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Volume 121: start

THE RECORD SOCIETY OF LANCASHIRE AND CHESHIRE

FOUNDED TO TRANSCRIBE AND PUBLISH ORIGINAL
DOCUMENTS RELATING TO THE TWO COUNTIES

VOLUME CXXI



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PROCEEDINGS OF THE
LANCASHIRE JUSTICES
OF THE PEACE
AT THE SHERIFF'S TABLE
DURING ASSIZES WEEK,
1578-1694

Edited by
B. W. QUINTRELL, M.A., Ph.D.

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1981

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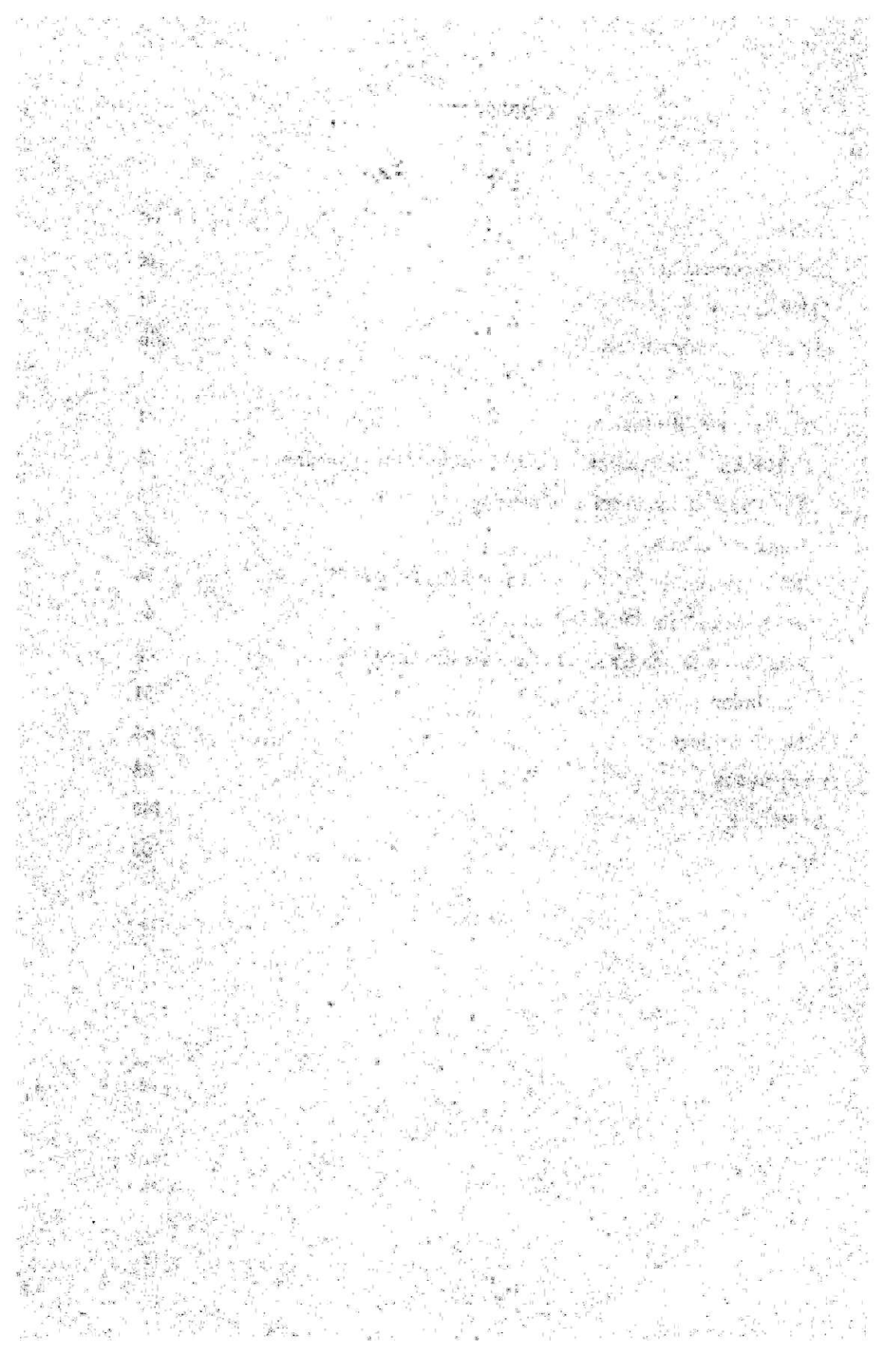
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PREFACE

The use by justices of the peace of the sheriff's table for formal business meetings during assizes week was almost certainly unique to Lancashire. As the Tudors gave the JPs more to do, many counties, including Lancashire, experimented with a variety of privy sessions and some sought also to vary existing quarter sessions arrangements; but seemingly only Lancashire produced a gathering which was neither privy nor quarter sessions. As its cumbersome title suggests, the meeting at the sheriff's table was undoubtedly a hybrid, probably intended from the start to serve more than one purpose. This edition draws together the table's surviving records from its earliest days until the end of its first extant order book in 1694, amplified where possible from related sources. During that period, there was a noticeable shift in emphasis in the JPs' proceedings at the table. In time they shed their initial dependence on the assize judges, who were in town and close at hand, and provided instead a general sessions of the peace for the county. In so doing they helped to remedy a basic weakness in the disposition of Lancashire's quarter sessions, which tended to stress the local and the particular at the expense of a wider, county, interest. Up to 1640, however, the table offered the circuit judges, and through them the Privy Council, an unusual opportunity to press home to the Lancashire JPs the exhortations contained in assize court addresses and in Conciliar correspondence. Whether it was so intended or not, the meetings at the table held out the prospect of demonstrating that Conciliar pressure on the counties did not necessarily diminish in direct proportion to their distance from Westminster.

I am particularly grateful for the help I have received in preparing this edition from Mr K. Bishop and Mr K. Hall, successively county archivists for Lancashire, and from the staff of the students room at Preston. I am also indebted to Miss Jean Ayton of the Archives Department of Manchester Central Library, Miss G. Matheson of John Rylands Library, Miss J. Smith of Liverpool Record Office, Miss A. C. Snape of Chetham's Library, and their colleagues, as well as the special collections staff of the Sydney Jones Library at Liverpool. I would like to thank the University of Liverpool for a grant from its research fund, and for a term's study leave during which this volume was completed. The Hon. General Editor, Mrs Jenny Kermode, has subsequently done much to ease its passage through the press, and I am especially grateful to her for the skill and care which she has brought to the task. For permission to reproduce copyright material, I owe thanks to the Rt Hon. the Lord Kenyon, Lancashire County Council, the City of Manchester Cultural Services and the Library

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B. W. Quintrell

EDITORIAL CONVENTIONS

The text has been transcribed in full, apart from the occasional omission of 'the said' and 'the aforesaid' when excessively repetitive, indicated below by the conventional row of dots. The clerks' abbreviated forms have been extended, except that 'gentleman', 'esquire', 'knight' and 'baronet' have been rendered throughout as 'gent', 'esq', 'kt' and 'bt', regardless of the form used in the Mss. All editorial interpolations, including the extension of a few other words, have been included within square brackets. The original spelling has been observed, except for the rationalisation of the use of 'i' and 'j', 'u' and 'v'. A minimum of punctuation has been inserted, but the clerks' use of capitals has been retained. Latin phrases in the text have also been preserved, with the exception of the occasional part-latinisation of names: thus 'Robertus Heywood de Heywood' (high constable of Salford, 1618) has been rendered in accordance with the clerks' more usual form as Robert Heywood of Heywood. Units of money appear as in the original. Dates in the headings to meetings conform to the old style (Julian) calendar but have all been transposed into a modern form, as e.g. 20 March 1612, and the new year has been taken as beginning on 1 January. Up to and including the meeting held during Trinity assizes 1663, the headings with which the clerks prefaced proceedings have otherwise been given in full, since they help to trace the meetings' changing character; but from 1664, as their form becomes more settled, they have been recorded below only in summary form. Entries subsequently struck through by the clerks have been prefaced below by an asterisk. I have preferred to call the two assizes each year Hilary and Trinity rather than the rather misleading Winter and Summer, since the earlier (Hilary) assize was held in March or April during the Hilary law vacation, and the later (Trinity) in August or September during the Trinity vacation. Manuscript sources are indicated at the head of business. For brevity's sake, I have omitted the place of publication from citations in the footnotes of record society volumes; for all other works the place of publication is London unless otherwise indicated.

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ABBREVIATIONS

Add.	Additional Mss., British Library
APC	<i>Acts of the Privy Council of England</i>
B	Baron of the Exchequer
BIHR	<i>Bulletin of the Institute of Historical Research</i>
BL	British Library
CL	Chetham's Library, Manchester
CS	Chetham Society publications
CSPD	<i>Calendar of State Papers, Domestic</i>
EHR	<i>English Historical Review</i>
<i>Fleming</i>	HMC, <i>Twelfth Report Appx. vii (Le Fleming Mss.)</i>
Harl.	BL, Harleian Mss.
HMC	Historical Manuscripts Commission
JCP	Judge in the court of Common Pleas
JKB	Judge in the court of King's Bench
JP	Justice of the Peace
JRL	John Rylands Library, University of Manchester
<i>Kenyon</i>	HMC, <i>Fourteenth Report, Appx. iv (Kenyon Mss)</i>
Lans.	BL, Lansdowne Mss.
LCRO	Liverpool Record Office
LRO	Lancashire Record Office
MCL	Manchester Central Library, Archives Dept.
NH	<i>Northern History</i>
PRO	Public Record Office
RSLC	Record Society of Lancashire and Cheshire, publications
SJL	Sydney Jones Library, University of Liverpool
SP	PRO, State Papers
TASLC	<i>Transactions of the Antiquarian Society of Lancashire and Cheshire</i>
THSLC	<i>Transactions of the Historic Society of Lancashire and Cheshire</i>
VCH	<i>The Victoria History of the Counties of England, Lancashire</i>

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Mr. N. Y. Tennessium, 1530 Fifty-first Avenue, New York, N. Y.
Mr. O. Z. Oganesson, 1563 Fifty-second Avenue, New York, N. Y.

