of the Toune and others that Have Landes in the parish Being moved with Cumpashon towards the widdow and fatherless doe desier that her weekly A Lowance may Bee Restord

4th Sept 1687	Humfry Duffin	Simon Hawkins
	William Hellier	Henry Stringer
	Edward Perton	Thomas Prestlee”

¹ On this petition see 33 Hen. VIII, c. 8; 1 Edw. VI, c. 12; 5 Eliz., c. 16; 1 James I, c. 12; and Blackstone's *Commentaries* IV, 60-1.

"Thes are to sertefey you that we Roger Holles and John Baker did pay the wid Jaxon tow shillings a wk dewring our time in the year 1685 after the death of hur husband "

Noted—Order to pay (according to Sir Tho Clayton's order ijs a weeke or be bound over and continue) 40s for arrears and ij^s a week forward till further order.

(The words in brackets are crossed out.)

- viii. Petition by Margaret Hasley of Dorchester, widow, for relief of herself and three small children.

Noted—"referred"

- ix. "Oxon. Sessio Pasche Anno Regni Regis Jacobi secundi tertio

Upon complaint made unto the Court by Benjamin Willmot of Upper Heyford in this County that hee hath been legally settled there ever since Michaelmas last and is like to be destitute of an habitacon which he desires only for his money

It is ordered by the Court that the said Benjamin Willmot have an habitacon allowed him for his money or have libertie to erect him an habitacon upon the Wast with the consent of the Lord of the Mannor or in default thereof the Churchwardens and Overseers of the Poore of Heyford aforesaid are to allow unto the said Benjamin Willmot twelve pence a weeke untill they provide him an habitacon or have further Order of the Court "

Noted—Order to pay or finde a house according to the last Order.

- x. A similar petition from Joseph Stevens of Sonning, stating that he is "poore and destitute of habitacon and cannot procure one for his money, he being an inhabitant there and born in the said parish; and praying that the Churchwardens and Overseers be ordered to provide him a house for his money, or that "he may have libertie to erect one on the Wast without laying thereto 4 acres of land "

Noted—Order to erect a cottage at his owne Charge with Consent or else to provide him a house for his money or pay xii^d a weeke.

- xi. Petition of Ralph Willis of Tuffield alias Nuffield, labourer, stating "That your petitioner is very poore haveinge a wife and six small Children to

maintaine and that in discharging of a gunn your Petitioner hath lost his thumbe and the perfect use of his hand and that in the cure thereof there is due to the Chyrurgion the sume of 10^{li} which he is in noe wise able to satisfie or pay

The humble desire of your Petitioner is that you would be pleased to grant him an order that the Churchwardens and overseers of Nuffield afores^d may pay for the cure " &c.

Noted—Referred to the three next Justices to examine and take such order therein as they shall thinke fitt Mr Stonor Mr. Stone & Mr Lybb or any two of them.

- xii. Petition of the inhabitants of Ewelme for an order that William Cheney, legally settled at "Mungwell" as hired servant to Joseph Stacey, miller, should be considered as settled there, unless "Mungwell" showed cause to the contrary.

Noted—Settled at Mungewell where he was settled att Xmas last when he was married. Solutum.

- xiii. Petition from inhabitants of Rotherfield Peppard for the removal to Rotherfield Greys of Henry Dolton who had "lately intruded himself with his wife into the parish of Peppard and indeavours to settle himself there whereby he may become chargeable to the said parish"

Noted—Order to settle at Peppard nisi causa.

- xiv. Order of Court in the Cassington settlement case produced at the last Sessions. Taylor had been sent to Weston on the Green, his last legal place of settlement, but had found no habitation and had returned with his wife to Cassington.

Noted—to remaine at Cassington without prejudice.

- xv. (*Small slip of paper, unendorsed*)

"William Howse Searvente to Thomas Ringe Committed by Sr John Doyly for refusing his Masters seavise."

DEPOSITIONS AND INFORMATIONS.

- i. Deposition of Thomas Wise of Hook Norton, taken before Edmund Goodere, 16th June, that John Grey of Hooknorton Lodge, victualler, came to him when he was walking in his father's grounds at Hooknorton, and without provocation called him "Dog & Pitifull

Rogue, and taking up a great stick held it up against the said Wise and swore God damne him he should meete him some time or other and would make him an example to all Rogues."

- ii. "The examination of Edward Davis as followeth : the said Edward Davis doth confess that he did find upon a bench in the street of Dadington such things as Zachary Stillgoe of Dadington hath some¹ and found upon the said Edward Davis which are as followeth One black hood one whit hood one Collier band on Looken glass a Child shift a Child aperrn one lass pinner one Lass dressing one queafe one child's bond² one child's cappe
All these things the said Edward Davis doth confess he found them about three of the clock this morning aforesaid. Robert Dashwood "

RECOGNISANCES.

- i. Thomas Cannon of Thame, innholder, and John Turner of Stokenchurch, innholder, in £200 before John Stone, 9th Sept 1687, for appearance at Quarter Sessions.

Written in the margin—for deludeing and enticing
Robt Barber to marry wth one
Elizabeth Edwards Non solutum

Noted—Cannon comparuit renewed.
Turner egrotat respited.

- ii. William Pryor of Coate, agricola, in £20, and Richard Alder, "calecarius,"³ and Henry Edwards, labourer, both of Coate, in £10 each, before Henry Alworth, for appearance of William Pryor at Quarter Sessions.
(*Warrant in the above case issued by Quarter Sessions to the Constable of Aston and Coate to apprehend William Pryor, indicted for not doing his duty in repairing the highway, and to bring him before the nearest Justice of the Peace, who is desired to bind him over to the next Sessions to answer the indictment.*)

¹ Sworn.

² Flannel band.

³ ? Caligarius = shoemaker.

INDICTMENTS.

- i. John Robinson of the parish of St. Nicholas alias St. Thomas in Oxford, "bardgeman," for threats to Thomas Cooke, 10th August.
Noted—Billa vera. (No verdict or penalty noted.)
- ii. Robert Peirce of Rotherfield Greys, "sivier,"¹ for defamation of John Stone, armiger, Justice of the Peace, by saying that Mr Stone "had done more than hee could answer in binding me over to the Sessions and hee was a foole and a changling for what hee had done otherwis hee would not have done it."
Noted—Billa vera ponit se in gratiam curiae. Finis vi^s viij^d.
- iii. Robert Piggens of Holton, labourer, for defamation of Edward Master, D.C.L., Justice of the Peace, on 1st Sept., by saying that "Doctor Master was drunke when hee writt and sent out his Warrant."
Noted—Billa vera (No verdict or penalty noted).
- iv. Elianora Batten, wife of William Batten, of Holton, labourer, for defamation of Robert Piggens, on 2nd Sept., by saying that Robert Piggens told her that "Doctor Master was drunke when he writt and sent forth his Warrant."
Noted—Billa vera (No verdict or penalty noted).
- v. John Grey of Hooknorton for threatening Thomas Wise on 6th June
Noted—Billa vera. ponit se non culpabilis.
- vi. Francis Fairbeard (*the name is smudged*) late of Northmoor, widow, and Anthony Willis of the same, labourer for assault on Susan Arthur, spinster, on 1st July.
Noted—Billa vera. Ambo ponunt se in gratiam curiae Finis separatim iij^s iiij^d.
- vii. John Pollard of Marsh Baldon, gentleman, John Cheyney of the same, labourer, and John Fisher, of the same, labourer, for a riotous assembly at Toot Baldon on 30th Sept., and for assault on Henry Russell and taking from him a net value 5s.
Noted—Billa vera (No verdict or penalty noted).

¹ Sieve-maker.

- viii. The same accused, for an assault on John Howse, on the same date, and taking from him "unum tintinnabulum anglie one Lowbell"¹ value 15s.

Noted—Billa vera. (No verdict or penalty noted.)

- ix. Richard Grey of Witney for exercising the craft of a broadweaver without having served an apprenticeship.

Noted—remotum per Certiorari.

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*the Castle*)
AT OXFORD (4th Oct. 1687)

" John Harris	Charged upon suspicion of stealing severall horses from Weston on the Green &c. Comitted by Sir Tim. Tyrrell.
W. White	Upon suspicion of stealing a Roane Gelding Com. by John Stone Esq.
Edw. Davis	Charged with stealeing Linnen w ^{ch} hee hath confessed Com. by Sir Robert Dashwood.
Eadeth the wife of Hen. Saunders exoneratur	Hath Assaulted and Beaten Eliz. the wife of Edw. Stiles that she is in a very dangerous condition. Com. by Sr Jo : Doyly.
John Carter	Judgmt respited until further order et.
Margarett Saunderson	Reprieved after judgmt to Remaine untill.
Peter Beer	Reprived after Judgmt et.
Tho : Carter	Reprived after Judgmt et.
Jo : Floyd	Remaines in Gaole for a fin to the King.
W. White	To remaine till Justice Hollaway order otherwise.
Tabitha Smith	Indic for seditious words to remaine till she be dd by due Course of Law.

¹ Lowbell : a bell used in fowling at night (*New English Dictionary*).
"The sound of the bell causes the birds to lie close and not to stir when the net is over them." *British Sportsman* (1792).

William Howse

Searvante to Thomas Ringe committed by Sr John Doyly for refusing his master's seavise.

Noted (in the writing of the Clerk of the Peace)

Impetrat futurum exoneratum superolucionem iij^s to his master Finis vj^s viij^d et imprisonandus domo correctionis pro negligencia."

PETITION OF THE PRISONERS IN THE CASTLE FOR RELIEF.

"The humble petition of the poore distressed Prisoners in the Castle.

Humbly sheweth that your petitioners are very poore & very many in number whereby they are forced to undergoe great want & suffer great Calamities

Wherefore your Petitioners humbly beseech your Worshippes to make some order for their relief."

Noted—Allowed iiij^s a weeke.

GRAND JURY PRESENTMENTS.

Simon Henton of Horspath, Carpenter, for breaking the pound of Horspath on 3rd Oct., and taking away his pigs there impounded.

Highway leading from Standell (?) to "Watleton," in the parish of Purton, called Stonehill and Clarehill, leading from the Widow Wiggins' ground to Knight's bridge fford, a mile's length, out of repair, and the inhabitants of Clare ought to repair it.

(Signed by all the Grand Jury.)

(There are no Petty Jury panels for this Sessions.)

GRAND JURY PANELS.

Chadlington	Robert Harris de Minister	lovell	
	generosus		Juratus
	John Perry de Shipton	subter	
	Wychwood	generosus	Juratus
	Thomas Smith de Swarford		Juratus
Thame	John Jemmett de Thame		Juratus
	Ralph Withington de Milton	magna	—
Banbury & Bloxham	} Francis Ware de Cleydon		—

Poughley	Robert Snow de Chesterton	generosus	
		procuratorem	
	Thomas Robins de Stratton	Audley	—
	John Wyatt de Mercott		Juratus
Bullingdon	Edward Franklin de Horspath		Juratus
Wootton	Samuel Bulcher de Deddington	procuratorem	
	Richard Owen de Clifton	ex rotulo	
		procuratorem	
	Richard Weston de Sandford	generosus	Juratus
	John Colegrove de Kiddington		—
<i>(This, Wootton Hundred is in a different writing.)</i>			
Dorchester	Edward Wise de Stadham	generosus	Juratus
	Francis Barnes de Culham		Juratus
Bampton	Simon Turfrey de Alvescott		Juratus
	Richard Hunt de Hayly		—
	William Hughes de Ducklington		Juratus
Chiltern	John Spyer de Brightwell	Sulham	Juratus
	Thomas Floyd de Crowell		Juratus
	Thomas New de Hasely	parva	Juratus
Burford	Henry Hayter de Burford		Juratus
	John Carpenter de eadem		Juratus
Witney	Andrew Holloway de Witney		
		generosus	Juratus
	Thomas Abell de eadem	generosus	
		procuratorem	
	Rolandus Lacy	miles	
		vicecomes	
	finis defalcatorum xiijs iiij ^d		

LISTS OF CHIEF CONSTABLES AND BAILIFFS OF HUNDREDS.

Thomas Hall	}	Hundred of Banbury
Robert Drake		
Samuel Goodwin	}	Bloxham
John Lydiatt		
William Collyer	}	Wootton
John Rymer		
Thomas Godfrey	}	Bullingdon
William Inns		
John Claxon	}	Dorchester
Robert Day		

Hugh Thurston	}	Poughley
Robert Wells	}	
Simon Trout	}	Chadlington
Nicholas Perry	}	
Thomas Yate	}	Bampton
Samuel Shorter	}	
Anthony Price	}	Thame
John Wells	}	
Thomas Nash	}	Pyrton
Robert May	}	
Edward Winter	}	Ewelme
Richard Phelps	}	
William Pearman	}	Binfield
John Frewin	}	
Henry Logrove	}	Langton
William Herbart	}	
Christopher Crooke	}	Lewkner
Stephen Gomme	}	
<i>Bailiffs</i>	}	Pyrton, Ewelme,
Richard Haynes	}	Langtree,
		Binfield and
		Lewkner
John Goodwin	}	Banbury and
William Juggins		Bloxham
Edward Heming senr		Bullington
James Cowden		Chadlington
John Hanwell		Thame
Roger Bettrice		Wootton
William Stevens		Dorchester
Thomas Collinwood		Poughley
		Bampton
John Haynes	generosus }	Burford
John Price	generosus }	
John Palmer	generosus }	Witney
Thomas Webb	generosus }	

EPIPHANY SESSIONS, 1687-8.

CONSTABLES' APPOINTMENTS.

William Beck Petticonstable of Piddington is discharged
and nominates

electus¹ Edward Pilkington
William Stevens

Robert Redhead, Tythingman, of the same, is discharged
and nominates

electus Thomas Copland
John Gilgrest

Thomas Embree, Constable of Crowmarsh Battell, is
discharged and nominates

electus¹ Simon Crutchfield

Thomas King?, Constable of Coggs, is discharged and
nominates

electus Edward Harse²
John Warland

Leonard Andrews, Tythingman of Coggs, is discharged
and nominates

electus Richard Redbourne

Thomas Harper, another Tythingman of the same, is dis-
charged and nominates

electus George (*surname illegible*)

(*All the above are entered upon a single sheet of paper.*)

Ralph Parme, Constable of Kirtlington, is discharged
and nominates

electus Thomas Spire
Robert Smith

John Johnsonn, Constable of Noke

A certificate of his having served the office of Constable
for a year—signed by Peter Hind, John Johnsonn sen.
churchwarden, John House Churchwarden, John Steele.
(*No nomination. But noted in a clerk's hand*)

Richard Andrews electus.)

“To the Worpp^{ll} Bench :

Sheweth

That Edward Gallaway hath served in the office of constable
of Islip on (*sic*) whole yeare last past and he with

¹ The word “electus” is crossed through before the names of Pilkington
and Crutchfield.

² ? Kearsse ; see page 49.

some other of the Inhabitants to serve in the office of constable for this yeare ensueing "

John Jenkins electus
John Ward

" John Halle tithingman having served a yeare in the office he doth nominate to serve for this yeare ensueing "

Josias Harper electus
Robert Harding
William Porter }
Thomas George } Churchwardens
Robert Pryor }

" I Thomas Ring, being the present Constable of Coggs, doe nominate these three men of the same parish

Edward Kearse
Michell Rennolds
Jno. Warland

And for two tyringmen (*sic*) Richard Redband¹ electus."

On the same sheet

" These are to certifie whom it may concern that my Mas^r Will Blake hath not kept any Court this two years past nor doth designe to keep any the year ensuing in the Manner of Coggs.

Cha Smart "

CONSTABLES' PRESENTMENTS.

- i. " The Return of the Constable of Bicester Market End. I return Thomas Rush and William Rush for keeping of a Lowbell & nett."

Thomas Potter Constable
Gilbert Ironside Vicechancellor

- ii. " Burford.

We return Richard Muncke the older of Burford for a common Cumbur of the High Street of Burford by Laying dung & timber and other Lumber there. We likewise Returne him the said Richard Muncke for forestalling his neighbours by setting up a pent-house a bove nine feet in the street uder (*sic*) which he setteth out to Doors the one above five foot Broad and the other fower foott into the street to the hindrance of his neighbours.

There is kept noe guns or Bowes or greyhounds setting or lurtchers or aney instruments for the destruction of the game or pigeons as we doe know of.

¹ Cf. " King " and " Redbourne " p. 48.

Rogues and vagabonds we Apprehended John Bacon & Thomas Downing and William Cooper sturdy Roggues for begging and sent them to theyr places with pases. Other that came to us with Letters of request or sertivecats were Relieved.

By Richard Burbree } Constables "
Peter Willett }

Allowed by
John Gunn.

iii. "Chaselton & Brooken.

.... Wee have noe Publick Brewhouse Nor any Victualling house in o^r Towne Nor any Pochars or Destroyers of his Maj^{ties} Game except John Willson Nicholas Harrison Thomas Warde Lab^r Richard Bartlett Richard Paxford Thomas Durrum Thomas Harris Richard Meades Thomas Neale sen all farmers keepinge Gunns and Doggs (all which persons I returne)

William Breakspeare
Constable

Allowd the 9 Jany
per Edm. Goodere.

(*In same handwriting*) Returnd 9 for Poching."
(*The words in brackets in the presentment are in the same handwriting as the note.*)

iv. Chilworth. "I have punnisht all vagrants I mett with in my libertie... I return Edward Malam for keeping a gannett and Lowbell "

Allowed by Dr. Edward Master being within his Royallty

Richard Bridcott
Tithingman.

Edward Master.

v. Hampton Gay.

Highway leading to Bletchington "(wch Mr Edmund Barry is to repayre) is now out of Repayre."
John Winter.

Wm. Pudsey.

vi. Southleigh.

... "There are none that are suspected to keepe any Gunns, Bowes, Greyhounds, setting dogs, hayes, Netts, Lowbells, harepipes, Ginns, Snares, or other engines for the destruction of the Game or that keepe any Casting Netts or other Netts for the

destruction of Fish but who are qualified according to Law soe to do except John Cox is suspected for keeping a Lowbell

William Shepherd
Constable "

Robert Perrot.

vii. Swinbrook

"Noe inmates nor unlawful Cottages I present Leonard Mills John Baker & John Martin of my Liberty for being suspected to keep Gunns Doggs Netts Gins shares & other engines for the Destruction of the Game as hares Partridges Pheasants & the like not being qualified as by the Order made at the last generall Sessions of the peace holden for this County is expressed I do not know of any other person within my Liberty that is suspected to keep any Guns Bowes Greyhounds setting doggs Ferretts Lurchers Cony Doggs hayes Lowbells hare pipes gins Snares or other Engines for the Destruction of the Game as aforesaid, not being quallified as by the said order is mentioned Nor do I know of any in my Liberty that keep Casting Netts or other Netts for the takeing & Destroying of fish who have noe water or fishing of their owne ; Nor is there any thing also presentable according to the seaventeene Articles made att a former genll Sessions of the peace holden for this County to my knowledge

By me Nickolas Saunders "

" January the 7th
Seene & allowed by me
Row. Lacy "

viii. St. Clement's.

1. I have not seen any rogues or vagrants in my weekly search since my last return my said search being made on uncertin days and times.
2. None received by pass.
3. This is answered by the first and second.
4. We have none that harbour such people.
5. I have kept watch and warde.
6. Our Alehouses are licensed.
7. I have not seen any tippling on Sunday with us since my last return.
8. This is answered by the sixt.
9. This is answered by the seaventh.

10. No common swearers.
11. No meate exposed to sale on Sundays with us as I know of.
12. Nothing presentable in this article.
13. No inmates.
14. No pochers nor Destroyers of game by greyhounds setting doggs ferrets or other engines as I can finde.
15. No forestallers.
16. Our highways are repaired all except Heddington highway at the hill & the lane leading to Marston which Mr Wm Pudsey ought to repaire.
17. Nothing presentable in this article.
Neither have any that keepe casting netts or other netts for the takeing of fish contrary to the Statute in that case made & provided haveing no water of their owne
Hen. Beeston. William Hatton constable.
- ix. Waterstock.
"We present Thomas Powell for destroying the game with his gunn and Henry Heditch for destroying the game by his Low Bell
Thomas Nickholes."
- Edw. Master.
- x. Wheatley.
"Wee present William Price for keeping A greyhound
6 January 87/8 (*sic*) Francis Page } Constables."
John Smyth }

MISCELLANEOUS PETITIONS, CERTIFICATES, &C., TO QUARTER SESSIONS.