LIST OF MANUSCRIPT SOURCES FOR PROCEEDINGS

LRO	DDF 2437	Paperbook containing notes kept by William Farington, 1578, 1586.
MCL	Mosley Ms (MS f 347.96M2)	JPs' notebook kept by the Mosley family, with record of proceedings for 1616-25 and 1661, 1664 and 1669.
LRO	QSV/11/1	JPs' proceedings at table 1628-9 in rough paperbook.
	QSV/11/2	JPs' proceedings at table 1661-94 in formal order book.
	QSO/2	Quarter sessions order books, from 1626.
	QSB/1	Quarter sessions recognisances, including petitions to 1648 and much other supporting material.
	QSP	Quarter sessions petitions from 1648, also containing other supporting material.
	DDHk	Hawkhead-Talbot papers.
	DDKe	Kenyon papers.
	DDHo	De Hoghton papers.
	DDN 1/64	Hoghton lieutenancy book, 1625-40.
CL	Muniments A7.31	Ratebook with details of proceedings 1601, 1624, 1637.

The 1612 proceedings have been taken from the Shuttleworth Mss printed in *The Lancashire Lieutenancy under the Tudors and Stuarts*, ed. J. Harland (CS, 1859) 254-9. Occasional reference has been made to the Moore Mss, most of which are now in LCRO as 920 MOO with additional items in SJL, MS.23.1; RSLC published a calendar of this collection in 1913.

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INTRODUCTION

THE NATURE OF THE SOURCES

Despite a history extending over almost two centuries, the JPs' meetings at the sheriff's table have left behind relatively few traces of their proceedings. The only lengthy and continuous official record to survive is the order book covering the years from 1661 to 1694, now in the Lancashire Record Office.¹ Recently repaired and rebound, this volume of one hundred folios was kept by the staff of the clerk of the peace, not the clerk of the crown who served for assizes in Lancashire. Although it had headings prepared in advance of most meetings, proceedings were only written up some time afterwards; and it was clearly intended as a final record into which orders and minutes taken at the time on loose paper were subsequently entered. The variety of hands used for this purpose, even for the business of a single meeting, suggests that the clerk's staff found or made opportunities to attend to the order book only intermittently. The quality of their record suffered in consequence. References to previous business sometimes disclose the omission of the original order; other orders have been entered twice or in incorrect order; and at least once the clerk broke off his copying in mid-sentence.² Blank pages from time to time indicate space left for the proceedings of particular meetings which was never filled. Such clerical shortcomings were by no means unusual in seventeenth century records: the earliest of all the surviving assize order books, for the Western circuit beginning in 1629, suffered from similar deficiencies; so did the early Lancashire quarter sessions rolls.³ This slackness may however have been encouraged by the indeterminate status of the meetings themselves, convened by the sheriff during assizes week, under the eye of the judges, served by the staff of the clerk of the peace and superimposed on a quarter sessions cycle of which they were not statutorily a part. The standard of care taken over the order book undoubtedly compares unfavourably with that shown by the clerks of individual Lancashire deputy lieutenants, who regularly transcribed their masters' deliberations precisely and apparently in full. In particular it is regrettable that the names of the JPs in attendance at the table, as well as those of the judges who were associated with its orders, are not more often recorded in the order book even though other evidence suggests that the clerks noted them in their rough papers. Without the 1661-94 order book, however, the record of the JPs' meetings would be decidedly thin, for none of the later books covering the final eighty years of its existence appear to be extant. The only other continuous part of the official record to survive is that for three meetings in 1628-9.⁴ Kept in a paper-covered book of a dozen pages, it was probably intended to provide a roughly

2 *Introduction*

written but accurate draft from which the final version of the meeting's orders would be entered into a more formal record in much the same way as the quarter sessions order books provided material for the final record of that court, the sessions rolls.⁵

Some additional material about the JPs' early proceedings may however be acquired from two other sources. One is the record preserved on his master's behalf by William Farington, household steward to Henry, 4th earl of Derby and himself a JP, of the earliest known meetings in 1578 and 1586.⁶ This may have been compiled on his own initiative, or it may have been a copy of an official record already being kept by the clerk of the peace. Certainly a generation later the clerk of the peace, either as part of his official duties or as a favour to interested JPs, was making available copies of the entire proceedings of individual meetings. In one important instance this service provides compensation for the deficiencies in the clerk's own records. For the second valuable early source is the notebook of Oswald Mosley of Ancoats in which was entered, amongst much local magisterial business in his home hundred of Salford, details of proceedings at a number of the JPs' meetings during assizes between 1616 and 1625. Soon after his entry into the commission of peace at the age of 33, Mosley began quite often to make the journey from his home to Lancaster for assizes week. Subsequently he entered in his working notebook an account of the JPs' proceedings there which from its style and presentation is clearly a copy of the official record, even though it is not certified as such, and which was very similar in character to the record for 1628-9.⁷ In addition, what may very well be an accurate copy of the JPs' proceedings during Hilary assizes week 1612, closely resembling the form of Mosley's copies, survives amongst the Shuttleworth Mss; and a further copy of the proceedings during Trinity assizes week 1616, verifying Mosley's account, is among the Kenyon Mss at Gredington Hall.⁸ The clerk of the peace and his staff also made copies of individual orders, undoubtedly as part of their official responsibilities. It was in this way that the JPs' decisions were passed down the executive chain, in the hope that they would be translated into action. At the same time the copyists, and the clerk of the peace himself, derived some financial recompense for their labours. It was the clerk of the peace or his deputy who carefully certified the accuracy of each extract. Some of these orders, each prefaced by the later 1620s with the full formal heading which introduced each set of proceedings, were kept by their recipients as warrants for action; others, like a much noted order of 1633 concerning the office of high constable, were regarded as precedents and were still being reissued as much as twenty years later. Some are to be found in family papers; others have survived among the ancillary papers of the courts of quarter sessions.⁹ Wherever they fill a gap in the record they have been included in this edition.

It is also possible to recover information about the meetings during assizes week from references made to them in other official records, notably the quarter sessions order books.¹⁰ Wherever these references provide additional evidence of the table's activities, as well as throwing light on the reception of its orders, they have also been included below. They have however been placed within square brackets to distinguish them from the verbatim record. By one means and another, it is thus possible to produce an edition which, while undeniably thin in places, dates from the first days of the JPs' formal meetings in assizes week and is fairly continuous between 1616 and 1694. No attempt has been made to pursue stray references after 1694 however.

The JPs' meetings in 1578 and 1586 are nevertheless amongst the earliest of all Lancashire's administrative records. The quarter sessions rolls, a fragment for 1549–50 apart, survive only at intervals between 1588–92, 1601–6 (both in print) and 1608–9, before an almost unbroken run begins in 1615. The series of quarter sessions order books dates only from 1626. Apart from files for 1605–6, the invaluable series of supporting quarter sessions papers does not get underway until 1623. Like many other counties, it has few records of its Tudor and Stuart assizes; and those that do survive have proved of strictly limited value in producing this edition.¹¹

ORIGINS AND DEVELOPMENT OF THE JPS' MEETINGS DURING ASSIZES

Origins

Within a broad framework Tudor and Stuart local government contained a wide variety of institutional forms and practice. As in Lancashire, this variety owed little to administrative necessity but had its roots in geographical, topographical and economic differences which in turn encouraged further variations in social structure, religious disposition and political outlook. Only a slender majority of English counties exhibited the neatly ordered administrative structure which early modern legislation and Conciliar directives alike often seemed to suppose was the standard pattern despite much evidence to the contrary. Where it existed it displayed a promising symmetry, with moderately sized parishes and hundreds disposed around a centrally placed shire town, on the face of it holding out more than usual prospect of vigorous and well directed government. The county town provided the natural venue for quarter sessions, and probably for assizes too; and the JPs, their fellow gentry and freeholders grew accustomed to meeting there at least four times a year about county business. The sessions bench, drawn from all parts of the shire, was able to demonstrate for all to see the collective presence

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and authority of the county magistracy. Problems which affected the county as a whole could regularly be discussed in that context rather than in a merely divisional one; and when the grand jury made its presentments it was able to do so with some assurance that it was speaking on behalf of a wide cross-section of opinion. The judges' twice-yearly visits provided a superior authority but otherwise served to emphasise the centralising role of quarter sessions. That role was also revealed in the support which the bench gave to formal and semi-formal meetings of the JPs in their divisions between quarter sessions, not only to deal with business referred to them from above but also to settle minor matters which might otherwise have added unnecessarily to their work load at quarter sessions. Some of these matters might themselves have been prompted by enquiries made by the JPs of parish officers about breaches of statute, in much the same way as at least one of the assize judges was by the 1590s articling high constables shortly before assizes.¹² In one centralised county, Essex, the high constables were themselves by the mid-sixteenth century already sending articles to parish officers prior to their own sessions in the divisions.¹³ Arrangements like these thus offered both the possibility of well rehearsed and generally agreed decisions on county problems and of at least intermittently pointed enquiry into parochial shortcomings. For more than that early modern government could not reasonably hope.