- i. Petition of Samuel Cato of Burchester, stating that his house and two other houses adjoining with the outhouses had been burned down "by a sudden fire in 2 hours" on 6th August last, and that he had lost all his household goods, leather horse-collars, "pannels"¹ and tools of his trade, to the sum of £195. 2. 2; and praying that he may be authorised to ask alms.

Certificate accompanying, to the effect that six bays of building had been burned; and that the total loss was as stated.

¹ Panel. A piece of cloth placed under the saddle to protect the horse's back. Also a rough kind of saddle (*New English Dictionary*).

Certificate signed by	Robert Shillingford, carpenter Robert Tyms, mason Daniel Everard, slatter.
Petition signed by	Thomas Payne John Coker Edward Leper William Hudson John Shaw (his mark) Will Stevens Thomas Potter Robt Shiers William Henerton Thomas Guizo (?) over seer of the poor Hugh Stevenson Hugh Thurston Robt Carter Henry Bowler Fran. Blower Henry Stiles Christopher Hanwell John Stanton John Metcalf sen. Tho Harris John Finch William Blay overseer of the poor John Willson.

ii. Petition of William and John Boice, of Burford, Labourers

"That your petitioners are very poor & necessitous & went to chase conies & vermine only in his Maties forest of Whichwood Underwood, in the daytime, but did not kill or destroy any vermine or game there; & your petitioners crying out kill them, mening the vermine of the Forrest & not the game, or the keepers of the Forest, the keepers of the Forrest violentlie set upon your petitioners to their no small damage,

Your petitioners are very pensive & sorrie for entering into the Forrest & humblie begg pardon for the same promising never to attempt any thing of the lik nature hoping to be dischargd of their Recognisances . . ."

Noted—Returned on their Recogn till next sessions.

iii. "The Petition of Robert Ashorst & his wife (of March Baldwin)¹ humbly sheweth

That although your poor Petitioner is above four Score years old & his wife above three score & ten & both very lame & helpless yet the parish of March Baldon where they live will not allow them any thing for th^r maintenance. And notwithstanding the Complaint formerly made agst y^r humble Petitioner that he

¹ The words in brackets are in another handwriting.

never was a Souldier he is ready to produce severall witnesses that he was prest for Scotland under Sir Jacob Ashley, & that he afterw^{ds} went volunteer for Ireland, & in the Service of his King receiv'd so many Shotts & bruises as together with his old age have render'd him not able to do any thing. And altho his wife has bin Lame for above twenty years yet so long as he cou'd go up & down she did not want, but now he is so far from being able to maintain his wife & himself that they can Scarce gett bread to eat. Wherefore y^r miserable Petitioners humbly beg that your honourable Bench w^{ld} be pleas'd to take pittie on 'em, & find out some way to releive 'em that they may not starve & y^r Humble Petitioners as they are in duty bound shall ever pray "

Noted—referrd.

- iv. Petition of Richard Chadwell of Stanton Harcourt
 "Sheweth That your peticon^r is a very poore aged man above fowerscore yeares of age, having a wife about that age alsoe, who is a very helpless cripple And that yo^r peticon^r hath nothing to mainteyne himself or wife And that hee had an allowance from the parish eighteen pence a weeke untill the Churchwardens & Overseers of the poore have lately refused to pay the same "

Noted—referred.

- v. "To the right worshipfull Bench,
 The humble Petition of Thomas Arrowsmith of Stonfield in the County of Oxon.
 Humbly shewing that your poor Petitioner having (formerly by an accident) both his Arms broke; And thereby lost the use of one of them, by which meanes he is incapable of Labor to get his living, without the Charity of well disposed Christians, Being six in family A wife and four children And the Allowance from the parish being but twelve pence the weeke, which allowance being so small that your Poor Petitioner cannot subsist any longer, without some further Addition weekly towards their maintainan^{ce} And had it not been for the reliefe of out town neighbours you (*sic*) Poor Petitioner might have perished long agoe his Condiscon being so weake & indigent

Therefore he humbly beseeches the worshipfull Bench to Comiserate his poor Condicon that he and his poor family may not perish for want of maintenance, and to allow him as you shall think fit to order And he will for ever be obliged to pray ”

Noted—Referred to the two next Justices or any one to the (*sic*) to add to his allowance.

- vi. (*In an uneducated handwriting*).

“Thomas Shepard came from Bromsbery in Heriford shier and Richard Crocksford came from Fanly in Buckingham shier ”

(*In a clerk's hand*)

“Endeavor to settle ; draw peticon to get order to returne them to the last place of their settlem^t unles good security given to save the parish harmles or cause shewne.”

Noted—to be returned to their severall habitacons.

- vii. Petition of Richard Greenaway of Headington, Cordwainer, and Frances his wife, stating that the petitioners had lived in St. John's parish and St. Martin's parish in Oxford, that they could not pay so great rent as the houses in such parishes required, and had moved to Headington “where they are like to live comfortable without any charge to the inhabitants ” ; and that the parish of St. John's is ready to own them as inhabitants and “willing to subscribe the poor's book touching any relief to be made to the petitioners ” ; and praying therefore to be allowed to remain at Headington without prejudice.

Noted—referred.

- viii. Petition of Henry Dolton, of Rotherfield Peppard, labourer, stating that he had been legally settled there for three years, but had been ordered last Sessions to remove to Grayes ; and praying to be allowed to settle at Peppard.

(*The signature to the petition is in a quite educated hand*).

Noted in margin—That Dolton did live with Ralph Page as a hired serv^t 3 mo at Greys.

Noted—to be settled at Peppard nisi causa.

- ix. Petition of Inhabitants of Dorchester, stating that they had procured an order at Michaelmas Sessions for the removal of John Janell who had come with his wife and seven small children, and was last legally

settled at Cookham, unless good security were given to Dorchester, as the two next Justices should allow, and that no such security had been given, and praying therefore for their removal.

Noted—(Order to remove him and his wife to Cookham or give security to be allowed by the next two Justices) Jo Jannell beinge att Dorchester to be without prejudice till next Sessions.

(The bracketed words are crossed out in the document).

- x. Certificate of repair of the highway at Coate by Wm Pryor, signed by

John Gunn
Hen Alworth

- xi. Certificate of repair of the highway leading from Woodstock Town end to Campsfield in the parish of Hensington, signed by

Littleton Osbaldiston

- xii. Order of the Court at Easter Sessions 3 Jas. II, upon notice by Dr Cawley, Rector of Henley, that John Corderey and others, occupiers of land and tithes in Henly, should pay the rates in place of Dr Cawley.
“per Cur Stevens”

Noted—Ordered to pay according to the order or be bound over to next Sessions.

(On next page)

- ... “Now upon opening the matter at this Sessions by Mr Alnut of counsel with the said John Corderey who came to show cause against the said order & upon large debate of the matter & what could be alleadged on either side This Court doth thinke fit to confirm the Order made at the last Sessions & doth confirm the same accordingly.
per Cur Stevens.”

DEPOSITIONS AND INFORMATION.

Deposition of Mary Oxlad of Wotton, taken before Sir Littleton Osbaldiston, 29th November 1687, that Jonas Templer of Wotton, who had several times promised marriage, was the father of the child she was expecting to give birth to.

RECOGNISANCES.

- i. Wm Ayres of Henley, before John Bonner, Warden of Henley, on Thames.
 Recognisance of peace especially towards Thomas Childe and Eliz. his wife in £20.

- ii. John Ody senior, "agricola", of Askot under Wychwood in £10 for appearance of Ody.

Leonard Mills of Swinbrook, agricola, and John Baker of the same, miller, mainpernors, in £5 each, before Robert Jenkinson, at Sessions on a charge of poisoning a line hound belonging to John Sparrow, one of H.M. Keepers of Wychwood Forest.

Noted—Non comparuit ordo ad extret.

(Inside same sheet)

"The Informations of Mary the wife of Robert Dumbleton of Leafield, John Sparrow, & William Smith Serv^{ts} unto John Sparrow within named taken upon Oath october the 20th 1687 before S^r Rob^t Jenkinson Baronet

Mary Dumbleton saith that about a fortnight Since Jno Ody coming unto her husbands house threw down Some thing to ahound belonging unto John Sparrow & that She Saw the doggs chops goe, & asked the said Ody what he had given the dogg, & within half an houre the dogg died poisoned as she Supposeth, for he was very well before

John Sparrow, Servant unto John Sparrow above named, saith that by order of his master he opened the said hound the next Morning & found his Mow full of Curdled Stuff & Supposeth him to have bin poisoned

William Smith of Leafield Servant unto John Sparrow saith that about three days after the feast o St Michaell past he caught John Ody taking up a Small net of (*sic*) from a Conyborough in the forrest of Whichwood "

- iii. James Costard of Watlington, labourer, in £40 "being charged to be the father of a bastard child begotten on the body of Martha Quartermaine of Watlington, singlewoman."

Noted—Comparuit et Committitur in prisona.

- iv. Thomas Bliss of Teynton, agricola, in £10 and Robert Lambert of Teynton, agricola, and Stephen Pinfold

of the same, pannitonsor¹, in £5 each, before Henry Alworth: For the peace towards Andrew Davis of Burford, baker.

Noted—Comparuit et exoneratur.

v. & vi. (*On one sheet*)

William Boyce of Burford, labourer, in £20 and Francis Boyce of Burford, labourer, and Joseph Wakefield of the same, "calecarius", in £10 each, for William's appearance and to keep the peace especially towards the servant of John Sparrow of Wychwood.

John Boyce of Burford, tegularius², in £20; John Steite of Fulbrook, labourer, and William Hicks, of the same, labourer, in £10 each, before Henry Alworth. For the same.

Noted after each—Comparuit—respired.

- vii. William Salisbury of Horspath, butcher, in £20 and John Hinton sen. and John King, of Horspath, yeomen, in £10 each before Edw Master and Tim. Tyrell for the appearance of Salisbury at Quarter Sessions to answer a charge of sheep-stealing.

Noted—Comparuit et exoneratur.

- viii. Wright Crook of Marston in £40, before Gilbert Ironside, Vicechancellor. For his appearance at the next Sessions.

Noted—Non solutum Comparuit et exoneratur.

- ix. Thomas Buckingham of Eynsham, labourer, in £10, before Robert Perrot, to answer for disobedience to an order of the Court at last Trinity Sessions touching a certain cottage in Eynsham belonging to the poor, wherein the said Thomas Buckingham doth inhabit.

Noted—Non comparuit. Solutum 2s.

- x. Jonas Templer of Wootton, husbandman, in £60, and John Templer Senior of the same, victualler, and Thomas Painter of New Woodstock, generous, in £30 each, before Sir Littleton Osbaldiston, for the appearance of Jonas Templer at Quarter Sessions to answer a charge of bastardy, concerning the child of Mary Oxlad, single woman, of Wotton.

Noted—Comparuit et renewed.

- xi. James White, of Cowley, yeoman, and William Browne

¹ Shearman. The shearing of the surface is a stage in the manufacture of woollen cloth.

² Slater.

of Cowley, "Cordwinder"¹, in £20, "conjunctim et divisim", before Timothy Tyrrell, for the appearance of Jane, wife of James White, and for the peace towards Alice White, wife of Henry White.

Noted—Comparuit et exoneratur.

- xii. *A sheet containing a list of above recognisances, in the writing of the clerk.*

William Ayres	1	Comparuit renewed et Maria Oxlade exoneratur.
Johes Odey	2	non Comparuit ordo ad extretandum
Jacobus Costard	3	Comparuit et Committitur in prysone.
Thomas Blisse	4	Comparuit et exoneratur
William Boyce	5	Comparuit to appear next sessions
Johes Boyce		
William Salisbury	6	Comparuit et exoneratur.
Jacobus White	7	Comparuit et exoneratur.
Jonas Templer	9	Comparuit et exoneratur.
Thomas Bucking-	10	non Comparuit
ham		

INDICTMENTS.

- i. Inhabitants of Cuddeston, for a highway out of repair, being three furlongs in length of the road from the market town of Chipping Norton to London, the portion out of repair being from the house of William Juggins to the Gate. Inhabitants plead guilty.
(*No result of the Indictment noted*).
- ii. Inhabitants of Marston, for a highway out of repair, being three furlongs in length of the road from Marston to Oxford, 10 yards wide, called Marston Lane.
- iii. Caswell Brangwell of Cancott, for not furnishing a wain and tools for repair of a highway, he being the occupier of a plough-land (unum integram carectat tre arrabilis).
Noted—Billa vera.
(*No penalty noted*).
- iv. Philip French, generous, of Kirtlington, and John Harberd, labourer, of Kirtlington, for not sending a

¹ Cordwainer.

man with tools to repair the highway.

Noted—Billa vera. French exoneratur per performance servicii solvit.

- v. Certain holders of land in St. Clements, for failing to repair three furlongs length, ten yards wide, of a highway leading from "Bisciter" to Oxford called Bolt Shipton Lane. The persons indicted for the repair were Thomas Wrench of Oxford, gardener, William Brummigam of Oxford, blacksmith, John Prince of St. Clements, innholder, Edward Allen of St. Clements, yeoman, Richard Maberley of the same, gunsmith, Alice Sermon of the same, widow, John Butler of the same, gardener, William Charles of the same, silk weaver, John Barnes of the same, innholder, Robert Sermon of Holywell, carter, Robert Franklin of St. Clements, yeoman, Joseph Judd of the same, yeoman, occupier of a parcel of ground called Robert Shipton's Farm.

Noted—Billa vera.

(*No result noted*).

- vi. Another indictment of the same. Adds Edward Allen of Oxford, yeoman, to the persons indicted and omits Alice Sermon.

Noted.—Billa vera. (*No result noted*.)

- vii. Bridge over Weston Brook in parish of Sherborne Oxon "super quem pontem jacet communis regia via pedestris ducens a villa mercatoria de Watlington versus villam de Tetsworth." Edward Ayres of Sherborne, yeoman, liable to repair by possession of meadow near the bridge.

Noted—Billa vera. Extensum per Certiorari ad proximam Sessionem.

- viii. Highway from Headington to Oxford out of repair on Headington
Inhabitants of Headington should repair.

- ix. William Salisbury, butcher, of Horsepath, for stealing one live sheep value 6s from Anthony Temple on 20th December 1687.

Noted—Billa vera. Ponit se in gratiam curiae proximae Sessionis Finis iij^s iiij^d solutus vicecomiti exoneratus.

- x. Jane White, wife of James White of Cowley, agricola, for assaulting Alice wife of Henry White of Cowley

on 9th December 1687, " tempore divini servitii insultum fecit."

Noted—Billa vera. Ponit se in gratiam curiae
Finis iii^l vis viij^d

- xi. John Guy of Hooknorton for assault on Thomas Wise jun. of the same 15th January 1687.
Noted—Billa vera. non culpabilis.
- xii. William Harris of Soulderne, mason, for having kept Robert Churchill and his wife as inmates.
Noted—Billa vera. placitum perdonacionis.
- xiii. John Wetman of Witney, labourer, for breaking bounds and letting out a horse.
Noted—Billa vera. Ponit se in gratiam curiae extra Sessionem Finis iij^s iiij^d solutus vicecomiti exoneratus.
- xiv. John Miles of Witney, for carrying on the trade of fuller without apprenticeship.
Noted—Billa vera. Ponit se non culpabilis.
- xv. Robert Carter of Coggs, for carrying on the trade of fuller without apprenticeship.
Noted—Ignoramus.

PRISONERS IN THE HOUSE OF CORRECTION AT WITNEY.

"The names of the prisoners in the house of corection for the county of Oxon.

Elizabeth Justice for A Bastarde Childe

Committed by S^r John Doyly June the 8th 1687

Susana Munday for A Bastarde Childe and Refuseing to confess the Father therof committed by the Corte at Michaelmas Sessions "

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*the Castle*) AT OXFORD.

"A Callendr of the Prison^{rs} in the Castle of Oxford for felony murd^{rs} & oth^r misd^{rs} Jan 30th 1687.

John Cornett For murd^ring one John Bankes
Comitted by Solomon Sewen
Crow^r

Edw : Kiderminst^r For murd^r Comitted upon the
bodie of one Fouldk (?) Williams
Comd by Rob^t Tressey Coroner.

John George	Charged for Breaking open a house w ^{ch} hee hath Confessed etc. Com ^d by D ^d Gilb ^t Ironside Vic Chan ^r of Oxon.
Jo : Harris	Charged for horse-stealing etc Com ^d By S ^r Tim : Tyrell
Tho : Bartlet	w th the feloniously taking of seav ^l (1) goods & 7£ in money Com ^d by D ^r Hen. Alworth Esq ^r
Wm White	Upon Suspicion of stealing a Roane Gelding. Com ^d by John Stone Esq ^r

Wm White pleads pardon of Transport and to remaine in Goale till Justice Hollaway ord^s oth^r way^s.”
(Note inside document) John Carter, Petter (*sic*) Beer, and Margret Saunderson convicted and reprieved.

ORDER FOR RELIEF OF THE PRISONERS IN THE CASTLE.

“Oxon Sessio Sancti Michaelis Anno Regni Regis Jacobi secundi Tertio.

Upon the petition of the poore prison^{rs} in the Castle of Oxon in this County It is ord^r by the Court that the Treasurer of the North division of this County doe pay for the releife of Wm White Peter Beere & Margaret Sanderson poore prison^s in the s^d Castle fowr shillings a weeke weekeley & Continue the pay^m thereof Untill next Sessions & that the same be paid to M^{rs} Eliz Thorpe for the use and reliefe of the s^d prison^{rs}
per Curiam Stevens.

Continued till the Assize.

1st day of pay^{mt} began the 5th Oct^b 87 w^{ch} to Jan 11th is
14 weeks at 4s a weeke Come to 02 16 09”

GRAND JURY PRESENTMENTS.

Highway from Great Tew to Woodstock, within the liberty of Great Tew, much out of repair. Inhabitants to repair.

Same highway, within the liberty of Sandford and Leadwell, out of repair. Inhabitants to repair.

Highway within the liberty of Hampton Powell (“*in the common filde*” is inserted in another writing) from Bissiter to Oxford. Inhabitants to repair.

¹ Several.

Lane between Adderbury Field and "Weeping Crosse,"
leading from Banbury to Aynoe, out of repair, in the
parish of Adderbury.

(No order as to who shall repair.)

PETTY JURY PANELS.

Case of John Guy of Hooknorton.

Matthew Horward of Hooknorton	—
John Clifton of the same	—
Richard Baldwin of the same	—
John Price of the same	—
Thomas Benet of Kingston Blunt	Juratus
Richard Stevens of Lewknor	Juratus
John Benwell of Peppard	Juratus
Henry Stuchbury of Ardley	Juratus
William Butler of Brisenorton	Juratus
John Dodd of Kidlington	—
John Quarterman of Ensham	—
Thomas Clinch of Burcott	—
James Guy of Chalgrove	—
William Webb of Burcott	Juratus
William Almont of the same	Juratus
Robert Day of the same	Juratus
John Hinton of Forresthill	Juratus
Frank Syms of Marston	—
Mark Bolt of the same	—
William Bartlett of Marton	—
Robert Vaughan of the same	—
William Findall of Oxford	—
Thomas Childe of Cleare	—
Thomas Cook of Northmoor	—

Marston highway case.

Frank Page of Wheatley	Juratus
Thomas Cox of Garsington	Juratus
John Dod of Islipp	—
Nicholas Hasey of Wheatley	Juratus
Anthony Temple of the same	—
Thomas Cox of Garsington	—
Edward Nash of Arncott	Juratus
John Quarterman of Ensham	—
Thomas Coplin of Piddington	Juratus
John Stevens of the same	Juratus
William Robinson of Cassington	Juratus
John Mortimore of Beckley	Juratus

John Hinton of Foresthill	Juratus
William Webb of Burcott	Juratus
William Almont of Burcott	Juratus
Robert Day of Burcott	Juratus
William Bartlett of Marton	—
Robert Vaughn of Marton	—
Thomas Child of Clare	—
Thomas Cook of Northmore	—
Matthew Horwood of Hooknorton	—
John Clifton of Hooknorton	—
Henry Stuchbury of Ardley	—
Richard Stevens of Lewkner	—
William Butler of Brisenorton	—
Thomas Clinch of Burcott	—

Cuddesdon highway case.

The same jury as last except that Edward Galloway of Islipp was substituted for John Dod.

Thomas Coplin, John Stevens, Thomas Cox, Frank Page, Stephen White, Mark Boulton, Anthony Temple, Nicholas Hasey, William Robinson, Henry Stuchbury, James White, William Butler were the jurors sworn in this case.

Headington highway case.

The same jury.

GRAND JURY PANELS.

Chadlington	{ Richard Rollwright of Rollwright generousus	Juratus
	{ Anthony Smith of Chipping Norton generousus	Juratus
	{ Thomas Coleing of Deane generousus	Juratus
Wootton	{ William Wise of Ensham generousus	Procuratorem
	{ William Hampshire of Yarnton	Juratus
	{ Thomas Cave of Cassington	Juratus
	{ John Philipps of Kidlington super Green	—
Banbury & Bloxham	{ Nathaniel Kinch of Horley	Juratus
	{ Timothy Arne of Horneton	Juratus
Bampton	{ Daniel Warwick of Kelmscoat	Juratus
	{ William Sindrey of Grafton	Juratus
	{ John Williams of Coate	—

Dorchester	{ George Prince of Clifton	Juratus
	{ Richard Allome of Burcott	Juratus
Poughley	{ John Walker of Bissiter	Juratus
	{ Frank Beck of the same	Juratus
	{ Richard Finch of Newnton Pussell	Juratus
Thame	{ Joseph Darvall of Thame	Juratus
	{ William Way of Moreton	Juratus
Bullington	{ Robert Boulter of Amersden	Juratus
	{ Thomas Robbins of Blackthorne	Juratus
Chiltern	{ John Chitts of Kingston Blunt	Juratus
	{ Robert Greenland of Bix	Juratus
	{ William Carver of Caversham	Juratus
Burford	{ William King of Burford	Juratus
	{ Robert Flaxon of the same	Juratus
Witney	{ Walter Smith of Witney	Juratus
	{ John White alias Druce of the same	Juratus

LISTS OF CHIEF CONSTABLES AND BAILIFFS OF HUNDREDS.

Thomas Key	}	Banbury
Richard Workehouse		
Samuel Goodwin	}	Bloxham
John Lydiatt		
William Collier	}	Wootton
John Rimmell		
Thomas Godfrey	}	Bullington
Thomas Inns		
John Claxon	}	Dorchester
Robert Day		
Hugh Thurston	}	Poughley
Robert Wells		
Nicholas Perry	}	Chadlington
Simon Trout		
John Sirby	}	Bampton
William Sperrin		
Anthony Price	}	Thame
John Wells		
Thomas Nash	}	Pirton
Robert May		

Edward Winter	}	Ewelme
Richard Phelps		
William Pearman	}	Binfield
John Frewin		
Henry Luggrove	}	Langton
William Herbert		
Christopher Crooke	}	Lewkner
Stephen Gomme		
John Goodwin	BAILIFF of	Banbury & Bloxham
John Hanwell		Wootton
Wm. Juggins		Bullingdon
Roger Bettrice		Dorchester
William Stevens		Poughley
Edward Hemming		Chadlington
Thomas Collingwood		Bampton
James Cowden		Thame
Richard Haynes		Pirton, Ewelme,
		Langton, Binfield & Lewknor.
John Collier generous	}	Burford
John Winsmore generous		
John Palmer generous	}	Witney
Thomas Abell generous		

EASTER SESSIONS, 1688.

CONSTABLES' PRESENTMENTS.

- i. Cornwell.
"I retorne George Horsman for keeping of a Gunn that is now sesed "
- ii. Fulbrook.
"the twentithe foure daye of eaprell 1688 As foloeth I present Mr. Richard Jordan for in Closing to him-selfe A horse pule onto the kinges highwaye oure pore Are wickely¹ provided for hew And cry have bin Diligently sent owre hy waise eare in sufficient repare oure stockes and pounds Are in suffisient repare So I have no thinge els to present Concerninge the seventene Articolos."

¹ Weekly.

iii. St. Clements.

Highways in good repair "except that wich Mr Pudsey is to Repaire wach & ward kept and as for any misdemean^{rs} Comited I know none"

iv. Wheatley.

".... We have none that destroy the Game unlawfully ; either by Guns Lowbells Nets or other engines neither have we any that take fish by casting nets or other nets that have no water of their owne. Huy and cry and all other things belonging to my office are truly and lawfully executed by me
Joseph Church Constable "

(In another hand)

"I present Mr Rich : Day & Tho : Tipping for not repaireing the townsend gate that leadeth to Whateley bridge.

I present John Smith for not repaireing West ward gate and part of the Chappel lane gate with others
This return examined and By Walter Simonds
allowed by John Curson Constable these "

v. Pirton Hundred.

"I present Stephen West of Watlington Inholder for entertheyneinge one Thomas Webster as an Inmate.

I present Gregory West Sen of Watlington for setinge post and Rayles upon a pack and pryme way¹ Ladeing to a feild called Clayhill feild & a comon called the Fleete in the parish of Watlington.

I present Gregory West Senior for layinge soyle & muck in a streete or Lane called Hog lane beinge a Comonanewcance.

I present Thomas Davis of the same towne for the like offence.

I present Richard Hester husbanman of Watlington for Incroachinge and straightinge the Kings Highway in afield called Clayhill field leading to Thame."

vi. *High Constable*, N division of Wootton

"I have received returnes from all the petty constables within my Division signed by A Justice of Peace only the returnes of the Constables of Dedington parish Northaston, and Dunstew, are not made

¹ Pack and prime way. Name for a way by which packs may be carried on horseback.

according to the order of the last Mich^{mas} Sessions
for the preservation of the Game

John Rymill
high Constable "

- vii. Bullingdon Hundred.
"I return mr Robert Boulter constable of Amersden
for not bringing in his return." April 24th 1688.
- viii. "I Returne the Constable of Hampton Gay for not
makeing his Returne this Sesiones.
I Returne Will. Welles Constable of Blechington for
not makeing his Returne this Sesiones."
(*Noted in the Clerk's writing, "Const de Walcot "*)

MISCELLANEOUS PETITIONS, CERTIFICATES, &C., TO QUARTER
SESSIONS.

- i. Certificate of the repair of the bridge "called Dadington
Stepps and causeway." Signed by Edmund Goodere
and R. Kilbye.
Noted—Allocatum in Curia.
- ii. Certificate of repair of a highway in Sandford leading
"from Sandford to the holt."
Signed by Littleton Osbaldeston, Edmund Goodere.
Noted—allocatum in Curia.
- iii. Certificate of the repair of the footway from Watlington
to Thame at a place called Sundridge in the parish
of Sherborne together with the bridge.
(*Signed by*)
Edm. Dowell
Hen Stevens
John Stevens
Will Thame
Georg Lane
Thomas Readinge
(*Not noted as allowed in Court.*)
- iv. Certificate of the repair of the highway from Great
Tew to "the holt" in the parish of Great Tew.
Signed by Littleton Osbaldiston, Ed^d Goodere.
Noted—Allocatum in Curia.
- v. East End of Magdalen Bridge.
"April the 24 1688. A bill of worke Dun for the
Repayre of the Easte End of Magdylen Bridge sinse
last September.

For Will Robinson	3 days	About the Eartch	5	0
For Charles Robinson	,, ,,	,, ,,	4	0
for Will Imson	,, ,,	,, ,,	3	6
for Micill Prise	,, ,,	,, ,,	3	6
for 1 Lode of Arshlars			5	6
for 2 Bushills of Lime & a Lode of graviel			2	6
for Will Robinson 10 days for mending the pitching ¹ upon the brig & breaches in the wall			16	8
for Charles Robinson the seame 10 days			13	6
for Impson 6 days about the seame			7	0
for Micill Prise 2 days about the seame			2	4
John Sandares 1 day About the seame			1	8
Bosely 1 ,,	,,	,,	1	2
1 lode of Long Stones			7	0
5 Lode of graviel			4	2
For Caring 11 lode of durt of the bridge			5	6
5 Lode of pibbles			1	11 8
In all			5	14 10

I find the Contents of this bill to be true (*sic*)

G. Ironside

Vicechancelore.

This is to certify that the East end of Magdalene Bridge
is well repaired by William Robinson

Jos. Pullen

Will Sherwin "

Noted—Order to be paid by the Treasurer of the north
division.

- vi. John Lydall, gentleman, Treasurer of the South
Division of the County, having served for a year,
petitions to be relieved of the office, and nominates
Samuell Toovey, of Wormsley, gentleman
Edward Wise, of Stadham, gentleman
Edward Whistler of Gathampton.

(*The word "electus" is against the first of these names,
in the Clerk's writing.*)

(*Added, in the Clerk's writing* "Mr. William Bayley of
Ducklington electus loco Johannis Parsons Jo.
Southby electus ")

¹ Pitching is a form of paving in which the stones are set edgeways,
instead of flat, to give a better grip.

vii. Mr. John Wyatt

Appointment of John Walker as overseer of the poor at Standlake, in the room of John Beacham.

viii. Petition of John Markham, Constable of Holcombe, stating that he had expended in execution of his office several sums amounting on the whole to twenty shillings, and praying for leave to levy a rate for that sum.

Noted—referred.

Endorsed—Anno Dom 1685 Feb. 22

“The Constable rate for the liberty of Holcomb for money laid out of pocket

Esq ^r Dormer	0	2	2
Edward Rowlan	0	5	5
Rich : Wilckens	0	2	10
Tho King	0	2	8
Jo & Jo (<i>sic</i>) Shepard	0	1	1
Jo Eagleton	0	0	6½
Simon Eagleton	0	0	3¼
Samuell Smith	0	0	1½
Robt Quatermaine	0	1	7½
Alex Hawkins	0	1	1
Mr. Smith	0	2	0”

ix. Four documents concerning a demand upon the County of Oxon for fees due upon the King's first visit to the County after his accession.

“Hon^d Sir

Beeinge very unwilling to give you any trouble or the County of w^{ch} you are High Sheriff at present Into w^{ch} County his Ma^{tie} since his happy accession to the Crowne hath made his entrance whereupon there is becombe due to his Ma^{ts} Serv^{ts} the sume of 36^{li} 6^s 8^d for Fees of Homage and least the Method of raysinge the money be to you unknowne, I have thought it Convenient to send you the Copy of an ord^r made in other Countys for raysinge & payinge the said money, all w^{ch} I would desire you would Communicate to the Justices of the peace at the next quart^r Sessions, to the end the money due may be rayسد and returnd, according to his Ma^{ts} Warr^t with a

schedule of the Fees w^{ch} was delivered to the late
Sherriffe to avoyd further trouble & Charge

w^{ch} is all at present from

S^r yo^r most humble Serv^t

Will Whitmore

Deputy to Sir Tho. Duppa

Black Rodd Collector.

Whitehall March 29th, 1688."

A Warrant, demanding homage fees.

"James R :

James the Second by the grace of God King of England
Scotland France and Ireland Defender of the faith &c
To all to whom these presents shall come Greeting
Whereas severall of our Servants have by their humble
peticon represented unto us that in the times of our
royall predecessors Kinges and Queenes of England
upon their first entrance into any County City Town
Corporate Cathedral or Collegiate Church " homage
fees were paid ; no County &c to be exempted " unless
we shall please to grant our Royall warrant under
our Signet and Signe manuall for remitting the same . .
S^r Thos. Duppa K^t our gentleman Usher of the
black rod is authorised to receive the said fees.

Whitehall 13 Feb 1685-6 (*sic*)

Sunderland "

(*The document continues*)

" List of fees of homage mentioned in the foregoing
warrant by ancient custom due to our servants :—

To the Gentlemen Ushers of the Privy

Chamber

5 0 0

To the Gentlemen Ushers dayly wayting

5 0 0

To the Gentlemen Ushers quarter wayters

1 0 0

To the Sergeant at Arms

3 6 8

To the Knight harbinger

3 6 8

To the Sewers of the Chamber

1 0 0

To the yeomen harbingers

1 0 0

To the Knight marshall

1 0 0

To the yeomen of the month

2 0 0

To the Sergeant & officer of Trumpetts

3 16 8

To the Wardrobe officer

1 16 8

To the Yeoman Usher

1 0 0

To the Grooms of the Chamber

1 0 0

To the Pages of the Chamber

0 10 0

To the surveyor of the wayes

1 0 0

APPENDIX.

To the Closet Keeper	0	10	0
To the Kings Footmen	2	0	0
To the Kings Coachman	0	10	0
To the Porters at the Gate	1	0	0
To the Yeoman of the feild	0	10	0
Sum totall	36	6	8 "

(initialled J.R.)

Two copies of an order of the Berkshire Quarter Sessions to the effect that, whereas Homage fees were due, "and whereas Edm Wiseman jun Esq. and Hen. Alexander Esq late sheriffs of the County have been sued in the Court of Exchequer by English bill for the same", the Court now made order for the same to be paid out of the "Hospitall & Goale money", the said money to "be raised from two parts where it now stands to full four parts for the payment of the same."

Noted—Order to be paid to the Clerke of the Peace & by him to Sir Tho Duppa.

DEPOSITIONS AND INFORMATIONS.

- i. Brigett Sarny, before William Hildesley, 24th March 1688, stating that Henry Davies had gotten her with child, and of
Ann Rainsford, before Mr John Bonner, Warden of Henley, that she was a midwife sent for to the house of Henry Davies of Bix ; and found the woman servant of Davies delivered of a man child, and enquired the name of the father & the servant replied that it was her master, Henry Davies.
- ii. Deposition of Susan Munday taken 14th Jan. 3 James II before Robert Perrott.
(See pp. lxxvii—lxxix.)

RECOGNISANCES.

- i. Walter Collyerde of Witney, before Robert Perrot, 13th Jan 1688, surgeon, and Thomas Larnar of the same, innholder, in £40 each, for the good behaviour of Susan Munday, now a prisoner in the House of

Correction for this County in Witney aforesaid, and her appearance at Sessions.

- ii. William Croney of the City of Oxford, chandler, before Quarter Sessions of the County of Oxford, 12th Jan. 1688, in £40, and John Chittam of the same in £20, for the appearance of Croney at the next General Sessions of the County.

Noted—Respited to next Sessions referred to the two next Justices.

- iii. Christopher Lord of Brisenorton in £10 before Sir Littleton Osbaldeston and Edmund Warcup, 19th April 1688, for good behaviour and to appear at the next Sessions.

Noted—Comparuit et exoneratur.

INDICTMENTS.

- i. Christopher Lord of Brisenorton, yeoman, for the unlawful arrest of Mathew Palmer of Brisenorton, labourer, on 23rd Dec. 1687.

Noted—Billa vera. ponit se remotum per Certiorari.¹

- ii. Robert Meysey of Burford, taylor, for breaking and entering the close of Dennis Hampson bart at Bradwell and fishing on 16th April 1688.

Noted—Billa vera. (*No penalty noted.*)

- iii. Thomas Luckett of Hooknorton, labourer, for stealing seven hens, price 6^d. each, a cock price 6^d., from John Sheriffe, on 20th March 1688.

Noted—Ignoramus.

- iv. William Long of Toot Baldon, yeoman, for breaking the close of Henry Knapp at Toot Baldon and ploughing up the ground, on 13th April 1688.

Noted—Billa vera. ponit se in gratiam Curiae proxima Sessione. Finis iij^s iiij^d solutus vicecomiti exoneratus.

- v. Thomas Collier of Witney, clothier, and Henry Dutton of Witney, weaver, being then keeper of the Gaol of Bridewell in the County, for assault on Susanna

¹ *i.e.*, the case was removed for trial in a superior Court by writ of Certiorari.

Smith, then a prisoner in the said Gaol of Bridewell.

Noted—Billa vera ponit se in gratiam Curiae
Finis iij^s iiij^d solutus vicecomiti exoneratus
proxima Sessione.

- vi. (*Memorandum of an indictment, badly perished, and its facts difficult to ascertain*). Apparently indictment of William Salisbury of Horspath, butcher, for theft of one ewe sheep from Anthony Temple, 20th Dec. 1687.

Plea of not guilty ; to appear at Easter Sessions.
(*No note of result. See indictments of last Sessions.*)

- vii. Inhabitants of Filkins, Broadwell and Kencott, for allowing a watercourse in Bradwell, running from a place called Broadeshaw in the common of Filkins to a place called Huxes meade, to become choked and flood the highway.

Noted—Billa vera. (*No penalty noted.*)

- viii. Inhabitants of Filkins, in the parish of Bradwell, a highway leading from Lechlade to Burford.

- ix. Robert Harrison, mercer, of the parish of St. Peter in the East, Oxford, for allowing a gutter between his house and the house of Richard Martin, "white-baker," to become flooded.

Noted—Billa vera. Harrison exoneratur proxima Sessione.

- x. Richard Hester of Watlington, for encroaching on and ploughing the highway in Clayhill field, leading from Watlington to Thame.

Noted—Billa vera ponit se in gratiam Curiae
Michaeli sequente. Finis iij^s iiij^d solutus
exoneratur.

- xi. Gregorie West sen. of Watlington, yeoman, for erecting a post and rails on a pack and prime way.

Noted—Billa vera. (*No penalty noted.*)

- xii. Gregorie West sen. of Watlington, yeoman, for laying dirt and dung on "hogglane".

Noted—Billa vera. (*No penalty noted.*)

GRAND JURY PRESENTMENTS.

"Imp : Wee present Philipp Allin of Stanlake for unlawfull fishing of Sir Edmund Warcupp waters

It. wee have nothing else to present but all is well to the best of our knowledge

Nicholas Marshall	Richard Bellowes
John Whit	Robert Fellow
Roger Browne	Richard Hickes
Tho : Minchin	John Franklin
Thomas Grante	Robert Turner
Adam Larkin	William Lawrence "
John Carter	
Ed Camden	
Will Higgs	
Nicholas Saunders	
Willam (<i>sic</i>) Fitchet	
John Lee	
Will Gibbes	
Mathw Hall	
Richard Humphrey	

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*the Castle*)
AT OXFORD.

" A Callendr of the Prison^{rs} in the Castle of Oxford for felony and oth^r misdeme^{rs}. 24 Ap: 88.

W^m Mason For Felony & Robbery : to remaine untill by due course of Law hee shalbe discharged.

By ord^r of S^r Richard Holloway kt
Sir Richard Allibon kt
Last Assizes.

George Clarke	}	Reprived aft ^r Judgm ^t
&		
John Coleman		
Wm. White	}	Reprived & to be transported
John Carter		
and		
Peter Beer		
W ^m White	}	Pleaded pardon of transportatacon
		To be transported."

PETITION OF POOR CONVICTS AND OTHER DISTRESSED
PRISONERS IN OXFORD CASTLE FOR RELIEF.

" Most humbly sheweth that they are many in number and Miserable pooar and have sufred Longe hardship & tedious Imprisonment to thare great Affliction being

Like to Continue in want, except the Hon^rble bench
be pleased to shoe mercy.

May itt therefore pleas the Hon^rable bench to take itt
into yo^r Pious Consideration to Extend yo^r Charity
to the Relief of yo^r pooar petition^{rs} and they as in
duty bound shall ever pray."

Noted—Referred to Mr Deane & Mr Pudsey to
goe down and veiw.

(NO PETTY JURY PANELS IN THIS BUNDLE.)

LISTS OF CHIEF CONSTABLES OF HUNDREDS.

(*The List is as before except for this alteration :—*

Bampton	{	John Southby
	{	William Perry.

LISTS OF BAILIFFS OF HUNDREDS.

(*Names of most have disappeared and the document is very
defective.*)

GRAND JURY PANELS.