Yet other administrative patterns were widely apparent, even though their effects were often only dimly perceived at the centre. The Henrician act introducing JPs' local sessions in 1542, for example, had swiftly foundered in part at least because of its failure to suit its precepts sufficiently to the many variations in local circumstance; while the adoption of the Elizabethan poor laws in the countryside was scarcely helped by the widely differing size of parishes from one part of England to another, and the complications caused by the many townships which those in the north often contained.¹⁴ Nothing, however, provides a clearer example of the deep-rooted idiosyncrasies of English local administration than the variety of arrangements for quarter sessions, many of them at some remove from the basic pattern. Some JPs perambulated the shire, meeting as a county bench in a different town each quarter, visiting four or five towns in some kind of ill-tempered rotation at the risk of drawing widely differing attendances as they went.¹⁵ Others split the commission of peace into two, three or even four internal groupings covering one or more of the hundreds, each with its own court of quarter sessions, all but the first meeting by adjournment. At the most such counties managed to come together for only one general quarter sessions a year, or by custom regarded one of the divisional quarter sessions as normally dealing with 'county' business while the rest confined themselves to parochial and hundredal affairs. While it would be rash to assume that arrangements like these necessarily prejudiced the effectiveness of the work of the

JPs, as they clearly did not in Elizabethan Norfolk, it is likely that they allowed greater play than otherwise to factional and other rivalries, and perhaps made it more difficult for counties to develop the full range of resources available to local government.¹⁶ As a consequence it is probable that the value and impact of the visits of the assize judges on their circuits varied considerably from one county to another. In some their annual visits in early spring and late summer provided the JPs' only opportunity to discuss the business of the whole county and to gain some impression of its overall deficiencies from the presentments of the grand and other juries; but in others they simply increased the number of occasions on which the JPs met at a common venue from four to six and, for all the authority and ceremonial of assizes, their effect may have been more muted.

On the face of it few counties were less part of the English administrative mainstream than Lancashire. Its historic role as a county palatine and its prominent place in the affairs of the Duchy of Lancaster still tended to set it apart. Its JPs and high sheriff were still appointed by the chancellor of the Duchy; while its assize judges, who came to the county as chief justice and second justice at Lancaster, also served as judges assistant in the Duchy court itself.¹⁷ Duchy officials sat frequently for its boroughs in parliament; while much local revenue, raised by way of fines and forfeitures, found its way into the Duchy's coffers. Lancaster, dominated by its ancient and crumbling castle, remained the county town, even though it was at some distance from the main areas of population and communal activity. Part of the Duchy's own business was done further south at Preston. Lancashire's lack of a natural centre helped to point up the effects of the topographical diversity within its boundaries.¹⁸ Relatively remote and decentralised, saddled with the intermediate oversight of the Duchy, Lancashire scarcely presented the appearance of a county readily susceptible to the Privy Council's direction.

Yet English local government was nothing if not resilient and inventive. The introduction of JPs' meetings, under the supervision of the judges, during the course of assizes week at least raised the possibility that appearances might be deceptive. In their beginnings they nevertheless probably owed more to the personal initiative of the Northern circuit judges than they did to any specific instructions from the Privy Council. Hard though the Council was struggling to make its will felt throughout England, the need for such a refinement was almost certainly beyond its cognisance. Particularly in those counties which stood close to the limits of its reach, Elizabeth's government depended heavily on its most trusted agents. It knew little about such counties' physical features, even less about the dependability of the gentry they contained; and it was probably only dimly aware of the practical implications of their widely differing administrative structures. Although by the end of the 1570s, the young

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Christopher Saxton had finished his swift and enterprising mapping of the English and Welsh counties, it took time to relate his work to political circumstance and to amplify the local detail he provided. Burghley, who gave unobtrusive encouragement to this and similar exercises in 'chorography', carefully noted the names of the current JPs on the back of his set of maps; but he had still to match them with the precise location of their homes. As late as the 1590s he needed a rough sketch map to help him interpret one of the numerous intelligence reports he received about Lancashire's Catholic gentry.¹⁹ Given the prevailing religious and political uncertainties, starkly revealed in Lancashire's case by the bishop of Chester's returns to the Privy Council in 1564, neither Burghley nor lord keeper Nicholas Bacon was ever prepared to endorse the proposition, put forward on administrative grounds by Sir Thomas Smith among others, that the commission of peace had to be relatively large in order to accomplish throughout each county the increasing number of tasks imposed upon its members. Instead after some tentative gestures, they preferred not to place undue trust in the JPs and, despite mounting pressure from the gentry for inclusion, determined to do what they could to restrict the size of the commission of peace.²⁰ At least seven times during Elizabeth's reign the English magistracy was purged of those JPs whom the Council for one reason or another deemed unsuitable; and those who remained in commission grew accustomed to Conciliar insistence that all JPs should swear an oath of allegiance to the queen.²¹ Periodically the Council also required from the counties lists of the names of JPs, coroners and clerks of the peace, as well as details of their respective hundreds and divisions.²² Such precautions proved of only limited value in Lancashire where, even at the end of the century, the commission of peace invariably included a substantial minority of gentry whose religious sympathies were a good deal closer to Rome than Geneva. For brief periods from 1589 and again from 1602 the Northern circuit was itself ridden by a Lancashire-born judge of decidedly Catholic leanings, Thomas Walmisley.²³

It was to the assize judges nevertheless that the Council primarily looked in its efforts to ensure that the JPs did what was asked of them. On the Home circuit, the only one for which such evidence is available, the judges repeatedly imposed substantial fines on JPs for absence from assizes during the 1560s and 1570s; and there is no reason to suppose that their attitude was untypical.²⁴ By the 1580s the judges at assizes had in addition begun to take over from the JPs at quarter sessions an increasing proportion of the more serious disciplinary business, restricting the sessions bench more and more to petty felonies and misdemeanours. Nevertheless they were urged by the Council to ensure that they got through the important Crown side business, especially gaol delivery, before the JPs started drifting away from assizes.²⁵

In Lancashire there were even difficulties in securing an adequate attendance of JPs at its localised quarter sessions.²⁶ Its sessions arrangements had been made in 1546–7, shortly after the Commons had decisively repealed the 1542 act for JPs' local sessions. Among other miscalculations, this act had overzealously provided for enquiries by the assize judges about JPs' performance; and the Lancashire arrangements may well reflect gentry anxiety to lessen the impact of any similar constraints in the future by keeping their local affairs as far as possible to themselves, thus making central control rather more difficult. Particularist tendencies needed little encouragement in Lancashire, where the deep association of many of the leading gentry families with the county had not prevented narrowness of outlook. Certainly the chancellor of the Duchy only took his decision after consultations at Hilary assizes 1546 between the judges and JPs. He decreed that Lancashire's six hundreds should be grouped in four sessional divisions, each with its own bench, and that the quarter sessions should be held by adjournment over a week or eight days at each of the chosen towns: Lancaster for Lonsdale hundred, Preston for Amounderness and Blackburn hundreds, Wigan and Ormskirk by turn for West Derby and Leyland hundreds, and Manchester for Salford hundred.²⁷ The county of Suffolk alone had as many sessional divisions; but in its case the attractiveness of the town of Ipswich to gentry from all its regions was such that its sessions there had some claim to a truly representative character.²⁸

No Lancashire town was able to exert a similar pull; and the county's sessions arrangements, occasionally varied during the later sixteenth century but never amended, remained the least centralised in England.²⁹ Although each of the four courts which met each quarter was part of the same general quarter sessions, and JPs from any part of the county could attend them all, so inhibiting were the effects of local preoccupations that only a few ventured further than their own hundred's court. By the late sixteenth century only the *custos rotulorum* was regularly disposed to accompany the clerk of the peace and his staff throughout their long journey from one end of the county to the other. Sessions benches in Lancashire thus seldom consisted of more than a dozen members, even in the better represented hundreds, and quite often could muster only three or four, particularly at Lancaster.³⁰ Each bench, naturally enough, was primarily concerned with problems of that part of the county within its immediate jurisdiction; and perhaps because the scale of problems tended to appear reduced within these limits, there seems to have been little incentive for the Lancashire benches to mount detailed enquiries into parochial shortcomings of a kind already becoming familiar in more unified counties.³¹ Moreover, although the number of Lancashire JPs sitting at one court or another in a single quarter quite often reached the respectable total of twenty, at no time was the main body of the magistracy

gathered on a single bench about quarter sessions business. As a result, although the JPs were always able to meet informally during the course of assizes week, decisions on matters affecting the whole county were liable to piecemeal and narrowly based consideration – at least until the middle of Elizabeth's reign.

It was against this background of governmental insufficiency that the formal meetings of the Lancashire JPs during assizes week came into being. They very probably did so in March 1578 as the Northern circuit judges took the opportunity, offered by the Council's latest nationwide attempt to regulate the costs of entertainment at assizes, to make adjustments of their own in Lancashire. The formal meetings not only promised a remedy for an awkward weakness in the county's internal administration but also improved the judges' prospects of easing themselves of some of their administrative burden. They may also have borne in mind the recent orders by the president of the Council of the North for improving oversight of JPs which had equal relevance in Lancashire even though, alone of the Northern circuit, it lay outside his immediate jurisdiction.³² Of Duchy influence there was no trace; but the senior judge, Robert Mounson, was in any case of the calibre to make his own changes³³. Certainly the first known record of a formal meeting of the JPs with the high sheriff, and quite possibly the judges too, occurred in March 1578. It was set down by William Farington, and is to be found in the same paper book, on immediately succeeding pages, as are the detailed arrangements for keeping commons at the sheriff's table. As the meticulous Farington regarded both sets of orders as sufficiently novel to be recorded in his 'booke of president uses', it seems reasonable to suppose that between them they mark a movement beyond the informal consultations amongst the JPs, which doubtless continued, towards a formal commitment by the magistracy to consider county business collectively.³⁴ The Council's letter which prompted this change had been sent to all assize judges in February 1578, just before they set out on circuit (appendix I).³⁵ Carefully amended in its final draft by Burghley himself, it sought to reinforce earlier Conciliar action intended to curb expenditure on food and drink at assizes. In 1574 the Council had done its best to regulate the cost of the judges' own entertainment by ending the over-trusting arrangement by which sheriffs claimed retrospectively from the Exchequer for disbursements already made; instead it gave the judges a set allowance for diet before they left Westminster. It remained concerned, however, that suitable candidates for the sheriff's office should not be deterred from coming forward by the extravagant scale of expenditure which pride impelled each holder to undertake in order not to lose face while providing for his fellow gentry's entertainment. Accordingly the judges were instructed in 1578 to consult with the current sheriffs and JPs in every county on their circuits and to conclude arrangements for them to dine in common at their joint charge,

thus putting an end to the practice by which the sheriff entertained county notables in a superior manner at a separate table: or so it was hoped.

The new arrangements for Lancashire make no mention of administrative business; but their juxtaposition in Farington's record to the first known set of orders, all concerning provision for poor prisoners in the county gaol, looks more than coincidental. In this respect it may also be significant that the high sheriff in 1578 was John Fleetwood of Penwortham, who was also *custos rotulorum* – a combination of offices last held in 1546, by Sir Thomas Holcroft, when the quarter sessions arrangements were being considered. No one knew better than Fleetwood the fragmented way in which the Lancashire bench customarily discharged its responsibilities.³⁶ He also happened to be firmly protestant; and his nephew Edward, radical vicar of Wigan and correspondent of Burghley, was shortly to use the assize sermon as a means of persuading the judges and, he hoped, the rest of the court to take action against the prevailing moral and religious laxity of the county as he saw it. Edward's subsequent disillusion with what had been achieved at 'Quarterly Sessions and Generall Assises' may indicate an early interest in this new arrangement, which also offered some prospect of countering the Catholic interests prevalent within the magistracy.³⁷

The Privy Council's influence seems consistently to have been indirect. Even though it probably welcomed any broadening of the base of practical influence in Lancashire beyond the immediate circle of the earl of Derby, about whose dependability it may have had doubts, there is no indication that it briefed the Northern circuit judges additionally before they set out on their Hilary circuit in 1578.³⁸ In much the same incidental fashion, its instruction to the judges in 1586 to concentrate on completing all Crown side business, while the majority of the JPs were still present, before turning to the *nisi prius* side, may also have encouraged the development of the JPs meetings during Lancashire assizes week. The instruction was an impractical one, since the judges had long since learned that the way to expedite business, given the fits and starts with which assizes invariably proceeded, was to press ahead with whichever side immediately offered the opportunity to do so. But it served to put the judges under pressure at a time when the overall volume of business at assizes was already increasing. By the 1580s the judges on the Home circuit were already resorting to plea bargaining in order to cut down on time spent on routine cases on Crown side, in clear anticipation of the redefinition of responsibilities contained in the revised form of the commission of peace in 1590.³⁹ The Council's obvious wish to involve the judges more in purely administrative matters was for them another aspect of the same problem; and it was one much less easily remedied. In Lancashire matters were further complicated by the quantities of civil

suits which the judges were expected to face. As Roger North noted in the next century, assizes were always likely to be even more congested here than elsewhere because as a county palatine with its own set of courts it 'afforded more law business than other counties that deal only by *nisi prius*'.⁴⁰ Since the circuit's barristers and clerks had a particular interest in this profitable business, the judges' stay always tended to be relatively protracted. In addition, it is likely that because of the county's diffuse administrative structure, the bulk of presentments from high constables and other jurors on articles of enquiry were directed to assizes rather than to quarter sessions. Whatever considerations weighed most with them, the Northern circuit judges had ample grounds for wishing to associate the JPs more closely with their own administrative responsibilities.

It thus may be more than the expectations of a disappointing harvest which prompted the next known administrative meetings of the JPs during both assizes in 1586, recorded by Farington in the same book immediately after his entries for 1578. At Hilary assizes, the 1578 orders were simply confirmed, suggesting that little had happened in the meantime; but at Trinity assizes, shortly after the Council had told the judges to quicken Crown side business, the first full set of orders, of a kind to become familiar in the middle years of James I's reign, were made 'as well by the advise and consent of hir Majesties Justices of assise . . . as also such hir Majesties Justices of peace', concerning alehouses, rogues and beggars.⁴¹ The moment was obviously right for Clench and Rodes, now riding the Northern circuit, to build on the foundations laid by Mounson and Mead. At this point Farington's record comes to an end; and it is impossible to be certain how quickly the JPs' formal meetings became established. Several of the gentry's carefully kept rate-books, however, record the details of a county rate for the relief of the poor prisoners in king's bench and the marshalsea and for maimed soldiers within the county made in April 1601 by a working party of six JPs, including two of the Fleetwoods, after reference of the matter to them 'by the consente of the Justices of peace att the . . . assizes then being'. The matter of fact tone of the entry at least suggests that such proceedings were no longer a novelty. Each of the six JPs represented a particular hundred; and in a small way, their rate-making confirmed the JPs' recognition, even before the death of Elizabeth, of the expediency of combining their local interests with some degree of county-mindedness in administrative affairs.⁴²

Later developments

During the course of James I's reign the scope and the function of the meetings became more clearly defined. Lack of evidence makes it impossible to be sure that they were held regularly in his early years; but the similarity between the orders in the Shuttleworth Mss for 1612 and those

in Mosley's notebook from 1616 indicates that they were acquiring a settled form.⁴³ The judges' influence was still strong in 1612, and was to remain so for some time to come. The Shuttleworth orders read as though they had been dictated by the judges, and the last of them actually begins with the words 'it is further commanded by the Justices of Assizes . . .'. The headings to Mosley's record of proceedings, almost certainly supplied by the clerk of the peace, continued to acknowledge their interest. The meeting during the week of Trinity assizes 1616, for example, was 'by the apoyntement of the judge of assize [Bromley]'; while the last he recorded, nine years later, was held 'by and with the consent of' Francis Hervey and Henry Yelverton, then on circuit. The relationship between the judges and the JPs' meeting at this time is well caught in the preamble to the deed of bargain and sale by which the county at last acquired its first general house of correction in 1618.⁴⁴ The judges in court on 17 August that year, 'did then publickly signifie to all the justices of peace and commonaltye then and there assembled that it was his Majesties pleasure and expres charge and comande for the better ordering, governinge and punishing malefactors and the meaner sort of people' that a house should be set up according to the terms of the acts of 1598 and 1610, and gave 'strait chardge and comaund' to all the JPs 'under certayne great penalties upon every of them to bee imposed' that they should acquire one at once. The deed goes on to recount, in words which suggest that their auditors were less convinced about the need for a house than were the judges, how the JPs 'beeinge themselves well inclyned and forward in the said service for the good of the . . . county, but principally out of theire cares and obedience to the performance and accomplishment of his Majesties . . . pleasure and comand soe signified unto them, did presently . . . uppon Wednesday during the tyme of the same assizes assemble themselves together for the purpose aforesaid; att which . . . meetinge all the . . . justices did with one unanimous consente agree in opinion and then ordered that a house of correction should be erected . . . at . . . Preston,' as 'the most fitt and convenyent place', which should serve for the whole county. A surviving table order for Hilary 1631 concerning plague regulation was, according to its heading, made 'by and with the approbation' of the assize judges; and the names of the judges head the long list of signatories to a fairly routine table order in 1634 extending county liability for Ribble bridge to Walton Cop alongside. The surviving evidence for the judges' dealings with the Lancashire JPs during the mid and later 1630s, over Charles I's Book of Orders and other matters, indicates that it remained close enough to be seriously strained at times; but it is open to question whether it was any longer as insistent as it had been twenty years earlier.⁴⁵

Yet even in the midst of the remarkable outpouring of instructions which marked the circuits of 1618 and represented the judges' response

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to James I's heightened interest in their activities (appendices II to IV), the assembly of JPs was beginning to assume what was to become its customary role, taking over a wide range of purely administrative concerns, distancing itself from the need to urge enquiries into statutory breaches on the hundreds and parishes. The process was encouraged by the way in which the judges themselves shortly afterwards seem to have lost interest for the time being in the meetings, as the Council's own attention was drawn by the needs of parliament and foreign policy. But the table was on its way to becoming a recognised focal point in the magisterial round. By 1631 Sir Gilbert Hoghton was able to refer to its meetings as 'usual', and a few years later Peter Heywood evidently considered it the appropriate place for the discussion of matters of general concern to the whole bench, such as JPs' wages.⁴⁶ The headings to its orders had acquired a settled form by 1630, and references to the location of the meetings at the sheriff's table or board, first acknowledged in Mosley's notebook in 1624, became commonplace. By then, too, it had sharpened its sense of identity with the county at large by the nature of its response to the financial exigencies of the 1620s. Until the Civil War the table maintained some sort of balance between its twin functions as an additional conduit for the judges' directives and as a medium through which business of concern to the county, as distinct from its hundreds and divisions, might be managed.