Chadlington	{	Nicholas Marshall of Enston,	
		generosus	Juratus
		Thomas Minchin of Churchill	Juratus
Banbury & Bloxham	{	John Whitehorne of Fulbrooke	Juratus
		Richard Bellow of Adderbury	Juratus
		Samuel Alcock of Shutford	—
Wootton	{	John Lee of Dunstew	Juratus
		John Fletcher of Tew magna	—
		Simon Rymell of Deddington	procuratorem per ordinaci- onem Curiae
		William Gibbs, of the same	Juratus
Poughley	{	William Lawrence of Fritwell	Juratus
		Robert Fellowes of Chasterton	Juratus
		William Brooks, als Darling, of	procuratorem per ordinaci- onem Curiae
		Fencott	
Bullingdon	{	Thomas Grant of Stanton St. Johns	Juratus
		John Franklin of St. Clements	Juratus

Dorchester	{ Adam Larkin of Dorchester generosus William Huckman of Culham	Juratus —
Bampton	{ Nicholas Saunders of Broughton Robert Turner of Clanfield Edward Cambden of Brighthampton	Juratus Juratus Juratus
Thame	Richard Humfrys of Moreton	Juratus
Chiltern	{ William Higgs of Newenham Morren Roger Browne of Chalgrove John (?) egrot Matthew Hall of Hazly magna (<i>There is a hole in the document here.</i>)	Juratus Juratus — Juratus
Burford	{ Robert Taylor Richard Hicks	— Juratus
Witney	{ John Carter of Witney, generosus William Fitchet of the same, generosus Henricus Browne baronettus Vice-comes.	Juratus Juratus Juratus

TRINITY SESSIONS, 1688.

CONSTABLES' PRESENTMENTS.

i. Great & Little Bourton.

" I present Samuell Gardner & Thomas Mole who have
byn nominated and appointed overseers of the
poore at the last sitting of the Justices and refusing
to take upon them the said office.

allowed

Ri : Kilbye John Claredge constable
his mark "

ii. Burford.

" In obedience to the order of Seshons and the warrants
brought to us we have searched the houses of seaverall
persons suspected for destroyers of the game &
fishings and wee Returne David Ellmes & Joseph
Wakefield for suspected persons for in the house
of David Ellmes we found some hay nets and Joseph
Wakefield came to take them from us . . . Such as
were brought to us by passes we Relieved and
carried them on their Journey.

Peter Willet

allowed

Richard Burbree Constables "

Wm. Pudsey

iii. Fulbrook.

Richard Jordan presented again, for taking a horse pool out of the highway "whiche youste to serve As A greate Convaniens for All the nailboures there Aboutes.

Tho. Applegath const "

iv. Upper Kiddington.

"A returne made by the Contstabbell of Over Kiddinton our wach & warde is duly keep our Stockes & pound is in good Repare our hiewayes are now repareing our game is Severly Looked after know Misdemeners within our Liberty to the best of my knowledge June the 9th 1688

Timothy Hodgkinson
Contstabbell "

v. Constables presented by Chief Constables for not making their returns.

Clement Cox Stoke row Presented by Thomas Leaver
Chief Constable of N. division
Langtree hundred

John Day constable of Presented by Ralph Lews
Swincombe & Thomas
Chief Constable of S. division
Austin of Northfield-
end of the halfe Hundred
of Ewelme.

The Tythingmen of Presented by John Yeate
Assenden Chief Constable of the S.
division of Pirton.

The Constable of Presented by Nicho. Malham
Newington Chief Constable of the N.
division of Ewelme.

MISCELLANEOUS PETITIONS, CERTIFICATES, &C. TO QUARTER SESSIONS.

- i. Certificate that the highway called "the Westward gateway", leading from Wheatley to Holton, presented for want of a gate and stile, is now "well and sufficiently provided with a good and sufficient gate and style for the safe passage and travail of footmen horses carts & carriages

Tim. Tyrrell
John Curson "

- ii. Certificate of repair of a highway in the liberty of Clare in the parish of Pirton, leading from Pirton to Haseley.

Carl : Stone
John Wickham.

Noted—Allocatum in Curia. solutum.

- iii. Certificate that Phillip French gent of Kirtlington has now done his duty as to mending highways, for which he was indicted by Thos. Walker in 1687.

Walter Prior

Noted—Allocatum in curia.

“Survayer”

- iv. “To the Generall Sessions of the peace to be held for this County

Whereas the towne of Adderbury in this County stands indicted for not repairing of the Kings Ma^{ties} high way leading from a certen place within the said parish called Neale Bridge unto a place called Weeping Cross there

These are humbly to ctify that wee whose names are subscribed Justices of the peace for this County, have seene and viewed the said high way and do finde the same in all needfull parts and places thereof to be well and sufficiently repaired and amended this being the ninth day of June 1688

Edmund Warcupp
Ri : Kilbye.

Noted—Allocatum in Curia.

INDICTMENTS.

- i. Inhabitants of Shipton on Cherwell, for the road from “Shipton on Stower” to Oxford being out of repair in Shipton on Charwell for a furlong.

Noted—Billa vera. (*No penalty noted.*)

- ii. Robert Giffie, butcher, of Oxford, and Richard Buckingham of Oxford, labourer, being bailiffs of Henry Browne bart, for arresting Tobias Hopkins at the suit of one Thomas Tremain gent and taking 18s from Tobias Hopkins, on 1st April 1688 at Bampton.

Noted—Billa vera. (*No penalty noted.*)

- iii. William Cupid of Bix and Elizabeth his wife, for breaking the house of one William Greene, at Bix on 5th May 1688, and taking £7 3s. in money and eight yards “panni coloris lividi Anglice blew cloth” of the value of 3s.

Noted—Ignoramus.

- iv. Sara Kempster of Wheatley, spinster, for assault on Mary Juggins, wife of W^m Juggins, at Wheatley on 20th May 1688, and stealing a bottle of beer and 2lb. of cheese, value 1s.

Noted—Billa vera ponit se in gratiam curiae. Finis
xiijs iiij^d

- v. Richard Gomme of Wheatley, labourer, “*persona valde mali nominis*”, for fraud upon William Juggins, by cozening, receiving certain goods of Juggins, from Sara Kempster, servant of the said W^m Juggins, on 3rd June 1688.

Noted—Billa vera ponit se in gratiam curiae finis
iijs iiij^d

- vi. Memorandum of indictment of John Miles of Witney, labourer, for using the mistery of a fuller without apprenticeship.

Noted—Billa vera non culpabilis.

GRAND JURY PRESENTMENTS.

“The lane Lying in Grayes parish, leading from Pepper to Henley, being the King’s high waye, is much out of repair.” Inhabitants of Grayes ought to repair.

Highway called Bacon Lane, in the parish of Newnham Murrwyn leading from Cromish furlg to Newnham, being a pack & prime or bridle way, out of repair. Inhabitants of Newnham to repair.

Highway in the liberty of Wyrall, in the parish of Checkington, leading from Hookend to “hatchcroft gate”, out of repair. Inhabitants of Wyrall to repair.

“We present Thomas Brice the younger of Witney, Tucker(?) for following and using the trade of a Chandler in the Town of Witney from the 29th of September last past untill this present day without serving apprentice to the said Trade.

Hawting Webb foreman.”

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*the Castle*) AT OXFORD.

“A Callendr of the Prison^{rs} in the Castle of Oxford for felloney & oth^r misdeme^{rs} 12th June 1688

Tho Webster Charged upon suspicion of stealing a black stone horse from the Ladie Hampson.

Com. by Carl : Stone Esq^r

Rich : Davis & Jane his wife	Upon suspicion of stealing leanen the goods of one Hickes, found in his roome 8 topps of silver handles the goods of one Tho Allwin of Northlie. Com. by W ^m Wright Esq ^r
W ^m Cupid & Eliz : his wife	Charged upon suspicion of Breakeing open a house in Bix in this Countie and feloniously takeing thence 7 ^l & 3 ^s and a parcell of new blew Cloath &c. Com. by Carl : Stone Esq ^r
John Carter & Peeter Beer	To be transported.
W ^m Masson	For fellony & Robery. To remaine untill by due Course of Law he shalbe discharged."

PETTY JURY PANELS.

In the case of John Miles

Henry Balden of Clanfield	—
John Pawling of Clanfield	—
John Williams of Coate	Juratus
John Moulder of Coate	Juratus
Charles Moulder of Curbridge	Juratus
William Belcher of Charlbury	—
Richard Holloway of Hampton Powell	—
John Keen of Stadham	—
Edward Ash of Arncott	Juratus
William Walker of Lanton	Juratus
Richard White of Piddington	Juratus
John Gibbs of Chesterton	Juratus
William Auger of Islipp	—
Thomas Cotsford of Lanton	—
John Allen of Shutford	—
Richard Smith of Marston	Juratus
Stephen West of Watlington	Juratus
John Ball of Woolscott	—
John Jenkins of Islipp	—
Richard Burbridge of Burford	Juratus
Gregory West of Watlington	Juratus
Andrew Doton of Curbridge	Juratus
Richard Astle (?) of Ensham	—
Henry Balden of Clamfield (<i>sic</i>)	—

LISTS OF CHIEF CONSTABLES AND BAILIFFS OF HUNDREDS.

Thomas Key	}	Banbury
Richard Workehouse		
Richard Wise	}	Bloxham
John Hopkins		
William Collier	}	Wootton
John Rymell		
Martin Blea	}	Bullingdon
Richard White		
John Baker	}	Dorchester
John Keen		
John Mobly	}	Poughley
Robert Prior		
Samuel Cox	}	Chadlington
William Joyner		
John Southby	}	Bampton
William Sperrin		
Edward Cooke	}	Thame
William Astrey		
John Yate	}	Pirton
John Heyborne		
Ralph Lewis	}	Ewelme
Nicholas Malham		
Edward Wheeler	}	Binfield
Roger Foster		
William Burley	}	Langtree
Thomas Leaver		
George Hewish	}	Lewkner
Stephen Gomme		

(The Bailiffs are as they were at Epiphany Sessions.)

GRAND JURY PANELS.

Chadlington	{	Hawtin Webb of Foscott, generous	Juratus
		John Powis of Foscott, generous	Juratus
		Robert Clarke of Shipton under	
		Wychwood, generous	Juratus

Banbury & Bloxham	Josias Kay of Milcombe, generous	
	procuratorem	
	Amos Sansbury of Cawthorpe, generous	—
	James How of Little Bourton	procuratorem
Bullington	Joseph Hew of Marston, generous	Juratus
	William Hatton of St. Clements	Juratus
Thame	William Cooke of Thame	Juratus
	Edward Wells of Thame	Juratus
Dorchester	William Higgs of Southstoke, generous	Juratus
	John Peade of Culham	Juratus
Wootton	Henry Hester of Little Tew	Juratus
	John Davies of Steeple Aston	Juratus
	Edward Hales of Shipton on Cherwell	—
	Richard Castle of Ensham	procuratorem
Poughley	Thomas Watson of Heath	Juratus
	William Marrott of Lanton	Juratus
	Robert Venimore of Kirtlington	—
Bampton	Richard Hunt of Hazly	Juratus
	Charles Moulder of Curbridge	procuratorem
	William Linsey of Coate	Juratus
Chiltern	Thomas Nash of Watlington, generous	Juratus
	John Toovey of Watlington, generous	Juratus
	John Peirce of Eye & Dunsden, generous	Juratus
	John Hunt of Shiplake, generous	Juratus
	Edward Eyres of Sherborne	Juratus
Burford	John Matthews of Burford, generous	Juratus
	John Minchin of Burford, generous	—
Witney	Nicholas Constable of Witney, generous	procuratorem
	Thomas Venimore of Witney, generous	Juratus
	Henricus Browne	Barronettus
	vice-comes	

Finis xiijs iiij^d

The following Indenture of a Lease, not dated nor executed is in the Quarter Sessions bundle of documents for this Sessions, though the reason of its inclusion is not apparent.

1672 John Lord Lovelace of one part & Sir John Cutler¹ of London Knt & Bart. & John Morris of London of a second part, and Samuel Rich of Missenden of the third part.

Fishing, piscary water, & two eyots in the river at Remenham and a messuage in Aston, Berks, in the occupation of John Lemon. Lease for 99 years.

Endorsed—Sessio Sanctae Trinitatis anno regni regis Jacobi secundi quarto.

MICHAELMAS SESSIONS, 1688.

CONSTABLES' PRESENTMENTS.

i. Burford.

"We present Richard Munke the elder of Burford for a Common Cumberer of the High Street of Burford with timber & lumber of Carts & waggons.

Rich : Barbur Peter Willett
allowed 26 Sept. 1688 const "
Littleton Osbaldeston

ii. Denton.

... "Wee return William Harris who harbours one Edward Harris as an Inmate contrary to the Statute in that case provided.

Ri : Pokins const "
allowed Jno Wickham

iii. Fifield.

"These are to sartifie all persons whom it doth or may Concerne that wee have no ale house or vittelling house in my libertey wee have kept watch and ward our stockes and pounds are in Repare our high wayes are in Repare so that all is well to the best of my knowledg Edward browne tithingman "

¹ Sir John Cutler was a man of some note (cf. *Dictionary of National Biography*). "Though generous, he practiced small economies. It is said that, not permitting himself to buy silk stockings, he employed his maid in darning his worsted ones with silk thread till such darning covered the whole woollen surface." The Lady Ivie's Trial in *State Trials*, edited by Sir John C. Fox.

- iv. Fulbrook.
 "We present Mr. Ri Jorden (*as before*)
 Thos Applegath const
 Gilb : Ironside vicechancellor"
- v. Upton and Signet.
 "We have nothing to present at this time according
 to the 17 Articles only we present Thomas Flecher
 living within our Liberty for Diging Apite in our
 Common and not Filling it up Againe ; being very
 dayneros (*sic*) for our Cattell."
- vi. Sandford.
 "Noe Disorderly Persons or Breakers of the Peace
 and all things Else are in Good and Quiet Order as
 to my knowledge."
- vii. Piddington.
 "Hues and Cries I have duely issued w^{ch} came to my
 hands w^{thin} my s^d Libertie."
- viii. Lew.
 Stocks, whipping post and highways in good repair ;
 poor provided for.
 "George Bartlett "
- ix. Constables presented for not making their returns—
 Sandford Wheatley Toot Baldon Marsh Baldon
 presented by Martin Bleay, Chief Constable of
 Bullingdon.

MISCELLANEOUS PETITIONS, CERTIFICATES, &C., TO QUARTER
SESSIONS.

- i. "October the first 1688—As it was ordered by this
 Court that Issues & processes against the Inhabi-
 tants of Brodwell in this county be stayed till this
 Sessions

These are to Certifie this honorable Bench that the
 mill Brooke belonging to Brodwell reaching from
 Brodwell mill to a meade called Hucks his high meade
 is well cleared and made firme for the water to passe
 current taken & viewed by us whose names are
 hearunder written.

Savile Bradley vicar of Langford
 Will Bush de eadem

Super sacramentum Martini Turner."

Noted—allocatum et exonerati.

- ii. A certificate, in similar form and in the same hand,
 "that the mill Brooke called Broad shore belonging to
 Nether Filkins is well cleared."

(Signed by the same as i.)

Noted—Thomas Bolt Juratus.

- iii. Certificate that the highway in Hampton Gay leading
 from Islip road to Gossard bridge is well repaired

Edm^d Goodere

Ri : Kilbye

- iv. Certificate that Bacon Lane, in Newnham Merren,
 leading from Northstoke to Wallingford, is well
 repaired.

Thomas Leaver.

Noted—Juratum in curia exonerati.

- v. Two papers from Sir Timothy Tyrrell :

"Shott^r Oct 1

Mr Steephens

This bearer William Robinson tho hee had noe
 orders hath worked severall dayes at Shottover
 hill in reparinge and fillinge of holes and opening
 the Trenches for the water to pass I have seen it
 and thinke that it is butt reasonable thatt hee should
 be payed for his paynes it beinge noe great matter
 that hee demanded if Sir John Curson be at the
 Bench hee hath seene it as well as myselfe. I am
 not able to bee there myselfe beeing not well rigt

Your Servant

Tim : Tyrrell

Barkeinge hath an inditement from mee which
 I pray you put into the Grand Jury."

Noted—Referred to examine & to report next
 Sheshions by Sir J. Curson & Mr. Wickham.

"Mr Stevens

I present on view a Plaine highway lying in a
 certaine place called by the name of Rofford in the
 parish of Chalgrove in the county of Oxon as much
 in decay and out of repaire. The place presented
 is called by the name of Rofford Lane viz^t from a
 certaine place called Rofford Bridge or Rofford ford
 next to Little Milton field and so all along Rofford
 Lane to the end thereof going into Chalgrove field
 aforesaid.

Witness my hand the first day of October Anno Dmi
 1688.

Tim Tyrrell

Joseph Fruin

... Fruin

Wid. Wotton

there is one more

that I doe not know."

vi. "To the Right Worshipfull the Judge & Justisses of Peace att Guild Hall Oxon.

The Humble Petition of Mildred West a Prisnir att Oxford Castle.

Most Humbly sheweth that yo^r Afflicted Petition^r is Cast into prison by her oane Sun & his wife and Crimes Layed Against her of which shee is not guilty of the least part and hath given Account before his worship Justis Goodyer and can prove by Evidence her busines and wheare she was at the same time this fact was Mallistiously layed against her her Sun beat her and shee bound him oaver to Answer itt att this Sessions

May itt therefore please yo^r Worships to take it into yo^r Pious Consideration & Call her to triall and yo^r pooar Petition^r as in duty bound shall ever pray."

Noted—exonerata.

DEPOSITIONS AND INFORMATION.

Examination of Martha Kerk, alias Blodworth, to the effect that on Friday after Michaelmas 1685 she went to Wallingford and stayed there 5 months as a servant in the house of M^r Stoner Crouch, lawyer, and three weeks before lady day 1686 went to Drayton and lived in the house of her brother William Kerke a tailor and has no certain settlement in any other place.

Endorsed, as true, before Mr. Wickham, June 30th 1688 (*but not signed by him.*)

RECOGNISANCES.

- i. Unton Bullen of Greate Barvard in £40, before Thomas Roe, to appear to answer complaint of Andrew Stephenson for overcharging the parish in his accounts.

Noted—non comparuit extretum et certificatum in Scaccarium.

- ii. Jeremia Luckett of Hooknorton, agricola, in £20 and Richard Westcott of the same, yeoman, in £10,

- vii. William Buck of Newnham Courtney, labourer, for breaking the close of Sir John Robinson Bart on 20th July 1688, and assaulting Thomas Goswell, servant of John Robinson, and taking away a bundle of brushwood (subbosci) worth 2s. of the goods of John Robinson.

Noted—billa vera placitum pardonacionis.

- viii. Roger Box of Chadlington, agricola, for breaking into the house of one George Hall, at Deane in the parish of Spelsbury on 5th August 1688.

Noted—Billa vera placitum pardonacionis exoneratus.

- ix. Thomas Couling of Deane, malster, on the same charge, on 6th August 1688.

Noted—Ignoramus placitum pardonacionis exoneratus.

- x. John Margetts of Deane, labourer, Mary his wife, Thomas Colinge of Deane, yeoman, for breaking into the messuage of George Hall and expelling him from it by force, on 31st July 1688.

Noted—Billa vera omnes ponunt se in gratiam curiae Finis Johannis Margett (*blank*) Finis Marie uxoris (*blank*) Finis Thomas Collinge (*blank*)

Noted also, in different ink, placitum pardonacionis exonerati.

(*With the above*) Warrant dated 7th August 1688¹

“Whereas upon Complainte . . . I did this present day go to the dwelling house of the said George Hall in Deane afores^d and there did find” John Margetts and Mary his wife “forcibly and with strong hand holding the s^d house against the Peace of our said Sovereigne Lord the King”, the constables and Tithingmen of Deane in the parish of Spelsbury are to arrest them and carry them to gaol.

The Keeper of the Oxford Gaol is “there safely to keepe them untill they shall make their Fines to Our said Sov^{rn} Lord the King for their s^d Trespasse & shallbe thence delivered by due Order of Law . . .

Edm Goodere ”

¹ Note date of this Warrant. The Margetts had apparently held the house for a week.

TRANSPORTATION PAPERS.

"To the Keeper of his Maties Goale for the County of Oxon Whereas John Carter remains in your Custody for Transportacon as alsoe W^m White & W^m White (*sic*) & Thomas Webster & being to be transported by their one Consent It is ordered that you deliver them into the Custody of John Langborne Keeper of his Maties Goale for the County of Glouc^r who hath undertaken safely to transpor (*sic*) them accordingly And for your soe doeing this shall be your warr^t

Dated at Worcester this 15 day of August 1688
per me Sam : Floyer Cler Assiz
Com p."

"Mr Justice Goodyer

It is thought fitt that the County of Oxon be att the charge of conveying them to Glouc^r or make some convenient allowance therefore to M^r Langborne for taking them away

p Cur Sam^{ll} Floyer "

(*The following is in the writing of the Oxfordshire Clerk of the Peace*)

"referred to Mr Deane of Christchurch and Mr Wright to examine the Charge & allow it to be paid by the Ter of the North division of this County "

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*The Castle*)
AT OXFORD (2nd October 1688)

Mildred West, wife to W ^m West	Charged w th the suspition of Breaking open the dwelling house of Rob ^t West & for the Felonious takeing thence some money and goods &c.
--	--

Committed by Edm Goodere Esqr "

*Noted—Exonerata ex assensu.*¹

GRAND JURY PRESENTMENTS.

"Octob the 2 : 1688

Presentm^{ts} presented by the gran (*sic*) jury at the Quarter SSions held then for the County of Oxford as followeth
Imp: wee present the Towne of Tiddington for not repairing the highway leading towards Friceford (?) bridge from the sign of the three goates heads so far as their liberty goes that way.

¹ See Petition vi, p. 87.

It. we p^rsent Mungewell Bridge on the way leading to Wallingford not being in repaire and the lane thereto adjoyning and we p^rsent Richard Pococke for not reparing the same."

Tho : Berry	John Allen
Tho : Carter	Charles Withington
Francis Clements	Giles Ibell
Robt Pargeter	Richard Lord
Phil Ordway	John Bruce
Richard Wilder	John Wiggins
Thomas Blackall	John Franklin
Martin Bourn	John Burgess
Ralph Sims	John Ludd
William Darby	John Howell
Christo : Sheeres	
Tho : Treadwell	
Will : Welicome	
Henry Francklyn	
John Bucknell	
James Madey	

LISTS OF CHIEF CONSTABLES AND BAILIFFS OF HUNDREDS.

William Joyner	}	Chadlington
Humphrey Cox		
William Sperrin	}	Bampton
Edward Cozens		
ex rotulis procuratorem per ordinacionem curiæ		
Robert Lord	}	Wootton
Henry Clanfield		
Thomas Key	}	Banbury
Richard Workehouse		
William Hopkins	}	Bloxham
Richard Wise		
Edward Cooke	}	Thame
William Astrey		
ex rotulis procuratorem per ordinacionem curiæ.		
John Mobley	}	Poughley
Robert Pryor		
John Baker	}	Dorchester
John Keene		

Richard White	}	Bullington
Martin Blea		
Nicholas Malham	}	Ewelme
Ralph Luce		
John Yate	}	Pirton
John Hayborne		
Roger Foster	}	Binfield
Edward Wheeler		
William Burley	}	Langtree
Thomas Leaver		
Richard Dutton		ex rotulis procuratorem
John Chitts		Lewkner

*(Bailiffs are as at Epiphany Sessions, except that a Christopher Johnson is now joined with Robert Haynes as Bailiffs of Pirton, Lewkner, Ewelme, Langtree and Binfield.
The Witney Bailiffs are changed, but the new names are illegible, the document being injured by damp.)*

GRAND JURY PANELS.

Bullington	{	Thomas Carter of Albury	generosus	Juratus
		John Burges of Garsington		Juratus
Thame	{	Nicholas Cooke of Thame		—
		Charles Withington of Milton parva		Juratus
Chadlington	{	Francis Clements of Radford,		
		generosus		Juratus
		John Allen of Kingham	generosus	Juratus
		Thomas Bury of Chippingnorton,		
Bampton	{	generosus		Juratus
		William Wellicome of Aston		Juratus
		Richard Lord of Clay Weale		Juratus
		John Bucknell of Aston		Juratus
Wootton	{	Edward Maynard of Dedington		—
		Philip Ordway of Dedington		Juratus
		John Ladd of Over Norton		Juratus
		John Howell of Wolvercote		Juratus
Banbury & Bloxham	{	Robert Pargiter of Tadmarton,		
		generosus		Juratus
		John Fardon of North Newton		—
Dorchester	{	Thomas Tredwell of Swartcliffe		Juratus
		Richard Wilder of South Stoke		Juratus
		William Cox of Chislehampton		—

Poughley	Martin Bourne of Lanton	Juratus
	Egidius Ibill of Fritwell	Juratus
	Christopher Sheeres of Otmore	Juratus
Chiltern	John Wiggins of Chalgrove	generosus Juratus
	Thomas Blackhall of Wyfield Court,	generosus Juratus
	John Franklin of Clare	generosus Juratus
	William Darby of Harpsden	generosus Juratus
	Ralph Syms of Chalgrove	generosus Juratus
Burford (sic) —	
	James Madey of Burford	generosus Juratus
Witney	Henry Franklin of Witney	generosus Juratus
	John Bruce of the same	generosus Juratus

1689.

In regard to EPIPHANY SESSIONS and EASTER SESSIONS of this year see what is said on p. 6.

TRINITY SESSIONS, 1689.

CONSTABLES' PRESENTMENTS.

- i. Bicester (Markett End)

"I Re turn Agusten west of bister for kepen acomen Ale house without Licens the Richard Churchell and the John Garatt for the Like all of bister
Richard Smith const "
- ii. Burford. The return of Wm Gowain & Hercules Hastings const

(The first page contains a long list of names, but, as a corner is torn off, at the top of the list, it is impossible to say for what these persons were presented. On the second page is the following :—)

"The names of those that sell ale without License
Daniel Payton
Elizabeth Smith widow
Joane Newberry
Jo : Humfries
Jo Linsey
Jo Bury
Robt Spurrett
Joseph Bauchamp
Simon Partridge."

iii. Fulbrook.

" . . . hue And Crey have bin diligentley sent."
 Richard Jordan presented again for taking a horse
 pool out of the highway. "Nothing else to p^rsent
 Concerning the senntene Articlels "(sic)
 "Johen Haris constable."

MISCELLANEOUS PETITIONS, CERTIFICATES, &C., TO QUARTER
 SESSIONS.

i. "July the 20 1689.

An exact Account of the Repaires of the Arch lately broken down in Marlin Bridg estimated by W ^m Robinson & Robert Robinson Masons			
For Ridding and Cleansing the River	2	0	0
For two hundred & fiftie Foot of free stone with the carridg at four pence the Foot	4	3	4
For ten q ^r ter of Lime at six shillings & 8 pence the q ^r ter	3	6	8
For 30 Loade of Grevell	1	10	0
For the Centur Boards and nails and Carpenters Work	3	10	0
For trespassing the neighbours ground	15	0	
For ten Load of Pibbles at five shillings & four pence the Loade	2	13	4
For Four weeks work for four masons at ten shillings a week a man	8	0	0
For 3 Labourers at seven shillings a week a man for 3 weeks	3	3	0
For one weeks work of a Labourer	7	0	
Total	29	8	4

Wee whose names are underwritten by the advice of
 workmen have vewed & beseen the Charges of
 repairinge the Arch in Magdalen bridge lately brokin
 downe may cost about twenty nine pounds eight
 shillings by the particulars above expressed witnes
 our hands the 19th day of July 1689.

Gilb Ironside
 Edw. Master "

Noted.—Order for Robinsons to repaire & to be paid
 by the Treasurer of this County.

- ii. " We whose names are hereunto subscribed (Inhabitants of Burford in the County of Oxford and of Upton and Signett in the parish of Burford aforesaid) doe hereby certify that whereas Thomas Fletcher of our said parish was and stands Indicted at the Generall Quarter Session of the peace for the County aforesaid for a pit or quarr in his Garden That the said pitt is filled up and that the hedge or mound of his garden is in good and sufficient repaire and that there is no dainger of horse or man. Witness our hands this Six and twentieth day of December Anno Reg^l Jacobi secundi quarto Annoque Domini 1689.

John Thorpe vicar

Robert Tayler	Mr Robart Aston	Thomas Silvester
Paul Silvester	John Haynes	John Caste (<i>sic</i>)
William Hunt	Dan : Morse	Chr Kempster
Stephen Yate	Rich ^d George	William Swait
Timothy Collier	John Winsmore	Thomas Yate
John Fletcher		The mark of
Sam ^l Wiat		John Hinton
(His mark)		Constable
Will Taylor		
Rich Smith		
John Mathewes		
Thomas Parsones		

Will Goram (*sic*)

Hercules Hastings "

Noted—Comparuit et exoneratus

Finis xij^d

- iii. " Upon the petition of William Robinson who hath worked sev^{all} dayes at Shottover hill in this County in repairing the highways there and filling up holes and opening of trenches which ought to be repaired by this County It is ordered by the Cort that the examination of the same bee referred to S^r John Curson Barr & John Wickham Esqr two of his Maties Justices of the peace of this County who are desired to examine the same and what hee hath deserved for the same and make report thereof next Sessions

p Cur Stevens "

- iv. Petition of John Lane, James Harrisson, Frances Worley widow, Richard Johnson and William Usher,

innholders and victuallers of the town of Henley, signed also by Richard Frost, Warden of Henley, for an order to the constables of Henley to make a rate to reimburse them for moneys spent on firing and candles for "Gaurds of horse and dragoones" quartered in the town by order of the Earl of Dumbarton 3rd December 1688 "Lieftinant Generall of the forces of the late King James the second."

Noted—Referred to the Warden & Sir Ed Warcupp & Mr. Stone or any two of them to examine and allow what they finde cause.

Attached to this petition is a Warrant signed "Dumbarton" "from Redding 3rd Dec 1688," directed to "The Warden, Constable or Chief Magistrate of the town of Henley upon Thames", requiring him to furnish "fire and Candles for the Guards in the town of Henley upon Thames & to deliver it out to the officer Commanding in Chief of his Maties forces quartering there, or to such as he shall order or appoynt."

- v. Petition from the Minister and inhabitants of Caversham for leave to beg alms on account of "a sad lamentable conteagious fire" in the house of Thomas Hide "Maulster w^{ch} fire consumed & burnt downe his dwelling house Shopp and Maulthouse and the dwelling houses of two others of his Neighbours namely Mary Ilsley Widow & John Symons" with stores of malt, meal and grain and household goods to the value of £550 and upwards "as hath been valued by judicious workmen & others . . ." 27th May 1689. Signed by

James Flexney, curate of Caversham	
Edward Crockford	} overseers
W ^m Galland	
Giles Grgory (<i>sic</i>)	} Cuntestable (<i>sic</i>)
Thomas Stampe	
Edward Fruen	
Roger Foster	
John Justice	

Petition also from Thomas Hyde, Mary Ilsley, and John Symonds.

" . . . Yo^r Peti^con^{rs} therefore humbly pray that this Court will be pleased to certify & recommend their deplorable Condition to the Right hono^{ble} the Lords

Com^{rs} of of (*sic*) the Great Seal of England to the intent yo^r Peticon^{rs} may have their Mat^{ies} most gracious Letters patente to sollicit and gather the charitable benevolences of well disposed persons in such Countyes & places as their Mat^{ies} shall thinke fitt towards your Peticon^{rs} loss^e ”

Noted—Super sacramentum Roger Foster Edward Crockford Certificate to L^{ds} Com^{rs}

- vi. Order of the Michaelmas Quarter Sessions 1688 to Sir Littleton Osbaldiston and Sir Edmund Goodere to enquire into a complaint by “ Wm. Godfrey gent impropiator of tithes of Holwell ” that he is “ over-rated to Church and poor for 5 yard lands which are now laid down, being taxed at same rate as when it was ploughed.” They are to call evidence to settle the difference and also to examine how the privy tithes rented by Mr Trinder of the Vicar there are rated as Wm Godfrey says they are not rated.

On the back of this is a notice, signed by Osbaldiston and Goodere, that they would hold an enquiry at the White Hart at Chipping Norton on Wednesday the 2nd January next, and summoning the Churchwardens and overseers of Holwell to appear then “ to make their Defence.” 12th Day of December 1688.

There is, also, the following :

“ Com. Oxon. In pursuance of an Order of the Generall Quarter Sessions of the peace held for the County of Oxon next after the Feast of St Michael last past made for the settlem^t of the Taxes for the relieffe of the poore of Holwell in the said County wee have summoned the Churchwardens and overseers of the poore and other persons concerned therein to appeare before us And upon a full heareing of all partyes and what could be alledged on either side doe find that Mr. Godfrey the Impropiator of the Tythes there has no other Tythe but of Corne and Hay And that Mr. Charles Trinder being owner of all the Land in Holwell aforesaid¹ (except one yard Land in Mr Godfreys possession which belongs to the said Impropiation) has layd down all his arrable Land

¹ This seems to be an interesting early case of the disappearance of the small landholder. Practically the whole of the arable land of the parish was in a single ownership and had been laid down to pasture. The figures given of the consequent decline in value are interesting also.

for sheep pasture By reason whereof the Impropriation which was before worth Forty pounds per annum is not now worth Forty shillings And that the said Impropriation is still taxed after the rate of five yard Lands And we doe further find that the privy Tythes Rented by Mr Trinder of the Vicar of the Townshipp of Holwell was not taxed in the last rate made for the relieffe of the poore All which we humbly certify to this Honourable Court Dated under our hands the second day of January Anno regni Regis Jacobi secundi nunc Angliae &c. Annoque Domini 1688.

Littleton Osbaldiston

Edm^d Goodere ” . .

Noted—at a yard land and 40s a third part of a land.

- vii. “ Com Oxon Whereas Comp^{tt} hath beene made unto us whose names are hereunto subscribed twoe of his Mat^{ties} Justices of the peace for the s^d County That Thomas Evans als Ivy late of Coggs in the s^d County is lately departed from Coggs af^d & come into the parish of Southly with an Intent there to settle and that he is likely to become chargeable thereunto Wee therefore Upon the heareing of the partys on both sydes doe think fitt to referr the determination thereof to his Mat^{ties} Justices of the peace at the next generall Quarter Sessions holden for the s^d County of Oxon and that in the meane time the continuance of the s^d Thomas Evans als Ivy at Southly af^d bee without prejudice to the parish Given under our hands & seales this 12 day of December . . . 1688.”

Noted—Referred to the two next Justices to examine and remove as they shall see cause.

DEPOSITIONS AND INFORMATION.

- i. By Mary Pencock of Barrington Berks, singlewoman, before Sir Littleton Osbaldiston, 29th March 1688, that William Cindrey, of Grafton, Oxon, yeoman, was father of her child about to be born.
- ii. By Margaret Thornton of Foresthill, before Sir Timothy Tyrrell, 27th October 1688, against either John Sandford or Thomas Crouch, both of them servants to Thomas Heell of Foresthill, for the paternity of her child.
- iii. By Angel Pope of Milton, singlewoman, before Sir

Littleton Osbaldiston, 21st Jan 1688-9, against William Hughes of Milton, who "is the only ffather of" her child.

Noted—Adjudged Hughes the reputed father & to provide for the child nisi causa.

- iv. "An information against three sturdy vagabond Rouges made by Robert Hunson of Peppard in the County of Oxon that upon the eight of Aprill one Thousand six hundred eighty nine the saide three Rouges pretended themselves to be outlandish men and that they had a Certificate to pass by and to aske releife which the said Robert Hunson refuseing to give them the said Rouges made to him and strucke at him and had knocked the said Robert Hunson downe had not his man come in and Rescued him from the said Rouges This I Robert Hunson have made soothe"

(*In a different writing*) "April the 8th 1689

Ralph Dickers

Rich^d Lea & John Lea
of Hywhorth."

- v. "Com. Oxon. The Examination of Edward Heyes of Dublyn in the Kingdom of Ireland Apothecary taken this 14th of December 1688 before me S^r Edmond Warcupp one of the Justices of Peace in this County. Who saith that hee had a browne perywigg now found about him of one Phillip Mudd yesterday at Mr Farmers house where hee tooke the said Perrywigg with another out of the said house and he saith that the said Lugg (*sic*) tooke two little baggs of mony and one bay guelding which belonged to Mr Farmers Steward and this Ex^t saith that he himselfe tooke there one white nagge abt thirteene hands high which belonged to Mr Farmer and hee saith that he went to Brill according to my Lord Lovelace his passe now produced, & from there went to Mr Farmers with the said Mudd & George Robinson hearing he was a Papist, but had noe warrant or authority soe to doe

Edward Hayes

The examinacon of George Robinson taken as before who saith that he was an officer of the Hearth mony ("*Excise*" is scratched out) & came from London to serve the Prince, & did serve under my Lord Lovelace, & had his Lo^{pps} passe to goe to Brill, & on occasion of noyse of bad people being abroad, he with Mudd

& Hayes joyned the people, and these two with this Ex^t went to Mr. Farmers being a papists house, and tooke away two little horses, two fowleing pieces and two saddles and nothing els to his knowledge

George Robertson (*sic*)

The examinacon of Philip Mudd

Who saith, that he went with Mr Hayes & Mr Robinson (*sic*) and Edward Wootton to Mr. Farmers house a reputed papist, and there seized two little horses two guns one paire of boottes two bags of mony wherein were ab^t 50 shillings two perrywiggs, and this ex^t confesseth that they pretended to be the Princes men and confesseth that what he did was for want of mony And further sayeth not

Phillip Mudd

The information of William Conquest steward to Mr Farmer of Ducmore taken upon Oath this 14 day of October 1688.

Who sayth, that three persons unknowne came yesterday to Mr Farmers house, pretending to come from the Prince to search for Armes upon which this inform^t let them see all the roomes and the Armes, and he saith that Edward Hayes one of the three followed this inform^t with a naked sword in his hand, swearing that if he found any more Armes & mony than what he confest they would make an example of this dep^t: And he saith that they swore they were sure there was mony in the house, and he saith that one George Robinson now produced was one of the three and helped to take away three birdeing pieces two bags of mony, how much this dep^t cannot at present depose, two horses and one saddle, two perrywiggs & 2 or 3 paire of bootts and further sayeth not.

Will Conquest

Recognicio in Centum libris to prosecute & give Evidence at the next Quarter Sessions at Oxford ag^t George Robinson Edward Hayes & Phillip Mudd.

The examinacon of Edward Wootton

Who saith he is an attendant ("*servant to*" *scratched out*) on Mr Hayes, and was with him and Mr Robinson and Mr Mudd at Mr Farmers house, and thence they tooke two horses two paire of boottes & one saddle, and this ex^t did putt on one of the pare of boottes, but

being told they were a Protestants boottes this Ext
suffered them to be taken off again."

the mark of Edward Wooton (*sic*)

RECOGNISANCES.

- i. "4 Decemb 1688. Georgius Slaughter de Bourton in
coun Bucks Gen in 200^{li}

Condiconed that he will appear at the next Generall
Quarter Sessions of the Peace to be held at Oxford
for the County of Oxon then and there to answere
all such matters as shalbe objeted agst him as being a
Papist and suspected Priest and in the meane time
shalbe of the good behaviour

two perrywigs and thirty one shillings and nine pence
delivered to Mr Thorpe (*sic*)

Robt Thorp."