There is too little evidence to assess its relationship with the wartime administration; but it is probable that it had a new importance as the place where the residual power of the magistracy might find suitable expression in the direction of county affairs and to do so principally, if the surviving fragments for these disjointed years are typical, in the provision of welfare and relief.⁴⁷ After the Restoration, when the influence of the judges was generally less intrusive, the table settled comfortably into its role as the established centre of the county's purely administrative round, originating and coordinating practical measures, many of which had a financial context. By the later 1670s, however, its meetings were for the first time beginning to reflect the political differences within Lancashire; some of the vigour which they gave to routine business is captured in the later pages of the 1661-94 order book below as the table once more confirmed its utility by acting now as a forum for county opinion. It may be glimpsed too in the sober pages of the diary kept by the elderly Cheshire deputy lieutenant, Sir Willoughby Aston, who paid a rare visit to Lancaster during Hilary assizes week 1696, shortly after the disclosure of the Jacobite plot to assassinate William III. He noted how the sheriff had 'been kept up till towards 3 o'clock this morning by the business of the sheriffs table [and so] did not attend the judge to court'. On that wearying occasion, the table's business included reshaping an association of loyalty to the king, already signed by the grand jury, into

an address according to a form recommended by the judges and already observed in Yorkshire. Evidently not all the JPs were equally anxious to endorse it.⁴⁸

Almost exactly a century after Aston's visit, the meetings of the table in their old familiar form came to an end, finally succumbing to their persistent weakness in having too much business to do and too little time in which to do it. In the words of the clerk of the peace of the day, 'from the increase of business of the assizes and the affairs of the county, it some years ago became difficult during the hurry of an Assizes to apportion sufficient time' to it. As a result, it became 'very ill attended, and at the last [so] totally neglected that it has for some years been discontinued'.⁴⁹ But if its form was no longer suitable, the need which it had tried to meet remained. After acrimonious dealings amongst the JPs, an act of parliament in 1798 finally introduced a new general sessions in addition to the normal cycle of quarter sessions. It was to be convened annually at Preston, not Lancaster; and it was to be used solely for 'transacting the General Business of the county at large'. In its new guise, the table had thus acquired a statutory basis at last.⁵⁰

ATTENDANCE AT AND LOCATION OF MEETINGS

The JPs probably gathered from the outset under the supervision of the high sheriff, even though it was some years before his table gave the meetings their familiar title. His name almost invariably appears at, or close to, the head of the list of signatories to the JPs' orders; and since under the terms of an act of 1554, he was not supposed to act as a magistrate during his shrievalty, he presumably took the chair.⁵¹ There is no indication that the *custos* or other senior JP ever did so. In time the sheriff became less inhibited and on occasion before the end of the seventeenth century actually cast his vote with the rest of the company, as well as signing their proceedings.⁵² Despite the indeterminate status of the table, he must have come close to a breach of the statutory limitation on his office. The judges themselves endorsed the record from time to time; but this is less likely to indicate that they were present at meetings than that their signatures were sought afterwards in order to lend additional authority to decisions taken.⁵³ If the meetings ever had standing orders, none have come to light. Some of the obscurity which surrounds their beginnings may well have been a consequence of early uncertainty about who should keep the record. In time, in the hands of the Rigbys, it clearly became the responsibility of the clerk of the peace and his staff; but it was certainly unusual in any county to call on their services during the course of assizes; and it would be interesting to know whether Ralph Latham, then clerk of the peace, took the original of the 1578 and 1586

orders from which Farington's copy was made, and whether he was entrusted with its safekeeping afterwards.

From the start, the meetings were almost certainly open to all JPs who wished to attend, even though the names of the more senior of them appear most often underneath their orders. There may, however, have been an attempt in the early 1620s to restrict attendance to members of the quorum, at a time when the commission of peace had been increasing steadily in size and had yet to undergo Charles I's early pruning.⁵⁴ The inclusion of this qualification in the wording of the formal headings as recorded in Mosley's notebook may indicate as much; if so, the restriction was never rigorously observed, and throughout the period covered by this edition a minority of less favoured JPs were also present. Also in 1624, in what may again be no more than a stylistic variation, the headings to meetings for the first time acknowledge that they were held at the sheriff's table, even though there was a strong presumption that they had been so from the beginning, and that they took place 'at night', towards the close of the third day of assizes week.⁵⁵ This placing near the end of assizes presumably had its origins in the judges' wish to have the meetings delayed until the bulk of their own business was done, and they had an opportunity to give added directions. It was however rarely varied over the next century, even though the judges' interest was noticeably more restrained. By 1618, and until the Civil War, meetings were held pretty consistently on Wednesday evenings; but by the later 1660s modifications in the assize circuits had unsettled their routine and before the end of the century the table had at one time or another convened on every weekday. Such inconsistency cannot have helped attendances, which were always liable to fluctuate as JPs stayed away from assizes, returned home early or simply did not trouble to attend the table although still in Lancaster. The highest known attendances, on the evidence of the endorsements to proceedings, were both of more than thirty members at meetings in 1634 and 1679. On the same basis, others mustered fewer than a dozen. But even during the 1630s, when Conciliar pressure was supposedly unusually firm, the attendance of JPs at assizes was often disconcertingly low. At least thirty four JPs were absent from Hilary assizes 1636, when due to take the oaths of supremacy and allegiance.⁵⁶ The contract which high sheriffs were by 1633 entering into with the steward of Lancaster Castle made provision for no more than twenty gentleman at table.⁵⁷ The remoteness of Lancaster meant that the majority of JPs had to travel some distance to attend the court, held in a town whose own quarter sessions bench was consistently the smallest of the four. From an early stage the earls of Derby seem to have been absent from the meetings. The fourth earl, Henry, who certainly attended quarter sessions in 1583-4, was made a Privy Councillor in May 1585 and this may well have diverted his attention. His household book, kept by Farington, shows that he was not

averse from holding meetings of the deputy lieutenants and JPs at Lathom even while assizes were in progress; and although gentry associated with the Stanleys were often at the table, later generations were little different. Even James Lord Strange was content to stir the JPs on the Council's behalf from a distance.⁵⁸ None of the family endorsed any known record of the table's proceedings after 1586. The Stanleys' influence in the magistracy never depended on attendance at its business meetings during assizes week.

In the years following the Restoration it is difficult, in the almost complete absence of endorsements to proceedings – let alone attendance lists – to be sure how the returning royalists treated the table. During Trinity assize week 1663, those at the table were clearly aware that some of their number were in town although absent from the board, since they summoned them to an additional meeting about subsidy assessments the next day. But the decision taken during Trinity assize week 1669 to get the clerk of the peace to inform all JPs at the next round of quarter sessions, that the table had decided to continue to convene on the third night of assizes, may well have been prompted less by widespread indifference than by the unsettling effects of the irregular timing which had recently begun to afflict assizes. Towards the end of the 1670s, as the government rallied its supporters, and later as James II made his sweeping but temporary changes in the commission, attendances at the table began to rise again. The new political urgency was demonstrated by the presence of three MPs, Sir John Otway, Sir Thomas Stringer and serjeant Edward Rigby among the sixteen JPs present at the table during Trinity assizes 1678; while the following year the table was stiffened by the company of no fewer than five MPs in an attendance of thirty three, as the high Tories Sir Jeffrey Shakerley and Sir Roger Bradshaigh joined their colleagues. Bradshaigh was actually pricked sheriff for 1678–9. The increase in the size of the commission of peace itself, to well over one hundred members by the later 1680s, meant nevertheless that the proportion of JPs present was invariably lower than it had been at times before the civil war.⁵⁹ Numbers probably always mattered less than the quality of those in attendance; but that the JPs themselves had quite mild expectations of the size of the gathering around the table is suggested by a retrospective reference to 'a great appearance of the justices' for the meeting in August 1687, when only nineteen JPs were present.⁶⁰

Persistent deficiencies in the recording of the names of those present makes it impossible to establish full details of attendance at the table; but some individuals and some families stand out. Richard Holland of Denton, a deputy lieutenant commended by the Council for his anti-Catholic activities and the guiding hand behind the puritan petition to James I in December 1604, put his name to all the extant proceedings between 1578 and 1601.⁶¹ Sir Ralph Asheton of Great Lever, like his

father before him the Duchy's receiver for Lancashire, was a frequent attender in the 1620s and provides an example of the way in which Duchy office holders tended to support the table. So does his younger brother Radcliffe Asheton of Cuerdale, the county's prothonotary for more than thirty years. The most extensive family links with the table, again with Duchy associations, are provided by the Rigbys, particularly by the Burgh line. As clerks of the Crown for the county they sat at the table as JPs throughout the period covered by this edition and across five generations; during the time in which they held the clerkship of peace as well, one brother, Edward, sat at the table while his younger brother Roger's staff took its minutes. From 1612 the clerkship of peace went to Roger's cousin Alexander of Wigan, and that branch of the family were still noting the table's proceedings through their kinsmen by marriage, the Kenyons of Peel, at the end of the seventeenth century. At the Restoration one of the Burgh Rigbys' cousins, Richard Kirkby, became *custos rotulorum*, a post he held until at least 1681; and by then his brother and son were also in commission and at the table.⁶² Other families also served down the years, although in less cumulative fashion. Among them were the Faringtons, Braddills and Prestons, as well as the Hollands; all of them were also concerned to sustain the work of the magistracy in the hundreds and divisions.

The location of the table's meetings was never specified. Whether this was because the information was considered unimportant, or because the location quickly became customary, or because the clerks were afflicted with reticence similar to that which prevented church court clerks admitting too often that their afternoon sessions took place at the inn to which the court had adjourned at mid-day is not clear. The 1578 instructions simply told the sheriff and JPs to keep 'theire table and commons together in some convenient place within the town of Lancaster or where the . . . assyse shal fortune to be kept'; a porter was to be appointed to keep the gate of the 'House of commons'. But in a further unavailing attempt to curb sheriffs' pretensions, the Council in 1600 specified that in future they should 'rayse some ordinary' in the sessions town and there provide entertainment at the standard rates; and in 1636 it was said to be 'nere adjoininge to the . . . Castle'.⁶³ The timing of the meetings makes it likely that they were held in an upper chamber of one of Lancaster's larger inns. No mention of the table, in either of its forms, was made in the survey of the castle in 1578 or in the long list of its functions and facilities set out in 1663 before repairs began; and the often imperfect condition of the castle's fabric makes it improbable that the JPs ever met there, particularly at night.⁶⁴

RANGE OF BUSINESS

By the mid 1620s the meetings at the sheriff's table had begun to acquire an impetus and character of their own. Both the language in which the written record is framed and the changing nature of its subject matter suggest that the assize judges' influence was becoming less obtrusive, at least for the moment. The concern expressed by the judges in the fragmentary early record over such basic problems as vagrancy, unwanted alehouses and broken roads was being supplanted by what became the table's overriding concern in the years ahead: the provision for and management of the financial resources which underpinned the fabric of much of county administration. In the long term the table did little to compensate for the failure of the quarter sessions benches to press juries of enquiry into breaches of statute as hard as they might have done.⁶⁵ In the eyes of the county gentry, no doubt, the primary reason for its existence was not the transmission of central government policy but rather the supervision of those aspects of internal administration for which there was a communal responsibility, requiring the agreement and often the financial support of the county at large. Both Sir Willoughby Aston and the late eighteenth century clerk of the peace remarked on this aspect of the table's activities. The sheriff's table, said Aston

is practised only in Lancashire, where the Justices being many and living remote they agree upon and prepare business for the quarter sessions which is held by adjournment in four places in the county. By this means they agree to act unanimously. Here they appoint head constables to be confirmed at the quarter sessions, appoint a kind of committee to take accounts for bridges. And this was held yesternight.⁶⁶