(*The above Recognisance is on the same double sheet of
foolscap with the Examinations of Hayes, Robinson,
Mudd and Wootton and the Information of Conquest.*)

- ii. James Thacker of Standlake, tailor, in £40. Before
Sir Littleton Osbaldiston, 10th November 1688, to
answer at Quarter Sessions for forging the signature
of a Justice of the Peace to two warrants against
W^m Addams and others

Noted—non comparuit extretum

(*With this Recognisance are the two forged warrants.*)

- (a) Warrant professing to be issued by Littleton
Osbaldiston at Woodstock, 25th October 1688,
for the arrest of William Adams of Standlake,
shoemaker, for carrying an unlawful weapon.
- (b) Warrant professing to be issued by the same at the
same place and date. Upon complaint by
James Thacker of Standlake of loss of goods out
of his house, to search the premises of Elizabeth
Huckwell widow, & Thomas Townsend of
Standlake, for Mary Thacker daughter of James
Thacker & for all such goods as James Thacker
shall give notice of, & to arrest and bring up
Elizabeth Huckwell, Elizabeth Townsend the
wife of Thomas Townsend, Sarah Huckwell,
daughter of the said Elizabeth, and Mary
Thacker; "to make dilligent search within &

without the house & houses orchards gardens
backsides trunckes Chests Coffers boxes or any
other suspected places "

- iii. John Swaine of Chinnor, labourer, in £40, before Carleton Stone, 25th Jan " Anno Regni Jacobi secundi nuper Regis quarto "¹, for intruding himself into Chinnor when he was last settled in Pirton parish.

Noted—comparuit decessit sine licencia.

(On the same sheet.)

- iv. Thomas Trow of Southstoke, labourer, in £20, 31 Jan 1689, " for the same fault."

Noted—non comparuit extretum.

- v. Simon Hawkins of Abingdon, gentleman, Richard Atherton of Abingdon, butcher, Humphrey Duffin of Abingdon, yeoman, jointly and separately in £10, before Sir Timothy Tyrrell, 1st Jan 1689, to appear at Sessions to answer a charge that whereas they all had considerable estates in Culham they refused to pay their rates for the poor on the injunction of Henry Butler and Francis Barnes overseers of the poor.

Noted—non comparuerunt extreta.

- vi. William Powell (? Bowell) of Curbridge, husbandman, and Edward Jeeve of Curbridge, tailor, mainpernors for Henry Wicks of Curbridge, gardener, in £20 each and Wicks himself in £40, before Sir Littleton Osbaldeston, 1st Dec. 1688, for the appearance of Wicks at Quarter Sessions, on a charge of " the unlawful takeing and carrying away several Tulip-roots² and other things out of the garden of the Right Hon^{ble} the lord Viscount Wenman "

Noted—non comparuit extretum.

- vii. Benedict Taylor of Witney clothworker, and Henry Titcombe of Witney husbandman, mainpernors for Bridgett Tanner of " Duckleton " spinster, in £40, before Sir Littleton Osbaldeston, 27th Oct 1688, for the appearance of Bridgett Tanner at Quarter Sessions, on a charge of unlawfully milking the cows of John Brooks, in the night time, and entering his premises.

Noted—non comparuit extretum.

¹ The " nuper " in this date is interesting. No one of the other Justices so far committed himself at so early a stage.

² Is this an echo of the costly tulip craze of the Restoration period ?

- viii. The same two mainpernors for Jane Tanner, on the same date, for the same sum, on a similar charge.
Noted—non comparuit extretum.
- ix. Anne Sindrey of Grafton widow and Thomas Sindrey of Grafton yeoman, for William Sindrey in £20 each, and William Sindrey himself in £40, before Sir Littleton Osbaldiston, 4th April 1689, for the appearance of William Sindrey at Quarter Sessions to answer a bastardy charge by Mary Pencock.
(Nothing noted.)
- x. Thomas May of Milton, yeoman, mainpernor for William Hughes of Milton, labourer, in £20, and Hughes himself in £40, before Sir Littleton Osbaldiston, 22nd April 1689, for the appearance of William Hughes at Quarter Sessions, to answer a bastardy charge by Angel Pope.
Noted—comparuit.
- xi. George Robinson, gentleman, Edward Hase, "Pharmacopola", Phil: Mudd, gentleman, Edward Wotton, "Pictor", also John Jenny and John Cotes of Oxford, severally in £20, before Gilbert Ironside, 9th Feb 1689, for the appearance of Robinson, Hase, Mudd and Wotton at Quarter Sessions. *(The charge is not here stated ; but see the Depositions above.)*
Noted—non comparuit Respited to Epiphany Sessions.
- xii. William Bean, butcher, George Rogers, agricola, William Ives, and Robert Giffie, in £40 each, before Gilbert Ironside, 6th April 1689, for the appearance of William Bean and George Rogers at Quarter Sessions. *(The charge is not stated.)*
Noted—Respited to next Sessions. And *Noted* again, *(in another writing)* respited to Epiphany Sessions.
- xiii. William Dumbleton of Swakley, Oxon, weaver, and John Hopkins of the same, before Gilbert Ironside, 12th Feb 1689, in £10 each, for the appearance at Quarter Sessions of Dumbleton, on a charge of "keeping ill orders in his house"
Noted—non comparuit. Respited to Epiphany Sessions.
- xiv. Richard Leaver of Thame, draper, Robert Hazlewood of Thame, gentleman, and Richard Cotton of Thame, butcher, in £10 each, before Sir Timothy Tyrrell, 25th

April 1689, for Richard Leaver to appear at Quarter Sessions and keep the peace towards John Burrasse of Thame, draper.

Noted—comparuit respited.

- xv. Simon Woodward of Watlington, "cordweyner", in £20, before Carleton Stone, 12th March 1689, to appear at Quarter Sessions on a charge of striking and threatening Elizabeth Burnham of Watlington.

Noted—comparuit et exoneratus.

- xvi. George Burroughs and John Burroughs of Thame, in £40, before Carleton Stone, 4th May 1689, to appear at Quarter Sessions on a charge of "malitiously villifyeing Richard Leaver of Thame Mercer," who is bound, the same day in £20, to prosecute.

Noted—Geo respited & Jo respited.

- xvii. Edward Berry of Caversham, gentleman, Charles Blunt, and Robert Delavall, in £20, before Carleton Stone, 6th May 1689, for Berry's appearance at Quarter Sessions on a charge of stealing a young sucking pig from Catherine Hill, who, the same day, was bound, in £20, to prosecute.

Noted—comparuit et exoneratus.

- xviii. Richard Wilmot of Lewknor, blacksmith, in £40, and Ralph Walton and William Scoles of Lewknor, yeomen, in £20 each, before Carleton Stone, 16th May 1689, for Wilmot's appearance at Quarter Sessions on a charge of threatening Tho Reynolds, of Aston Rowant, "clerke".

Noted—comparuit et exoneratus.

- xix. Gabriel Cox, "Staconarius Londinensis," in £20, before Gilbert Ironside, 4th Feb 1689, for the appearance of Gabriel Cox or Richard his son, Stationer in Covent Garden, to prosecute William Corless, Geo Rogers, Wm Bean, John Randall and John Blanford, committed for suspicion of felony.

Noted—Respited to the Assizes. (*Noted in another writing and ink.*) Certified to the Assizes.

LIST OF RECOGNISANCES.

Jane Tanner

1 non comparuit extretum in
Scaccarium

Bridgetta Tanner

3 non comparuit extretum

Henricus Wicks	}	4	non comparuit extretum		
Jacobus Thacker		5	non comparuit extretum		
Simon Hawkins		}	6	non comparuit extretum	
Ricardus Atherton			}	7	non comparuit respited to Epiphanie Sessions.
Humfridus Duffin					
Willelmus Dumbleton					
Georgius Robinson	}	}	8	non comparuit respited to Epiphanie Sessions	
generosus					
Edwardus Hayes					
Pharmacopola					
Philippus Mudd generosus	}	}	9	respited to next Sessions (<i>in another writing and ink</i> , respited to Epiphanie Sessions.)	
Edwardus Wootton Pictor					
Willelmus Beck (?)					
Georgius Rogers, agricola	}				
Johannes Burrowes	}	10	respited		
Georgius Burrowes		11	respited		
Ricardus Leaver		12	non comparuit extretum		
Thomas Trow		12 (<i>sic</i>)	comparuit decessit sine licencia		
Johannes Swaine					
Willelmus Sindrey		13	non comparuit extretum		
Willelmus Hughes		14	comparuit respited		
Maria Pencocke		13 (<i>sic</i>)	exonerata		
Angel Pope		14 (<i>sic</i>)	exonerata		
Margareta Thornton		15	exonerata		
Gabrielus Cox	}	}	16	ad respondendum	
Ricardus Cox					
(On back of list)					
" Recogn Trine Sessione 1689 respited & forfeited "					
(and, in another hand)					
" North Division William Farr elect Trer loco Johis Holloway Upon reading an order "					

INDICTMENTS.

- i. Thomas Salisbury of Headington, yeoman, owner of a plough land, for not presenting himself for service at road repairing or sending a wain or cart or tools.
Noted—billa vera ponit se (*sic*)

- ii. Richard Willmote of Lewknor, blacksmith, for assault on Thomas Reynolds, at Aston Rowant, 17th May 1689.
Noted—Ignoramus.
- iii. William Holland of Burford, tinman, for assault on Bridget Cook, spinster, at Burford, 20th March 1689.
Noted—Ignoramus.
- iv. Thomas Standerd junior of Charlbury, smith, for assault on Robert Yeoxon, at Charlbury on 5th November 1688.
Noted—Ignoramus.
- v. William Russell of Whateley, butcher, for assault on Richard Gomm, at Holton on 4th May 1689.
Noted—Ignoramus.
- vi. Samuel Henn of Launton, yeoman, for breaking the pound at Launton and taking out fifteen sheep belonging to him and assaulting William Humfrise of Launton, labourer, who had lawfully impounded the sheep, on 2nd March 1689.
*Noted—billa vera ponit se in gratiam curiæ Finis
iijs iiij^d solutum vicecomiti.*
- vii. John Lawrence senior of Thame, victualler, for assault at Thame on Michael Boram, 22nd May 1689.
*Noted—billa vera ponit se in gratiam curiæ Finis
vi^s viij^d*
- viii. Zacharias Hollyfield of Wickham, labourer, for poaching on Sir Robert Dashwood's land at Wickham, on April 1st 1689—"vi et armis viz baculis fustibus et aliis armis . . . & sexagintos cuniculos ipsius Roberti in eadem liberam Warrenam existentes sine licencia ipsius Roberti Dashwood Barronnetti adtunc et ibidem inventos saggitavit occidit et asportavit."
Noted—Ignoramus. ponit se non culpabilis.¹
- ix. Zacharias Hollyfeild of Wickham, labourer, and Michael Wrighte of Wickham, labourer, for poaching as above, on 2nd April 1689, "centum Cuniculos cum retibus canibus et venariis (vocatis ferrettis) adtunc et Ibidem inventis ceperunt occidunt et asportaverunt."
Noted—Ignoramus.
- x. Zacharias Hollyfeild of Wickham, labourer, 1st April 1689, at Wickham, for that he, not possessing land of

¹ On backs of Indictments Nos. i, ii, iii, v, vi, vii and viii is the additional note "In gm Cur."

£100 a year, "cum quondam tormentario Anglice a hand gun sagittavit"

Noted—billa vera. ponit se non culpabilis exonertus Sessione sequente.

CALENDAR OF PRISONERS IN THE COUNTY GAOL (*The Castle*)
AT OXFORD 28th MAY 1689.

"W^m Ashley

Charged with the fellow^s braking open the Chamb^r of Acton Brice Gent and stealing from thence seav^r goods w^{ch} he hath confessed etc

W^m Careless
John Randell and
John Blanford

Comitted By W^m Pudsey Esq^r
Charged wth the suspicion of Comitting of sever^{all} fellowneys
Com^d By Dr Ironside Vic Chan^c of Oxon.

(*After W^m Careless, the names of G. Rogers and W. Bean are entered and scratched through*)
Edw. Spencer

Charged for Threatening to set the Towne of Elsfeild on fier, etc.
Com^d By Dr Ironside Vic Chan^c Oxon.

Jo : Hill

Charged wth the Assaulting of Jo : Pitman upon the Highway and feloniously takeing from him one Grey Guelding with the Bridle & Saddle w^{ch} he hath Confessed.
Com^d By Sr Littleton Osbaldiston kt.

Ralph Dickers
Jo Lea and
Rich : Lea

Charged upon misdeme^r
Com^d by Rich Frost Warden of Henley

(*In the clerk's writing*) exonertata listed."

GRAND JURY PRESENTMENTS.

"Impr^{is} Wee present Thomas Davis of Watlington petty Chapman for A Comon Drunkard Swearer & Disturber of their Ma^{ts} peace And pray the Co^{rt} to Order a Warrant ag^t him that he may find suretyes for his behavio^r

Item Wee present William Wright of Witney for following the trade of a broad weaver to w^{ch} he hath not served an Apprenticeship for seaven years according to the Statute.

Wee present the High Way in Hampton Powell Feild leading from Gosford to Islip Cow pasture being the Roade to Bissester to be much out of Repaire And that the Inhabitants of Hampton Poyle ought to Repaire the same.

Wee present that the High Way In the parish of Bletchington leading from Stephen Pomfrets Post towards Weston On the Green is much out of Repaire And that the Inhabitants of Bletchinton as we are informed antiently Repaired the same

Francis Wansell Foreman."

GRAND JURY PANELS.

Chadlington	Franciscus Wansell of Sarsden, generosus	Juratus
	Thomas Dennet of Spelsbury, generosus	Juratus
Chilterne	Thomas Nash of Watlington, generosus	Juratus
	John Rice of Chynnor, generosus	Juratus
	Clement Kent of Goring, generosus	Juratus
	John White of Sydenham	—
Bullingdon	William Scoles of Lewkner	Juratus
	Richard Pokins of Denton, generosus	Juratus
	Bartholomew Price of Wheatley, generosus	Juratus
Dorchester	Thomas Sims of Chislehampton	Juratus
	Richard Applegarth of Dorchester	Juratus
Poughly	Thomas Lawrence of Calcott	Juratus
	William Fennemore of Bissiter	Juratus
	Robert Oakely of Bissiter, generosus	—
Thame	Stephen Kent of Thame	Juratus
	Thomas King of Morton	—
Banbury and Bloxham	Will ^m (<i>thus—"Will^m" in another ink and writing</i>)	—
	Soloman House of Bodicott	—
	John Rawlins of Aderbury	Juratus
	James Hill of Great Bourton	procuratorem

Bampton	{ Andrew Dolton of Curbridge	Juratus
	{ William Sindrey of Grafton ¹	procuratorem
	{ Edward Kerry of Ducklington	—
Wootton	{ William Davis of Little Tew	procuratorem
	{ Thomas French of South Newington	—
	{ Thomas King of Coggs	Juratus
	{ Henry Allen of Ensham	Juratus
Burford	{ Daniel Boles of Burford	procuratorem
	{ Thomas Aston of Burford	procuratorem
Witney	{ Joseph Skelton of Witney	Juratus
	{ Robert Collier of Witney	—
Finis defalcatorum x ^s		Fairmedow Pennyston
		Barronettus Vice-comes.

LISTS OF CHIEF CONSTABLES OF HUNDREDS.

John Heyborne	}	Pirton
John Yates		
Richard Sutton	}	Lewkner
John Chitts		
Nicholas Mallum	}	Ewelme
Ralph Lewis		
Edward Wheeler	}	Binfield
Roger Forrester		
Thomas Leaver	}	Langtree
William Burley		
John Baker	}	Dorchester
John Keene		
John Mottly	}	Poughley
Robert Pryor		
William Joyner	}	Chadlington
Humphrey Cox		
Merton Blay	}	Bullington
Richard White		
Edward Cock	}	Thame
William Astry		
John Holloway	}	Bampton
James Savory		

¹ It is curious that a man under recognisance should have been put on the Grand Jury. See Recognisances page 103, No. ix. No doubt this accounts for provision of a substitute for him.

Henry Clanfeild	}	Wootton
Robert Lawd		
Richard Humphrys	}	Banbury
Thomas Edwards		
William Hopkins (?)	}	Bloxham
Richard Wase		
Thomas Silvester	}	Burford
John Castle		
Peter Keates	}	Witney
John Purton		

LISTS OF BAILIFFS OF HUNDREDS.

Robert Haynes	Chiltern
Roger Bettrice	Dorchester
William Stevens	Poughley
Edward Hemming	Chadlington
William Juggins	Bullington
James Cowden	Thame
Henry Collingwood	Bampton
John Hanwell	Wootton
John Goodwin	Banbury & Bloxham
Fairmedow Penyston Barr Vice-comes	

(In this Sessions Bundle is another, unexplained, document.

It is a counterpart (not executed) of an Indenture of Lease, 4th Oct 1675, between Rachel Paul of the City of Oxford, widow, and James Sale of (place is illegible) Bucks, the lease being of arable land, or woodground known by the name of Pockelle Grove in Chepinge Wycombe, half grubbed and half "a springe of Wood," and also three acres of arable in the common field of Wycombe known as Pynions field, at a rent of £3 a year, for six years.

Also counterpart of the Lease from Mrs Paul to Mr Sale. Sealed.

Both these documents are endorsed "Sessio Sanctae Trinitatis Anno regnorum Willelmi et Mariae primo".)

TRANSCRIPT OF THE SESSIONS MINUTE BOOKS
FROM EASTER SESSIONS 1688 TO TRINITY
SESSIONS 1689

Pasche Anno quarto Jacobi secundi Regis

Com Oxon Sessio pacis Domini Regis Comitatus predicti tenta apud Oxoniam in Comitatu Oxoniensi pro eodem Comitatu diebus Martis et Mercurii scilicet vicesimo quarto et vicesimo quinto diebus Aprilis proxime post Clausum pasche

Anno Regni Domini Regis Jacobi secundi dei gratia Anglie Scotie Francie et Hibernie Regis fidei Defensoris etc quarto coram Willelmo Pudsey Armigero Gilberto Ironside Vicecancellario Universitatis Oxoniensis Johanne Curson Barronetto Edmundo Warcup milite Johanne Massey Decano Ecclesie Christi Oxoniensis Carleton Stone Armigero Ricardo Kilby Armigero Willelmo Wright seniore Armigero Littleton Osbaldeston Barronetto Edmund Goodyere Armigero Johanne Wickham Armigero Johanne Greenwood Armigero Et aliis sociis suis Custodibus pacis ac Justiciariis dicti Domini Regis ad pacem eiusdem Domini Regis infra Comitatum predictum conservandum necnon ad diversa felonias transgressiones et alia malefacta in eodem Comitatu perpetrata audienda et terminanda assignatis etc et Ricardo Stevens Armigero Clerico pacis Comitatus predicti ut sequitur (vizt)

pro bono gestu et	Comparuerunt et exoneratur	
comparuit et pro	Willelmus Ayres de Sherborne	x ^{li}
pace erga Tho :	yeoman	
Child et uxorem	Edwardus Ayres de eadem yeoman	
	m ¹	x ^{li}

Comparuit et exoneratur quia
maritatus eidem Marie

¹ This letter " m " written with a suspension mark seems to be used as an abbreviation for mainpernor.

pro bono gestu et comparuit pro bastardia super corpus Marie Child	Johannes Templer de Wootton Agricola Johannes Templer de eadem victualler Comparuit et ponit se super gratiam curie finis iii ^s iiiii ^d	xl ¹¹ xl ¹¹
pro bono gestu et ad prosequendum traverse	Willelmus Salisbury de Horspath yeoman Ricardus Carter de Civitate Oxoniensis Curryer m	xl ¹¹ xl ¹¹
pro bono gestu et comparuit et per forme order pro bastardia super corpus Bridgete Sarney	Henricus Davis de Bix yeoman Thomas Peryn de Rotherfeild Greys Blacksmith m	xl ¹¹ xl ¹¹
pro bono gestu et comparuit et pro bastardia super corpus eiusdem Diane	Diana Paulinge de Clanfeild vidua Willelmus Blagrove de eadem Agricola m	xl ¹¹ xl ¹¹
pro bono gestu et comparuit	Johannes Ody de Astcot in parochia de Shipton subter Whichwood	xl ¹¹
ad prosequendum traverse	Johannes Miles de Witney Labourer	xl ¹¹
pro bono gestu et comparuit	Willelmus Salisbury de Horspath Ricardus Carter de Civitate Oxoniensi curryer m	xl ¹¹ xl ¹¹
ad prosequendum traverse	Christopherus Lord de Brisenorton	xl ¹¹

(On the reverse of this folio is written the name Johannes Croney de Civitate Oxoniensi.)