The clerk of the peace added that it had a special responsibility for 'nominating Public Officers' which it did 'with the advice and assistance of the . . . Gentlemen of the Grand Jury and others of the county'.⁶⁷ The table thus for much of its life was rather like a quarter sessions bench, sitting for the whole county, dealing with such aspects of administrative policy as came its way; it was however both more approachable and yet never entirely free from the influence of the assize judges. Aston was right to mention high constables and bridges. Of the three hundred or so orders recorded in this edition, one fifth in some way concerned the appointment and functions of the high constables of the hundreds; while a further fifth dealt with the building, rebuilding and maintenance of Lancashire's bridges, especially the 'great' ones at the county's charge. No other matters bulked so large; but county rates covering pensions for maimed soldiers, setting up and maintaining the main house of correction, the

county's moderate liability for purveyance and, from the late 1670s, the upkeep of Lancaster Castle all came to the table with some regularity. So also from time to time did problems concerning plague, internal security, wages, weights and measures, apprenticeship, settlement of the poor, jury lists, subsidies and the hearth tax, the activities of Quakers and other dissenters, dealings with the Duchy of Lancaster and, with remarkable durability for so minor sum, the arrears on the county's contribution under a late Elizabethan statute towards the support of poor prisoners in king's bench and the marshalsea. Roman Catholics were not regarded as causing problems until 1678-9, at least on the basis of the available proceedings. Some of its business, like the appointment of the high constables, it took over permanently from assizes; while throughout the period administrative matters were regularly referred to it by the judges for attention. But individuals also attended its meeting to push a case or to present a formal petition as early as 1618, and others must have been responsible for some at least of the information the table acquired about decaying bridges. Accounting officials were frequently in attendance, and at hand were experienced barristers and attorneys who practised on the Northern circuit but who were not necessarily themselves Lancashire JPs. 'Counsel learned of the shire' were among those who gave their opinion against exempting Altcar and Childwall from two county rates in 1620; but their presence on behalf of clients is most apparent later in the century when the table's meetings had clearly become so public that some of the JPs were on occasion reluctant to cast their vote, in case they made their position uncomfortably plain.⁶⁸ By then too the 'Gentlemen of the Grand Jury' were probably also present since in the factional differences of the 1680s and 1690s they had become more closely associated with one or other group of JPs, as they had for example over the fate of William Tomlinson, governor of the house of correction at Preston.

1. *The high constables*

Like that of the table itself, the role of the high constables lacked close definition. Both in substance and function they occupied a position between, on one hand, the judges and JPs who charged them with their responsibilities and, on the other, the petty constables and other parish officers who were supposed to carry the bulk of them out. Although they had a customary duty to collect county and hundred rates within their immediate jurisdictions, they spent much of their time maintaining an intermittent watching brief over the parishes. The judges saw them as a useful additional, and even alternative, channel of enquiry and information to the JPs, and from time to time directed a fairly standard set of articles to them, for answer at the next assizes. Some, but by no means all, judges also encouraged them to make presentments at quarter ses-

sions – as the Northern circuit judges advised during their burst of activity in 1618.⁶⁹ In Lancashire it is likely that reports to assizes generally had more substance to them than those to quarter sessions. Although the available assize records are not full enough to allow this impression to be substantiated, the register of Ambrose Barcroft, high constable for Blackburn hundred in 1681, reveals that presentments at sessions were perfunctory while those at assizes were of sufficient substance to be engrossed before being handed to the grand jury. By then, the high constable himself no longer made presentments, but collected and collated the returns to articles from the parishes and took them to assizes. Something of the uncertainty which worried the more conscientious high constables is revealed in Barcroft's note that 'It is the opinion of some persons that High Constables need not issue precepts to the petty Constables to make presentments at the Quarter Sessions, but that the said Petty Constables ought to do it *ex officio*. Others say that the High Constables ought *ex officio* (for wee have no Warrants from the Justices of Peace to doe it) to issue such precepts to the Petty Constables, which I taking to be the safer course to doe, did issue such precepts . . .'. He also noted that his partner, Dandy, left it to the petty constables as most of their predecessors seemed to have done; and that although they reported, they did so with that emptiness which comes with going through the motions. A typical return read: 'I have no presentments to make of any thing done or happened within my Office since the last Quarter Sessions.' Barcroft sent detailed articles with his precepts; but he does not mention the quality of the response.⁷⁰

There was no statutorily fixed term of service for the high constable, and the counties each made their own decisions about its duration. In some it remained open ended until the 1640s at least, but there was a general tendency to define its length. The West Riding bench did so in 1610, limiting high constables to a three year term after suspicions that some of them had grown corrupt in the service; Suffolk did so a few years later.⁷¹ In Lancashire, however, the high constables were from their first appearance in the county records in 1600 appointed for a one year term only. Whether their absence from the earlier quarter sessions records means that the office had been recently introduced, as it had in the West Riding, is uncertain; but in the 1600s they were apparently being appointed by the assize court itself, at either of its two meetings.⁷² By 1612, however, the selection and appointment was being made by the JPs meeting during Hilary assizes week, in readiness for them to take their oath of office at Easter quarter sessions after having been served by the outgoing constable with a copy of the table order announcing their election. This practice continued throughout the century. Only very rarely was a high constable appointed for a second term after an interval of years, and only occasionally was his initial term extended other than temporarily until he presented

outstanding accounts. Such a summary arrangement was not always to the taste of a local JP. Harry Parker, grown elderly and infirm, had become so attached to 'honest, faythfull and sufficient' William Cooke, already serving a second term, that on hearing a successor had been chosen, he wrote from Hornby Castle to the Lonsdale sessions bench in 1632 asking them to continue Cooke in office since 'he doth ease me of many occasions of ymportance within my division' and he could not 'trust a stranger so well as hee whoe is well experienced'.⁷³ But in local government, experience was often the other side of the coin to corruption. Normally the Lancashire high constables were expected to fulfil other duties once their year of office was over. They served regularly on hundred juries of presentment at both quarter sessions and assizes, and sometimes on trial juries too; and they were among the men of experience and responsibility to whom the table turned when it wanted a bridge surveyed and repaired, purveyance collected, or a treasurer for its maimed soldiers fund.⁷⁴ The high constable's office in Lancashire was thus only one part of a wide and quite varied pattern of public service over a lifetime.

The high constables tended to be men of some substance belonging to that social group which in Lancashire was accorded, and accorded itself, the style of yeoman or gentleman as occasion served, sometimes continuing the practice within a single family over two or three generations.⁷⁵ In office as high constables they were invariably styled gentlemen, even when their substance may not altogether have warranted it. Such reservations were frequent during the 1630s especially, when a miscalculation by the assize judges in permitting certain privileges to the trained bandsmen, took full effect; but over the whole period covered by this edition there was remarkably little concentration of the office on either individual families or townships even though Lancashire had normally to find thirteen new constables each year.⁷⁶ In the long run, despite the difficulties during the personal government of Charles I, high constables were quite often chosen from families which were both reputable and resourceful. Among the high constables of Amounderness hundred, for instance, were Thomas Bannister (1612), one of three successive generations of mayors of Preston whose kinsmen included Duchy officials and an MP; William Elston (1621), who wrote a memoir of his family which is now in the Harleian Manuscripts; and Richard Hoghton (1674), second cousin to the courtier Sir Gilbert Hoghton, whose family entertained James I during his eventful stay in the county in 1617.⁷⁷

All high constables needed an ability to handle frequent paperwork and a capacity for understanding the cumbersome language in which their instructions were often framed. The West Riding bench in 1610 had been scathing about the skills required; but the table in 1668 set a composition of no less than £20 on a travelling salesman for freedom from the office

for life which, in effect, was for a single year's service.⁷⁸ Conscientiousness was probably always an elusive quality. One of the pleasures of reading Barcroft's register is provided by his scarcely suppressed irritation with his partner, who was often out of the county and at times as far afield as London, leaving his clerk to fill the office for weeks at a time.⁷⁹ Barcroft, with his enquiring mind and punctilious manner, no doubt was an exceptional constable; but the working papers preserved by the Parker family, among them table orders, indicate that others, too, took their responsibilities seriously.⁸⁰ Some of the qualifications needed for the office were revealed, in a negative way, during the 1630s and 1640s when complaints about lack of freehold land, illiteracy, blindness, deafness, old age, absences from the county on business, and inability to move about the county because of infirmity, were all made by those the table had chosen or by replacements nominated by the sessions benches.⁸¹ As early as 1618 the table had recognised the slowness of its own knowledge of its social inferiors, which never left it, by ordering outgoing high constables each to provide it with a list of three possible successors.⁸² Even then much depended on the presence at the table of JPs from each hundred, as the errant Salford JPs conceded on more than one occasion during the 1630s, if mistakes were not to be made.⁸³ For the lists were not always a satisfactory basis for selection, depending as they did on one man's opinions and prejudices; and it is noticeable that the sessions benches, although repeating the process when seeking replacements, sometimes made a choice outside the proffered names. Nevertheless, considering that the rate at which Lancashire used its human resources in finding high constables was very similar to that of wealthier and more populous counties like Essex and Suffolk, the quality of its near-gentle and modestly gentle stock proved both broadly based and enduring.⁸⁴

Close to the heart of the relationship between high constables and table was the enforcement of accountability. The table was by no means always quick to demand accounts for rates raised or money spent in the county's interest; but when it did so it had to command compliance or its own authority was jeopardised. In March 1621 it threatened to imprison all high constables withholding rates, in what looks like an early attempt to make its will felt; and it had problems as a result of the frequent changes of personnel during the 1630s. But its most serious difficulties appeared after the Restoration. After worrying signs of disinclination, the table in 1674 instructed the deputy clerk of the peace to draw a bill for indictment to put to the assize grand jury next day against two high constables who had defaulted on a rate for repairing the house of correction, and throughout the 1680s it sought the backing of the assize judges in its efforts to collect a rate for the county gaol, which the county had recently taken over and which was for the moment fuller than usual with Catholic recusants.⁸⁵ The table was always better at setting a rate in

motion than it was in seeing it collected and accounted for afterwards. Resistance by the ratepayers was particularly awkward for the table, since it challenged its claim to act as the representative of the county at large.

2. *Bridges*

No matter whether financial responsibility for their upkeep rested on parish, hundred or shire bridges were always a more pressing concern for county government than highways. A broken bridge might deny access to a market town in a way an unmended road would not and, as the Civil War made plain, all bridges had a strategic importance which roads could rarely match. Roads could be left for long periods to the sleepy care of parish officials; but clerks of the peace filled books with precedents concerning responsibility for bridge repairs. With its relatively few internal divisions Lancashire was spared much of the contention which arose between neighbouring parishes or hundreds with a bridge in common; and although the table from time to time took notice of the county's lesser bridges, it rarely had to arbitrate over repairs in the way it might have done. Until the 1670s, its attention was directed primarily to the three 'great' bridges – Lancaster, Ribble and Crosford – which by custom were maintained at the county's charge. Crosford bridge, spanning the Mersey south of Stretford on the approaches to Manchester, caused few problems once Sir Cecil Trafford had finally agreed not to restrict rights of access in 1663.⁸⁶ Lancaster bridge exercised the table rather more. When it needed major repairs in 1624, money already collected for a Palatinate benevolence was borrowed, accounts for moneys allocated for repairs ten or eleven years before were abruptly called for, the sum of £300 was rated on the county, and orders made for building a ferry boat to carry passengers and their animals across the Lune at a fixed tariff and for selling the boat once the bridge was usable again. Prudently, a further order a year later provided for repairs of up to three hundred feet of the road on the northern side of the bridge. Not surprisingly there was widespread indignation whenever the enterprising townsmen of Lancaster tried to charge a toll for crossing the bridge the county kept in repair for them; and there were early complaints in 1625 that they had 'misemployed' the ferry and other timbers bought for the renovations.⁸⁷ Ribble bridge and its surroundings were, however, even more often in the table's thoughts. The bridge crossed the Ribble at a point close to its confluence with the Darwen on the outskirts of Preston. Although it was reported at one point that the bridge, like others, was afflicted by uneven water pressure between its five arches, its main problem was caused by the 'common street' usually known as Walton Cop or Bank which ran between it and Darwen Bridge in Walton-le-Dale. The cop was both elevated and, as part of the main thoroughfare from north to south in the county, much

frequented. It suffered badly not only from its proximity to the rivers, but from the effects of a mill stream on adjacent property belonging to the Hoghtons. Until 1634 the cop was held to be the responsibility of the town of Preston and of Blackburn hundred; but in that year a packed table decided with the approval of the judges to make it also a county charge and so added a familiar theme to its proceedings. As with its other charges, it took care to get the Hoghtons to permit the strengthening of the base and supports of the bridge and to guarantee freedom of access.⁸⁸

A special provision tacked onto the highways act of 1670 introduced a new period of activity. Section 14 of that act permitted the JPs of Lancashire and Cheshire, after necessary formalities, to sanction the building of new bridges and the rebuilding of others destroyed during the Civil Wars for a ten year period. It did so because in both counties there were 'many and sundry great and deepe Rivers which runn crosse and through the[ir] common and publique Highways and Roads . . . which many times cannot be passed over without hazard and losse of . . . Lives and Goods . . . for want of convenient good and sufficient Bridges.' This unaccustomed licence at times perplexed the table.⁸⁹ Only after it had first voted against building a new bridge over the Ribble at Salesbury ford during Trinity assizes 1674, and found a majority in favour of it at its next meeting, did it finally manage at a third to enunciate a county policy. By then it had also received a letter from the Chancellor of the Duchy, strongly in favour of new works. The table decided, sensibly enough in the end, to fund the building of new bridges by a county charge, but to make the individual hundreds and parishes concerned responsible for their upkeep. It thus neatly satisfied the Privy Council and the Chancellor of the Duchy without increasing the perpetual charges on the county.⁹⁰

No sooner was a bridge repaired than it started to decay again. Much of the table's time throughout the period was taken up with the quite complicated procedures which kept the 'great ones' passable: receiving informations, appointing surveyors, considering reports and estimates, raising rates, employing workmen 'of skill', electing overseers of the repair work and eventually calling in accounts. By the 1650s, if not earlier, it had begun to appreciate the sense in keeping these overseers in service for years at a time. It could feel confident that their work was never done.⁹¹

3. *County rates and taxes*

One of the consequences of Lancashire's lack of a natural centre was its JPs' concern to establish certainty amongst its constituent parts about their respective liability for rates and taxes. This became especially necessary towards the end of the sixteenth century as Elizabeth's government multiplied both the weight and variety of its demands on the counties and corporations. Few of them, however, can have exceeded the precision

with which Lancashire ordered its domestic rates, providing a further example of the way in which tight control might nevertheless lie within the compass of a loosely structured administration. This concern was taken up by the JPs' meetings as they became established, and by 1640 Lancashire had no fewer than five different local rates, only two of them sharing the same proportions on the hundreds. The traditional quindene or fifteen, adapted from the old parliamentary fifteenth and tenth, weighed most heavily on West Derby hundred which provided almost one-third of its yield; by contrast, in later rates its liability ranged between roughly one-quarter and one-fifth. The fifteen was probably used for all manner of purposes until 1584 when the ox rate for purveyance was introduced, and it remained a familiar yardstick throughout the seventeenth century. One whole fifteen raised approximately £330.⁹² The soldiers ley owed its origins to the preparations for the Armada, and became established as the basis for coat-and-conduct money during the recruitment for the Irish wars in the 1590s; so acceptable did its proportions prove, that in 1624 the table declared them to be the basis for a general rate to be used in future for all internal purposes not otherwise provided for.⁹³ Central government innovation introduced the maimed soldiers rate in 1593 under 35 Elizabeth c.4, which was linked in 1601 with the rate for the poor prisoners in king's bench and marshalsea under 39 and 40 Elizabeth c.3 of 1598. Together the rates realised almost £44 a year. In 1637 they also formed the basis of a new rate brought in by the table to simplify the means of supporting poor prisoners in the county gaol which had, from 1578, been dependent on an apparently impractical tax introduced by the assize judges.⁹⁴ Finally in 1665, after an appeal by three of the hundreds to the king over unfair assessments for a royal aid, a new general rate was agreed by local commissioners at a special meeting, shortly to be ratified by the table. This new rate was pitched mid-way between the ox ley for purveyance and the old general rate and was not apparently much used: Barcroft in 1681 seemed to consider it an instance of the finely balanced calculations the table was capable of with so many rates to choose from rather than as a new version in its own right. Its importance in 1665 was probably to circumvent an obviously unfair assessment being prepared by some of the commissioners.⁹⁵ The much used rates all fell into a broad pattern. Leyland was always charged least and West Derby most; while the other four hundreds enjoyed a rough and ready comparability: thus Salford and Lonsdale were fairly heavily rated for the maimed soldiers and prisoners rate of 1601, while Amounderness and Blackburn had a slightly bigger share than usual of both the 1624 and the 1665 general rates.

Once the proportion for each hundred had been established, the ratings for each of its parishes, towns and hamlets were set down and calculated for a series of fractions and multiples of £100. This was presumably done

in the first instance by local commissioners; but the readiness with which both table and sessions benches invoked one or other of the rates encouraged the compilation of detailed books of rates, looking rather like ready reckoners, covering the whole county. Copyists' mistakes sometimes undermined the reliability of these books and a minor slip could be perpetuated from one source to another over several generations; but the general principle was a sound one, and at least down to parish level there was little room for dispute.⁹⁶ When Humphrey Chetham as high sheriff rapidly set out the hundred and parish assessments for ship money in 1636, it was not done 'in a rough and ready fashion' as S. R. Gardiner thought, but simply by resort to the provisions of the 1624 general rate with an expedition customary in Lancashire. Rate collecting of course posed its own problems; but as far as assessment went, Lancashire presents a well ordered appearance not always found in counties a good deal more centrally disposed.⁹⁷

4. *Purveyance*

Lancashire's minimal assessment for purveyance for the king's household, compounded for at forty oxen a year, was met by means of an agreement with a contractor for a term of years at a fixed rate settled in advance. Such an arrangement was introduced after a meeting between Derby and many of the JPs at Wigan in 1583 and remained so until the last days of purveyance at the Restoration.⁹⁸ At that late stage Lancashire distinguished itself by renewing its contract, in an expression of enthusiasm for the returned monarchy, even before the details of the parliamentary settlement of the king's finances were known. Perhaps because it was never a large sum, it was divided roughly equally among the hundreds, giving it the crudest appearance of any of the county rates. It showed the effects of inflation, nevertheless. In 1583 the contract for the forty oxen, which were to be 'well stricken for store', cost the county a total of £106 13s. 4d. By 1640, when the sessions benches were trying to decide between two contractors recently in partnership, one of them 'slighted' an offer of £250. Probably because of inflation, the seven year contract which the table agreed with Peter Marsh of Wigan in 1618 was not repeated; and subsequent contracts were normally for three years only. Marsh entered into a bond of £600 for a contract of £180 a year; later contractors over a shorter term were bound in £500. At no time was purveyance an unduly sensitive issue in Lancashire. Far from the Court, it escaped the heavy charges made on those counties nearer to London which were expected to supply a much wider range of costly and often readily perishable goods for the Court and household. Nevertheless purveyance lingered on: it was not until 1671 that it finally disappeared from the record of the sheriff's table.⁹⁹