Com Oxon Trinitatis Anno quarto Jacobi secundi Regis
Sessio pacis Domini Regis Comitatus predicti
tenta apud Oxoniam in Comitatu Oxoniensi pro
eodem Comitatu diebus Martis et Mercurii proximis
post festum Sancte Trinitatis scilicet duodecimo et
decimo tertio diebus Junii (*etc. as before*) coram
Edmundo Warcupp Milite Timitheo Tyrrell Milite
Carlton Stone Armigero Ricardo Kilbye Armigero
Waltero Mildmay Armigero Johanne Massey
Decano Ecclesie Christi Oxoniensis Willelmo

Wright Armigero Willemo Pudsey Armigero
 Littleton Osbaldeston Barronetto Johanne Curson
 Barronetto
 Et aliis (*etc. as before*)¹

pro bono gestu et comparuit et per-	Comparuit et Exoneratur	
forme order pro bas-	Henricus Davis de Bix yeoman	xl ¹¹
tardia super corpus	Thomas Peryn de Rotherfeild Greys	
Bridget Sarner	Blacksmith m	xl ¹¹
	Comparuit & renewed	
pro bono gestu et comparuit pro bas-	Diana Pawlinge de Clanfield vidua	xl ¹¹
tardia super corpus	Willelmus Blaggrave de eadem	
eiusdem Diane	Agricola m	xl ¹¹
	non Comparuit	
pro bono gestu et pro comparuit	Johannes Ody de Astcott in parochia	
	de Shipton subter Whichwood	xl ¹¹
	Comparuit et exoneratur	
pro bono gestu et comparuit	Willelmus Salisbury de Horspath	
	yeoman	xl ¹¹
	Ricardus Carter de Civitate Oxoni-	
	ensi Curryer m	xl ¹¹
	Comparuit et prosecutus traverse	
	et non culpabilis exoneratur	
ad prosequendum	Johannes Miles de Witney	
traverse hanc Ses-	Labourer	xl ¹¹
sione	remotum per Certiorari certificatum	
ad prosequendum	Christopherus Lord de Brisenorton	
traverse	pro Consil	xl ¹¹
ad prosequendum	Gregorius West senior de Watling-	
traverse proxima	ton	xl ¹¹
Sessione		
pro Consil	Ricardus Hester de Watlington	xl ¹¹
pro bono gestu et comparuit pro bas-	Diana Pawlinge de Clanfield vidua	xl ¹¹
tardia super corpus	Willelmus Blaggrave de eadem	
eiusdem Diane	Agricola	xl ¹¹

(*On the reverse of this folio is the entry*

respited

Willelmus Croney de Civitate Oxoniensi)

¹ It has not seemed necessary to transcribe the formal preamble for each Session.

	Michaelmas iiij ^{to} Jacobi Secundi.	
Com Oxon	Sessio pacis (<i>as before</i>)	
	. . . coram Edmundo Warcupp Milite Johanne	
	Curson Barronetto Ricardo Kilbye Armigero	
	Edmondo Goodyere Armigero Willelmo Wright	
	Seniore Armigero Johanne Wickham Armigero	
	Carleton Stone Armigero Johanne Massey Decano	
	Ecclesie Christi Oxoniensis Littleton Osbaldeston	
	Barronetto	
	respited	
ad prosequendum	Gregorius West senior de Watling-	
traverse	ton yeoman	xl ¹¹
	Comparuit relicta verificacione	
	ponit se in gratiam curie finis	
	vi ^s viii ^d exoneratus	
pro Consil	Ricardus Hester de Watlington	
	Agricola	xl ¹¹
	Comparuit et renewed	
pro bono gestu et	Diana Pawlinge de Clanfield vidua	xl ¹¹
comparuit pro bas-	Willelmus Blaggrave de eadem	
tardia super corpus	Agricola m	xl ¹¹
eiusdem Diane		
	Johannes Simcox de Soulderne in	
	Comitatu predicto Laborer	
pro bono gestu et	Diana Pawlinge de Clanfield vidua	xl ¹¹
comparuit	Willelmus Blaggrave de eadem	
	Agricola	xl ¹¹
	(<i>On the reverse of this folio are the following entries</i>)	
pro bono gestu et	Willelmus Stevens de Burcester	x ¹¹
comparuit		
pro bono gestu et	Thomas Payne de eadem	x ¹¹
comparuit		
ad prosequendum		
Sayer et alios ad	Willelmus Conquest de Tusmore	xx ⁸
Assisas		
	Eliz Myn at Fringford endeavors to settle there to	
	be removed to Brackley	
	Tho : Evans alias Ivy late of Coggs endeavors to	
	settle at Southley to be heard next Sesshins.	

Epiphanie iii^o Jacobi Secundi Anno Domini 1688.Com Oxon Sessio pacis . . . (*as before*)

. . . . coram Gilberto Ironside Vicecancellario
 Universitatis Oxoniensis Sacre Theologie Professore
 Edmundo Warcupp Milite Carleton Stone Armigero
 John Wickham Armigero
 Et adtunc et ibidem adjornata usque ad diem
 Veneris scilicet primum diem Marcii tunc proxime
 sequentis¹

relicta verificatione ponit se in
 gratiam curiae finis iii^s iii^d
 solutus vicecomiti exoneratus

ad prosequendum Gregorius West senior de Watling- xl^{li}
 traverse ton yeoman

pro bono gestu et Diana Pawlinge de Clanfield vidua xl^{li}
 comparuit Willelmus Blaggrave de eadem
 Agricola xl^{li}

pro bono gestu et Willelmus Stevens de Burcester xl^{li}
 comparuit

pro bono gestu et Thomas Payne de eadem xl^{li}
 comparuit

ad prosequendum

Ed : Hayes Geo :

Robinson Phil :

Mudd et Ed : Woot-

ton ad proximas

Assisas

Willelmus Conquest de Tusmore
 generosus xx^{li}

Trinitatis primo Willelmi et Marie Regis et Regine

Com Oxon Sessio pacis (*as before*)

. . . . coram Edmundo Warcupp Milite Edwardo
 Master Legum Professore Carlton Stone Armigero
 Roberto Perrott Armigero Henrico Allworth Legum
 Professore Johanne Domino Lovelace

Comparuit et exoneratur
 pro bono gestu et Diana Pawlinge de Clanfield vidua xl^{li}
 comparuit Willelmus Blaggrave de eadem

Agricola m xl^{li}

respited to next Sessions

pro bono gestu et Willelmus Stevens de Burcester xl^{li}
 comparuit respited to next Sessions

¹ See p. 6.

pro bono gestu et comparuit	Thomas Payne de eadem	xl ¹¹
ad prosequendum et dandum evidenciam versus Wm: Corles Geo: Rogers Wm: Bew Jo: Randall et Jo: Blandford ¹	Willelmus Stevens de Burcester	xx ¹¹
pro Consil ad Assisas	Johannes Finch de eadem	xx ¹¹
pro Consil ad Assisas	Henry Bowler de eadem	xx ¹¹
pro bono gestu et comparuit pro bastardia super corpus Alicie Deane	David Kely de Swincombe Laborer Willelmus Kely de parochia Remenham in Berks Laborer Elizabetha Barrett de Henley super Thamesin vidua	xl ¹¹ xx ¹¹ xx ¹¹
pro bono gestu et comparuit pro bastardia super corpus Margareta Thornton	Thomas Crouch de Forresthill Agricola Emanuel Crouch de Radley in Com Berks Emanuel Crouch de Remington in Com Berks	xl ¹¹ xx ¹¹ xx ¹¹
pro pace erga Thom Reynolds Clericum et comparuit	Ricardus Willmott de Lewknor yeoman Willelmus Scoles de eadem yeoman	xl ¹¹ xl ¹¹
pro bono gestu et comparuit	Elizabetha Plant de Forresthill spinster Emanuel Crouch de Remington in Com Berks m Thomas Crouch de Forresthill Laborer m	xl ¹¹ xx ¹¹ xx ¹¹
pro bono gestu et prosequendum traverse	Zacharias Hollifeild de Bodicott Laborer Matheus Ricot de eadem m	xl ¹¹ xl ¹¹

¹ See Recognisances No. xix, page 104. The names, written in a very cramped space in the Minute Book, are not easy to decipher; they differ in one or two cases from the names in the Recognisance above.

APPENDIX.

117

pro bono gestu et	Johannes Poole de Astcott yeoman	xl ^{li}
comparuit	Georgius Paisley de Leafield	
	yeoman	xxv ^{li}
	Timotheus Parish de Charlbury	
	yeoman	xxv ^{li}
	Willelmus Almond de Burcott	
	yeoman	xl ^{li}
<i>(On the reverse of this folio are the following entries.</i>		
pro pace erga Jo :	Johannes Gamon de Forresthill	
Hinto et comparuit	yeoman	xl ^{li}
	Tobias Peade de eadem yeoman m	xl ^{li})

LIST OF THE JUSTICES
WHO SAT AT OXFORDSHIRE QUARTER SESSIONS
FROM
1683 TO 1697.

(The names from Easter Session 1688 to Epiphany Session 1697 inclusive are from the so-called "Minute Books". The earlier names, from Michaelmas Session 1683 to Michaelmas Session 1687 inclusive, have, by great good fortune, been obtainable, because an Indictment in the bundle of 1688 happens to recite, upon a particular Cuddesdon Highway matter, the names of the Justices who have been sitting at each Session since Easter 1683.)

Michaelmas 1683.

coram	Georgio Chamberlaine	armigero
	Timothio Tyrrell	milite
	Johanne Lamphire	medicinæ doctore
	Johanne Lloyd	S.T.P. Vice-chancellor
	Willelmo Walter	barronetto
	Roberto Perrott	armigero
	Willelmo Pudsey	armigero
	Willelmo Bayley	armigero
	Thomas Wise	armigero
	John Gunn	armigero

Epiphany 1684.

coram	Jacobo comiti de Abingdon	
	Henrico Bertie	armigero
	Willelmo Pudsey	armigero
	Thomas Row	milite
	Johanne Lloyd	S.T.P. vice-chancellor
	Johanne Lamphire	medicinæ doctore
	Henrico Allsworth	legum doctore
	Willelmo Bayley	armigero
	Edmundo Warcupp	armigero
	Thomas Wise	armigero
	Humfrido Wikeham	armigero
	Johanne Gunn	armigero

Easter 1684.

coram	Willelmo Pudsey	armigero
	Timotheo Tyrrell	milite
	Edwardo Norreys	milite
	Henrico Allworth	legum doctore
	Johanne Lamphire	medicinæ doctore
	Littleton Osbaldeston	baronetto
	Roberto Perrott	armigero
	Willelmo Bayley	armigero
	Edmundo Warcupp	armigero
	Humfrido Wykeham	armigero

Trinity 1684.

coram	Roberto Jenkinson	baronetto
	Timotheo Tyrrell	milite
	Thoma Row	milite
	Johanne Stone	armigero
	Henrico Dunch	armigero

Michaelmas 1684.

coram	Littleton Osbaldiston	baronetto
	Timotheo Tyrrell	milite
	Edwardo Norreys	milite
	Henrico Beeston	legum doctore
	Willelmo Bayley	armigero

Epiphany 1685.

coram	Willelmo Pudsey	armigero
	Johanne Lamphire	
	(a hole in the document here)	
	— Norreys	milite
	Henrico Allworth	legum doctore

Easter 1685.

coram	Jacobo comiti de Abingdon	
	Henrico Bertie	armigero
	Georgio Chamberlaine	armigero
	Fairmedow Penyston	baronetto
	Ricardo Wenman	baronetto
	Edwardo Norreys	milite

Trinity 1685.

coram	Fairmedow Penyston	baronetto
	Willelmo Walter	baronetto
	Edwardo Read	baronetto
	Edwardo Norreys	milite
	Jacobo Perrott	armigero
	Willelmo Bayley	armigero
	Edmundo Goodyere	armigero
	Edwardo Master	legum doctore
	Henrico Allworth	legum doctore

Michaelmas 1685.

coram	Ricardo Holloway	milite	Justice of the Common Pleas.
	Henrico Bertie	armigero	
	Edwardo Norreys	milite	
	Timotheo Tyrrell	milite	
	Edmundo Warcupp	milite	
	Henrico Allworth	legum doctore	
	Edwardo Master	legum doctore	
	Henrico Dunch	armigero	

Epiphany 1686.

coram	Henrico Bertie	armigero
	Edwardo Norreys	milite
	Timotheo Tyrrell	milite
	Roberto Dashwood	milite
	Henrico Allworth	legum doctore
	Henrico Beeston	legum doctore
	Edwardo Master	legum doctore
	Johanne Stone	armigero

Easter 1686.

coram	Willelmo Pudsey	armigero
	Timotheo Tyrrell	milite
	Timotheo Halton	S.T.P. vice chancellor
	Littleton Osbaldeston	baronetto
	Thoma Clayton	milite
	Willelmo Bayley	armigero
	Johanne Stone	armigero
	Johanne Gunn	armigero

Trinity 1686.

coram	Timotheo Tyrrill	milite
	Edmundo Warcupp	milite
	Edwardo Norreys	milite
	Johanne Stone	armigero
	Henrico Beeston	legum doctore
	Edwardo Master	legum doctore
	Willelmo Bayley	armigero
	Roberto Perrott	armigero

Michaelmas 1686.

coram	Ricardo Holloway	milite	Justice of the Common Pleas
	Johanne Venn	S.T.P.	vicechancellor
	Johanne Doyley	baronetto	
	Edwardo Norreys		
	<i>(document again defective)</i>		

Epiphany 1687.

coram	Littleton Osbaldeston	baronetto
	Edwardo Norreys	milite
	Timotheo Tyrrill	milite
	Johanne Venn	
	<i>(document illegible between this name and the next)</i>	
	Edwardo Master	legum doctore
	Johanne Stone	armigero
	Willelmo Bayley	armigero
	Willelmo Pudsey	armigero

Easter 1687.

coram	Littleton Osbaldeston	baronetto
	Johanne Doyley	baronetto
	Edwardo Norreys	milite
	Thoma Clayton	
	<i>(again a small illegible patch)</i>	
	— Perrott	armigero
	Jacobo Perrott	armigero
	Johanne Stonor	armigero
	Henrico Allworth	legum doctore
	Henrico Beeston	legum doctore
	Edmundo Goodyere	armigero
	Waltero Mildmay	armigero

Trinity 1687.

coram	Johanne Doyley	baronetto
	Edwardo Norreys	milite
	Henrico Allworth	legum doctore
	Henrico Beeston	legum doctore
	Edwardo Master	legum doctore
	Johanne Venn	S.T.P. vicechancellor
	Johanne Stone	

Michaelmas 1687.

coram	Edmundo Warcupp	milite
	Johanne Curson	baronetto
	Henrico Browne	baronetto
	Edwardo Norreys	milite
	Johanne Stonor	armigero
	Johanne Stone	armigero
	Henrico Allworth	legum doctore
	Henrico Beeston	legum doctore
	Edwardo Master	legum doctore
	Willelmo Bayley	armigero
	Willelmo H	

(document illegible)

(Another memorandum concerning a highway indictment, in this same bundle, gives the lists for Trinity and Michaelmas Sessions 1687, adding the name of Sir Robert Dashwood to the List for Trinity ; and for Michaelmas, omits the name of Sir John Curson, but adds the names of John Doyley, Walter Mildmay, Edmund Goodyere and Sir Fairmedow Penyston.)

Epiphany 1688.

coram	Johanne Doyley	baronetto
	Edmundo Warcupp	milite
	Gilberto Ironside	vicechancellor
	Johanne Massey	decano Aedis Christi
	Henrico Allworth	legum doctore
	Henrico Beeston	legum doctore
	Edwardo Master	legum doctore
	Ricardo Farmer	armigero
	Ricardo Kilbye	armigero
	Willelmo Hildesley	armigero
	Johanne Gunn	armigero

Easter 1688.

coram	Willelmo Pudsey	clerico
	Gilberto Ironside	vicecancellario universi-
		tatis Oxoniensis
	Johanne Curson	barronetto
	Edmundo Warcupp	milite
	Johanne Massey	decano ecclesie Christi
		Oxon
	Carleton Stone	armigero
	Ricardo Kilby	armigero
	Willelmo Wright sen.	armigero
	Littleton Osbaldiston	barronetto
	Edwardo Goodyere	armigero
	Johanne Wickham	armigero
	Johanne Greenwood	esq ^{re}
	Ricardo Stevens, clerico	pacis.

Trinity 1688.

coram	Edmundo Warcupp	milite
	Timotheo Tyrrell	milite
	Carleton Stone	armigero
	Ricardo Kilby	armigero
	Waltero Mildmay	armigero
	Johanne Massey	decano ecclesie Christi
		Oxon
	Willelmo Wright	armigero
	Willelmo Pudsey	clerico
	Littleton Osbaldiston	barronetto
	Johanne Curson	barronetto
	Ricardo Stevens, clerico	pacis.

Michaelmas 1688.

coram	Edmundo Warcupp	milite
	Johanne Curson	barronetto
	Ricardo Kilby	armigero
	Edwardo Goodyere	armigero
	Willelmo Wright seniore	armigero
	Johanne Wickham	armigero
	Carleton Stone	armigero
	Johanne Massey	decano ecclesie Christi
		Oxon
	Littleton Osbaldiston	baronetto
	Ricardo Stevens, armigero	clerico pacis.

Epiphany 1689.

coram Gilberto Ironside

vicecancellario Univer-
sitatis Oxoniensis,
Sacre Theologie pro-
fessore

Edmundo Warcupp

milite

Carleton Stone

armigero

Johanne Wickham

armigero

Et adtunc per ibidem adjornata usque ad diem Veneris
scilicet primum diem Marcii tunc proxime sequentem.*Trinity 1689. (William and Mary.)*

coram Edmundo Warcupp

milite

Edwardo Master

legum doctore

Carleton Stone

armigero

Roberto Perrott

armigero

Henrico Allworth

legum doctore

Johanne Domino Lovelace

Michaelmas 1690.

coram Ricardo Powell

armigero

Roberto Perrott

armigero

Edwardo Norreys

milite

Roberto Jenkinson

barronetto

Ricardo Wenman

vicecomiti

Roberto Dashwood

barronetto

Edmundo Warcupp

milite

Rolando Lacey

milite

Humfrido Wykeham

armigero

Henrico Allworth

legum doctore

Henrico Hall

armigero

Roberto Sheppard

armigero

Timotheo Tyrill

milite

Johanne Stone

armigero

Johanne Doyley

barronetto

Thoma Carter

armigero

Francisco Clarke

armigero

Edwardo Master

legum doctore

Epiphany 1690.

coram Ricardo Powell

armigero

Roberto Barkham

barronetto

Edmundo Warcupp

milite

Humfrido Wykeham

armigero

Littleton Osbaldiston	barronetto
Henrico Allworth	legum doctore
Henrico Beeston	legum doctore
Edwardo Master	legum doctore
Thoma Carter	armigero
Francisco Clarke	armigero
Willelmo Pudsey	clerico
Roberto Sheppard	armigero
Thoma Wheate	armigero
Roberto Perrott	armigero
Johanne Doyley	barronetto
Fairmeadow Penyston	barronetto

Easter 1690.

coram	Ricardo Powell	armigero
	Fairmeadow Penyston	barronetto
	Edmundo Warcupp	milite
	Willelmo Pudsey	armigero
	Henrico Allworth	legum doctore
	Thoma Wheate	armigero
	Thoma Crispe	armigero
	Thoma Carter	armigero

Trinity 1690.

coram	Fairmeadow Penyston	barronetto
	Littleton Osbaldiston	barronetto
	Edmundo Warcupp	milite
	Thoma Wheate	armigero
	Johanne Stone	armigero
	Carleton Stone	armigero
	Thoma Carter	armigero
	Henrico Allworth	legum doctore
	Edwardo Master	legum doctore
	Francisco Clarke	armigero
	Willelmo Pudsey	armigero
	Timotheo Tyrill	milite
	Henrico Beeston	legum doctore
	Edwardo Norreys	milite
	Ricardo Powell	armigero

Michaelmas 1690.

coram	Ricardo Powell	armigero
	Johanne D'Oyley	barronetto
	Littleton Osbaldiston	barronetto

Edmundo Warcupp	milite
Henrico Alworth	legum doctore
Edwardo Master	legum doctore
Francisco Clarke	armigero
Thoma Carter	armigero
Carleton Stone	armigero
—— Crisp	armigero
Justiniano Sheppard	armigero
Willelmo Pudsey	armigero

Epiphany 1691.

coram	Thoma Carter	armigero
	Fairmeadow Peniston	barronnetto
	Johanne D'Oyly	barronetto
	Littleton Osbaldiston	barronetto
	Edmundo Warcupp	milite
	Edwardo Norreys	milite
	Willelmo Pudsey	armigero
	Henrico Alworth	legum doctore
	Edwardo Master	legum doctore
	Thoma Crisp	—

Easter 1691.

coram	Thoma Carter	armigero
	Roberto Barkeham	barronetto
	Johanne D'oyly	barronetto
	Littleton Osbaldiston	barronetto
	Timotheo Tyrell	—
	Henrico Aylworth	legum doctore
	Edwardo Master	legum doctore
	Humphrido Wickham	—
	Thoma Crisp	—
	Johanne Stone	—
	Carlton Stone	—
	Francisco Clarke	—
	Roberto Sheppard	—

Trinity 1691.

coram	Thoma Carter	armigero
	Edwardo Norreys	milite
	Edmundo Warcupp	milite
	Henrico Beeston	legum doctore
	Edwardo Master	legum doctore
	Carleton Stone	—

Thoma Wheate —
 Francisco Clarke —
 Edwardo Prince, Gener, Clerico pacis.

Michaelmas 1691.

coram	Ricardo Powell	armigero
	Roberto Jenkinson	barronetto
	Roberto Barkham	barronetto
	Roberto Dashwood	barronetto
	Timotheo Tirrell	milite
	Edwardo Norreys	milite
	Edmundo Walcop	milite
	Henrico Beeston	legum doctore
	Henrico Alworth	legum doctore
	Edwardo Master	legum doctore
	Johanne Stone	armigero
	Roberto Perrott	armigero
	Humphrido Wickham	armigero
	Thoma Wheate et	armigero
	Thoma Carter	armigero

Epiphany 1692.

coram	Thoma Carter	armigero
	Henrico Beeston	legum doctore
	Edwardo Master	legum doctore
	Johanne Stone	armigero
	Willelmo Pudsey	armigero
	Simone Whorwood ADeane	armigero

Easter 1692.

coram	Willelmo Pudsey	armigero
	Fairmeadow Pennyston	barronetto
	Roberto Dashwood	barronetto
	Johanne D'Oyley	barronetto
	Edwardo Norreys	milite
	Edmundo Warcupp	milite
	Thoma Carter	armigero
	Francisco Clarke	armigero
	Simone Whorwood ADeane	armigero
	Henrico Ayleworth	legum doctore

Trinity 1692.

coram	Thoma Carter	armigero
	Edmundo Warcupp	milite

Henrico Beeston	legum doctore
Edwardo Master	legum doctore
Johanne Stone	—
Carleton Stone	—
Thoma Crisp	—
Henrico Alworth	legum doctore

Michaelmas 1692.

coram	Thoma Carter	armigero
	— Herbert	armigero
	Johanne D'Oyly	barronetto
	Edwardo Norreys	milite
	Timotheo Tyrrell	milite
	Edmundo Warcupp	milite
	Henrico Aylworth	legum doctore
	Johanne Stone	armigero
	Carleton Stone	armigero
	Roberto Sheppard	armigero
	Simone Whorwood ADeane	armigero
	Francisco Clarke	armigero
	Thoma Napier	armigero

Epiphany 1693.

coram	Thoma Carter	armigero
	Johanne Domino Lovelace	
	Carleton Stone	armigero
	Johanne Stone	armigero
	Henrico Ayleworth	legum doctore
	Henrico Beeston	legum doctore
	Sibastiano Smith	milite
	Willelmo Pudsey	armigero
	Roberto Perrott	armigero
	Francisco Clarke	armigero
	Willelmo Glynne	milite et barronetto
	Johanne D'Oyly	barronetto
	Simone Whorwood ADeane	armigero
	Thoma Napier	armigero

Easter 1693.

coram	Willelmo Pudsey	armigero
	Roberto Jenkinson	barronetto
	Fairmeadow Penyston	barronetto
	Johanne D'Oyly	barronetto
	Roberto Dashwood	barronetto

Roberto Barkham	milite
Edwardo Norreys	milite
Edmundo Warcupp	milite
Sebastiano Smith	milite
Henrico Ayleworth	legum doctore
Thoma Carter	armigero
Thomas Napier	armigero
Thoma Wheat	armigero

Trinity 1693.

coram	Thoma Carter	armigero
	Roberto Dashwood	milite et barronetto
	Edwardo Norreys	milite
	Sebastiano Smith	milite
	Robert Perrott	—
	Carleton Stone	—
	Henrico Ayleworth	—
	Thoma Napier	—
	Henrico Bertie	—
	Jacobo Herbert	—
	Timotheo Tyrell	—
	Henrico Beeston	legum doctore

Michaelmas 1693.

coram	Thoma Carter	armigero
	Edwardo Norreys	milite
	Edmundo Warcupp	milite
	Roberto Sheppard	milite
	Sebastiano Smith	milite
	Thoma Wheat	armigero
	Francisco Clarke	armigero
	Henrico Aylesworth	legum doctore

Epiphany 1694.

coram	Thoma Carter	armigero
	Edmundo Warcupp	milite
	Roberto Sheppard	milite
	Henrico Beeston	legum doctore
	Thoma Crisp	armigero
	Thoma Napier	armigero
	Henrico Alworth	legum doctore
(in margin)	Vicechancellor	
	Sir John Doyly	
	Francis Clarke Esq	

Simon Whorwood ADeane Esq^r
 William Pudsey Esq^r

Easter 1694.

coram	Thoma Carter	armigero
	Fairmeadow Pennyston	barronetto
	Roberto Barkham	barronetto
	Edwardo Norreys	milite
	Roberto Dashwood	milite
	Edmundo Warcupp	milite
	Johanne D'Oyly	milite
	Simone Whorwood ADeane	—
	Francisco Clarke	—
	Henrico Beeston	legum doctore
	Humphrido Wickham	armigero
	Roberto Perrott	—
	Johanne Stone	—
	Thoma Napier	armigero
	Ricardo Clerke, armigero	Clerico pacis

Trinity 1694.

coram	Thoma Carter	armigero
	Roberto Jenkinson	milite
	Edwardo Norreys	milite
	Edmundo Warcupp	milite
	Roberto Sheppard	milite
	Henrico Allworth	legum doctore
	Henrico Beeston	legum doctore
	Francisco Clarke	armigero
	Antonio Evans	armigero
	Thoma Napier	armigero
(in margin)	Honorabile Jacobo, Comiti Abingdon	
	Montacue Domino Norreys	
	Henrico Bertie	armigero

Michaelmas 1694.

coram	Thoma Carter	armigero
	Johanne	Episcopo Oxoniensis
	Willelmo Glynn	barronetto
	Edwardo Norreys	milite
	Edmundo Warcupp	milite
	Roberto Shepard	milite
	Francisco Clerke	armigero
	Thoma Crisp	armigero

Johanne Stone	armigero
Thoma Nappier	armigero
Henrico Aleworth	legum doctore

Epiphany 1695.

coram	Thoma Carter	armigero
	Edmundo Warrcupp	milite
	Sebastiano Smith	milite
	Simone Whorwood ADeane	—
	Henrico Beeston	legum doctore
	Thoma Nappier	armigero
	Willelmo Glynn	barronetto
	Francisco Clark, Esq.	

Easter 1695.

coram	Thoma Carter	armigero
	Sebastiano Smith	milite
	Johanne Stone	—
	Thoma Nappier	—
	Henrico Allworth	legum doctore
	Henrico Beeston	legum doctore
	Willelmo Glynn	milite
	Jacobo Herbert	armigero

Trinity 1695.

coram	Thoma Carter	armigero
	Reverendo in Christo Patre, Johanne, Episcopo Oxoniensis	
	Edwardo Norreys	milite
	Edmundo Warcupp	milite
	Roberto Dashwood	milite
	Sebastiano Smith	milite
	Roberto Perrott	armigero
	Simone Whorwood ADeane	armigero
	Thoma Wheate	armigero
	Thoma Nappier	armigero

Michaelmas 1695.

coram	Thoma Carter	armigero
	Roberto Jenkinson	milite et barronetto
	Roberto Dashwood	milite et barronetto
	Willelmo Glynn	barronetto
	Edwardo Norreys	milite
	Sebastiano Smythe	milite

Edmundo Warcupp	milite
Jacobo Herbert	armigero
Johanne Stone	armigero
Carleton Stone	armigero
Simone Whorwood ADean	armigero
Henrico Beeston	legum doctore
Henrico Ayleworth	legum doctore

Epiphany 1696.

coram	Simone Harcourt	armigero
	Fitzherbert Adams	Vicecancellario Univer- sitatis Oxoniensis
	Willelmo Glynn	barronetto
	Edmundo Warcupp	—
	Sebastiano Smith	—
	Johanne Stone	—
	Francisco Clerk	—
	Thoma Nappier	armigero
	Henrico Alworth	legum doctore

Easter 1696.

coram	Thoma Carter	armigero
	Reverendo in Christo patre Johanne, Episcopo Oxoniensis	
	Fairmeadow Penyston	barronetto
	Edwardo Norreys	milite
	Sebastiano Smyth	milite
	Edmundo Warcupp	milite
	Roberto Sheppard	milite
	Francisco Clerk	armigero
	Roberto Perrott	armigero
	Thoma Napier	armigero
	Simone Whorwood ADeane	armigero
	Thoma Crisp	armigero
	Henrico Ayleworth	legum doctore
	Johanne Stone	armigero

Trinity 1696.

coram	Thoma Carter	armigero
	Roberto Barkham	barronetto
	Thoma Wheat	barronetto
	Johanne	Episcopo Oxoniensis
	Edwardo Norreys	—
	Roberto Jenkinson	barronetto

Edmundo Warcupp	milite
Roberto Sheppard	milite
Willelmo Glynn	barronetto, Vicecancel- lario Universitatis Oxoniensis pro tem- pore
Simone Harcourt	armigero
Humfrido Wickham	armigero
Thoma Crisp	armigero
Henrico Beeston	legum doctore
Henrico Ayleworth	legum doctore
Roberto Perrott	armigero
Henrico Bertie	armigero
Johanne Stone	armigero

Michaelmas 1696.

coram	Thoma Carter	armigero
	Vicecancellario Universitatis Oxoniensis	
	Roberto Jenkinson	barronetto
	Johanne D'oyly	barronetto
	Willelmo Glynn	barronetto
	Fairmeadow Penyston	barronetto
	Edwardo Norreys	milite
	Edmundo Warcupp	milite
	Roberto Dashwood	milite
	Roberto Sheppard	milite
	Sebastiano Smyth	milite
	Simone Harecourt	armigero
	Roberto Perrott	armigero
	Francisco Clerke	armigero
	Johanne Stone	armigero
	Carleton Stone	armigero
	Simone Whorwood Adeane	armigero
	Henrico Beeston	legum doctore
	Humfrido Wyckham	armigero

*Epiphany 1697.**(In a new hand)*

coram	Thoma Carter	armigero
	Carleton Stone	armigero
	Sebastiano Smith	milite
	Roberto Sheppard	milite
	Thoma Napier	armigero
	Johanne Doyley	barronetto

Henrico Ayleworth	legum doctore
Roberto Perrott	armigero
Henrico Beeston	legum doctore
Francisco Clerke	armigero
Edmundus Warcupp	milite
Johanne Stone	armigero
Simone Harcourt	armigero
Simone Whorwood Deane	armigero

THE OXFORDSHIRE RECORD SOCIETY.

(Founded in 1919 for printing documents relating to the History
of the County.)

President.

THE EARL OF MACCLESFIELD,
Vice-Chairman of the County Council.

Vice-Presidents.

The Right Rev. The Lord Bishop of Oxford, D.D.
The Right Hon. The Lord Aldenham, F.S.A.
The Right Hon. The Lord Camoys.
The Right Hon. The Lord Sankey.
The Right Hon. The Lord Saye and Sele.
The Right Hon. The Lord Wyfold.
The Right Hon. H. A. L. Fisher, P.C., M.A., F.B.A.
Sir Charles Firth, F.B.A., D.Litt., etc. Rev. F. N. Davis, B.A., B.Litt.,
The Right Rev. Bishop Shaw, D.D. F.S.A.
The President of Trinity College. A. G. Little, D.Litt., F.B.A.
Colonel Buchan, C.H., M.A., LL.D., M.P. T. Loveday, M.A.
Rev. A. H. Cooke, Sc.D., M.A. A. E. Preston, F.S.A., J.P.

The Council.

Rev. H. E. Salter, M.A., F.B.A., *Fellow of Magdalen College, (Chairman).*
Rev. C. C. Brookes, M.A.
Miss C. Violet Butler, M.A., *Society of Oxford Home Students.*
R. Cartwright, Esq., M.A.
Miss Coate, M.A., F.R.Hist.S., *Tutor, Lady Margaret Hall.*
The Hon. Elsie Corbett, J.P.
C. F. Corbould-Ellis, Esq., J.P.
T. Cottrell-Dormer, Esq.
Rev. J. T. Evans, M.A., F.S.A.
Strickland Gibson, Esq., M.A., *Keeper of the University Archives.*
Miss Rose Graham, M.A., D.Litt., F.S.A., F.R.Hist.S., *General Editor, Canterbury and York Society.*
T. F. Hobson, Esq., M.A., F.S.A., J.P.
R. W. Jeffery, Esq., M.A., F.S.A., F.R.Hist.S., *Fellow of Brasenose College.*
S. D. Kitson, Esq., M.A., F.S.A., F.R.I.B.A.
L. G. Wickham-Legg, Esq., M.A., F.S.A., F.R.Hist.S., *Fellow of New College.*
R. Lennard, Esq., M.A., *Fellow of Wadham College.*
Miss Lodge, D.Litt., M.A., O.B.E.
F. M. Powicke, Esq., M.A., D.Litt., F.B.A., *Regius Professor of Modern Hist.*
H. E. Stilgoe, Esq., F.S.A.
Rev. A. J. White, D.Litt.

Hon. Treasurer.

CYRIL W. HURST, Esq.,
22, Oxford Road, Banbury, Oxon.

Hon. Secretary and General Editor.

J. HAUTENVILLE COPE, Esq., F.R.Hist.S.,
Finchampstead Place, Berks.

Assistant Hon. Secretary.

MRS. COPE.

OXFORDSHIRE RECORD SOCIETY.

VOLUMES ALREADY ISSUED.

1919.

- I. *Chantry Certificates and Edwardian Inventories of Church Goods.* Edited by Miss ROSE GRAHAM, D.Litt., M.A., F.S.A., F.R.Hist.S.

1920.

- II. *Parochial Collections of Anthony Wood and Richard Rawlinson* (Part I). Edited by Rev. F. N. DAVIS, M.A., B.Litt., F.S.A.

1921.

- III. *Charters of Newington Longeville Priory.* Edited by Rev. H. E. SALTER, M.A., F.B.A., Fellow of Magdalen College.

1922.

- IV. *Parochial Collections* (Part II).

1923.

- V. *A History of Glympton.* By Canon BARNETT, M.A.

1924.

- VI. *Churchwardens Accounts of Marston, Spelsbury and Pyrton.* Edited by Rev. F. W. WEAVER, M.A., F.S.A., and G. N. CLARK, M.A., Fellow of Oriel College.

1925.

- VII. *The Early History of Mapledurham.* By Rev. A. H. COOKE, M.A., Sc.D.

1926.

- VIII. *Adderbury Rectoria.* By T. F. HOBSON, M.A., F.S.A.

1927.

- IX. *Manors and Advowson of Great Rollright.* By R. W. JEFFERY, M.A., F.S.A., F.R.Hist.S., Fellow of Brasenose College.

1928.

- X. *Churchwardens Presentments in the Oxfordshire Peculiars of Dorchester, Thame and Banbury.* Edited by S. A. PEYTON, Phil.D. Librarian, The University, Reading.

1929.

- XI. *Parochial Collections* (Part III).

1930.

- XII. *Feet of Fines Oxfordshire* (Part I). By the Rev. H. E. SALTER, M.A., F.B.A., Fellow of Magdalen College.

VOLUMES ALREADY ISSUED.

1931.

- XIII. *Charters of Goring* (Part I). Edited and Transcribed by
T. R. GAMBIER-PARRY, M.A., F.R.Hist.S., Keeper of the
Oriental Department, Bodleian Library.

1932.

- XIV. *Charters of Goring* (Part II).

1933.

- XV. *Saxon Oxfordshire. Charters and Ancient Highways.*
Edited and Transcribed by G. B. GRUNDY, D.Litt., M.A.,
Hon. Fellow of Corpus Christi College.

1934.

- XVI. *Oxfordshire Justices of the Peace in the Seventeenth Century.*
By MARY STURGE GRETTON (Mrs. R. H. Gretton).

Members who desire to complete their sets of the publication should make early application to the Hon. Secretary as the stock of volumes is nearly exhausted.

Binding cases for any of the above volumes can be obtained from the Hon. Secretary.

IN PREPARATION.

The following are in course of preparation :—

A History of Dean Manor. By MRS. LOBEL. To be issued in 1935.
Oxfordshire Wills. Edited by J. H. R. WEAVER, M.A., F.S.A.,
Fellow of Trinity College.

Henley Corporation Documents. Edited by Miss BRIERS.

History of Cold Norton Priory. By R. W. JEFFERY, M.A., F.S.A.,
F.R.Hist.S., Fellow of Brasenose College.

A History of Caversham. By Miss SWADLING.

Customs of Wichwood Forest of 1455. Edited by the Rev. H. E.
SALTER, M.A., F.B.A., Fellow of Magdalen College.

The Letters of Henry Stevens, Waggonmaster to the Royal Army,
1643–1644.

Chartulary of the Preceptory of Sandford-on-Thames.

Feet of Fines, Oxfordshire (Part II).

RULES OF THE SOCIETY.

I.—The Society shall be called THE OXFORDSHIRE RECORD SOCIETY.

II.—The Object of the Society shall be to print and distribute to subscribers such documents relating to the history of the County of Oxford as have not been previously edited; to print other material relating to the history of the County; and to endeavour to give advice and assistance to custodians of historical records for the care and preservation of such records.

III.—The Annual Subscription shall be half-a-guinea payable in advance on the first of January. The annual subscription may be commuted for a single subscription of Seven Guineas. After 200 members have joined the Society an entrance fee of five shillings may be charged.

IV.—Each member of the Society, having paid his or her subscription, shall be entitled to a copy of every work produced by the Society, and to vote at the general meetings held within the period subscribed for.

V.—The Management of the Society shall be vested in a Council consisting of not less than six or more than twenty ordinary members together with the President, Treasurer, Secretary and Assistant Secretary as ex officio members, all to be elected at the Annual General Meeting. Vacancies occurring between the General Meetings may be filled by the Council itself. Two ordinary members of the Council shall retire each year and not be eligible for re-election within that year.

VI.—A General Meeting of subscribers shall be held annually in Oxford to receive the Secretary's report of the work of the Society, and the Treasurer's financial statement; to elect officers for the ensuing year; and to transact the business of the Society generally. Notice of any other business to be brought forward shall be given to the Secretary in the course of the preceding December. A special general meeting may be held at any time by direction of the Council, or on request of not less than ten members of the Society in writing.

VII.—The Council shall meet at least once in every year, and at such other times as may be deemed necessary by itself. Three members, excluding the Treasurer, Secretary and Assistant Secretary shall form a quorum.

VIII.—These rules may not be amended or altered except at the Annual General Meeting after seven days' notice to members.