5. *The Management of the House of Correction at Preston*

Once the house of correction for the whole county had been set up at Preston in 1619 it became one of the table's continuing responsibilities.¹⁰⁰ With this basic obligation finally met, the judges displayed little further interest in it and seem never to have pressed for a house to be built next to the county goal or for subordinate houses to be set up in the hundreds. Although Preston was for much of the county more accessible than Lancaster, the utility of its house to the southernmost hundreds is open to question. Both West Derby and Salford had shown an early interest in local houses, although it was not until 1657 that Salford finally opened one of its own. The number of inmates in the Preston house was probably always quite small. Before it was opened there were plans for accommodating fifty, and because of fear of overcrowding children were always excluded. Surviving calendars indicate considerably lower numbers, including a sprinkling of 'lunatics' and a high proportion of women.¹⁰¹ Among them were the mothers of bastards; and, as Dr King has shown, the opening of the house at Preston brought a change in county policy for dealing with the parents of illegitimate children. In the past both parents had been punished, usually by whipping. In future, the mother was usually sent to the house; while the father quite often escaped punishment, apparently in order that he could provide the larger part of the maintenance for the child.¹⁰² But costs of conveyance persuaded many parishes that it was still preferable to stock or whip rogues and vagabonds before moving them on.¹⁰³ The Ormskirk bench, at an unusually lengthy sessions in 1633, decided that prisoners sent to Preston 'as an exemplary punishment' should in future be conveyed back for trial at quarter sessions as a 'terror' to them and to others, indicating perhaps that those sent to the house in the past had remained there without trial, very probably for only a few days. Even under the intermittent pressures of Charles's Book of Orders, the JPs were evidently still cautious in their use of a facility the Privy Council had been urging on the counties since 1576.¹⁰⁴

The table supervised the setting up of the house, including the provision of looms and other equipment to enable the prisoners to make cloth. It appointed the governor, fixed his salary initially at £50 a year, and encouraged him to sell his charges' produce at Preston or at markets throughout Lancashire.¹⁰⁵ When the first governor died early, the table in consultation with the assize judges made long term provision for his young son, who had been born in the house.¹⁰⁶ The house was no more durable than the county's bridges, and repairs were needed as early as August 1621. After the Restoration the table decided to apply the product of Quaker fines to its maintenance, at a time when George Fox and others were complaining bitterly about conditions in the county gaol.¹⁰⁷ There seem to have been remarkably few complaints from either governors or parishes about the collection of the rate for the governor's salary, which

may be taken as evidence of a county confident in the equity of its rating arrangements; but it may also owe something to the fairly static condition of that salary for much of the century. By the 1670s the governor preferred to leave the house in the charge of a subordinate while he found healthier and more profitable employment elsewhere. The table did its best to insist on residence, but it was not always easy to achieve. When Thomas Anderton was sharply ordered by the table in 1683, eight years after he became governor, to come to live in the Preston house or lose his place he found that the servant he had left in charge denied him access, alleging that his wages were unpaid. Only after Anderton, his family and six cartloads of household goods had stood for three hours in the rain, and the governor had handed over £3, did the servant relent. But like his immediate predecessor, Bryan Burton, Anderton was dead within two years of making the house his home.¹⁰⁸

For much of the seventeenth century the political allegiance of the governor was not an issue. The table was quick to apply the provisions of the new Test act to Burton in 1673, as well as its stipulation about residence; but there was little reason for the governor to become a focus of county attention.¹⁰⁹ But as William Tomlinson clung precariously to the office during the vicissitudes of the 1680s and 1690s that was exactly what, for a short time, the governor became.

6. *The factional dispute over William Tomlinson, 1689–96.*

At the time of his appointment Tomlinson had the doubtful advantage of being better known in the county than any of his predecessors. He assumed office in 1685, on Anderton's death, having been promised the succession by the table two years earlier. A big, active man who had trained horses for the gentry and who also served in the bands as a quarter master during the interrupted lord lieutenancy of William, 9th earl of Derby, Tomlinson was twice challenged for the governorship in 1687–8 and then in 1689 became the object of strong Whig attacks led by the current sheriff, the young but redoubtable John Birch. Tomlinson was accused of being a Jacobite and a small amount of evidence to that effect was eventually adduced against him by menial witnesses; his late wife had herself been the widow of a popish recusant. More to the point, however, he had been employed in conveying felons to York and other prisons, and in particular he had executed warrants from Derby against John Birch, for his part in Monmouth's rising, and against his uncle Thomas Birch, vicar of Preston, for his persistent nonconformity and political unreliability. John Birch, described in a Tory petition as of a quality more fitting in a high constable than a high sheriff, was nevertheless pricked for the shrievalty for the year 1689–90. When the dispute first reached the table Tomlinson had already been 'discharged' from his post by order of sixteen Whiggish JPs meeting unofficially on 4 June 1689

and in their view replaced by John Willacy, who happened to be another of John Birch's uncles; and an attempt had been made to indict him at Trinity assizes 1689. The table took notice of the matter later in the same assizes week. Tomlinson was represented at its meeting by Christopher Greenfield, a fast rising attorney, in the presence of seventeen JPs including seven of those who had recently tried to oust him. The hearing was in public, and past orders of the table were read out as well as the unauthorised order of 4 June. The usurpers gained no converts, and the table decided by ten votes to seven to restore Tomlinson to his place. Birch, the first sheriff known to cast a vote at the table, proceeded in equally uninhibited fashion to countermand that decision immediately afterwards, on 26 August 1689. It may not have taken effect however, for after lying unusually low during Hilary assizes 1690, Tomlinson's opponents felt it necessary to make a stealthy approach to secretary of state Shrewsbury for permission to turn him out. This was received and put into effect on 29 April 1690 at an extraordinarily well attended special sessions at Lancaster, and William Higginson was chosen to replace him. Roger Kenyon called it 'one of the most artificial surprises in the case' and noted that most of the JPs were reluctant to sign the removal order, doing so only because it was in the king's name. A counter petition to the king through the other secretary of state, Nottingham, however got the case referred back to the Lancashire JPs. Yet before they could act, Brandon, who had replaced Derby as lord lieutenant, 'and at his instance, the deputy lieutenants, set themselves to carry on this matter against Tomlinson', in Kenyon's words. They bound him both to good behaviour and to answer on a general warrant at the next assizes, without mentioning any specific charge; but after they had failed to return any information against him at either Midsummer quarter sessions or Trinity assizes 1690 the judges discharged him.

That Derby, for all his apparent duplicity, represented the customary moderation of the majority of the Lancashire gentry better than Brandon, who was himself open to a similar charge, may perhaps be demonstrated in a small way by the table's prompt decision to restore Tomlinson to office. They did so by thirteen votes to nine, and among the thirteen were six who had voted for his removal at the extraordinary meeting on 29 April 1690. At this, 'one of the deputy lieutenants then and there openly with an oath did declare that Let the Justices make what order soever Tomlinson should not come in.'¹¹⁰ Four JPs nevertheless were charged by the table with seeing that Tomlinson did take physical possession of the house of correction again; but as two of them subsequently reported, when they got there they found an armed guard on the house and Higginson nowhere to be seen. Thus secured, some – if not all – the deputy lieutenants once more took the initiative and in the following months they induced certain poor servants of Tomlinson to accuse him again

of being a papist and a Jacobite, and seem generally to have worked hard to blacken his reputation. As a result, with the table itself subject to changing membership and containing only four of Tomlinson's known past supporters, it resolved unanimously during Hilary assizes week 1691 to turn him out as 'a person notoriously ill affected to their present Majesties' and to put Higginson in his place. Higginson retained it until his death in 1694, when Tomlinson once more returned. He did not last long however. As a last twist in the troubled tale, he was voted out by the table during Trinity assizes 1696 after further doubts about his loyalty at a delicate moment, and was finally succeeded by John Bannister, selected by the table from the three candidates who offered themselves.¹¹¹

In the space of less than seven years Tomlinson was thus put out of his relatively minor post on four occasions and restored on three, causing an open breach between the lieutenants and the JPs and twice prompting the intervention of the secretaries of state. As a military man he was perhaps an odd choice for a position more suited to a clothworker; but his real misfortune was to have been too closely identified with Derby at a time of unsettling political change, and so to have provided a convenient issue over which the Lancashire gentry could exercise their conflicting sympathies. As they did so the table revealed both its usefulness and its weakness. It undoubtedly provided a forum for discussion and a rallying point for the majority of moderate gentry still in the commission of peace; but its decisions were not legally binding, and they could apparently be ignored or overturned with impunity by those of similar standing. As Tomlinson's case demonstrated, the table's orders were binding only insofar as the leaders of county society were prepared to make them so.

7. *The county gaol*

Lancashire's limited responsibility for its county gaol until the late 1670s is reflected in the rarity of references to it in the earlier table proceedings. Although the high sheriff had responsibility for the safekeeping of the prisoners in the county gaol, itself in the remoter parts of Lancaster Castle, the county as a whole did not contribute towards its maintenance or to that of any other part of the Castle until 1679-80. Up to that time it had been administered on behalf of the Crown by the chancellor of the Duchy of Lancaster who paid both the steward and the county gaoler. Although this arrangement meant that the table was free to concentrate its attention on the house of correction, it was hardly satisfactory in terms of county administration. Long before the Civil War the condition of the gaol had given rise to doubts about its capacity to fulfil its basic function, and during the war much damage was inflicted on the castle. Because of Lancashire's high concentration of religious dissenters, it could at times be filled to overflowing; yet its noisome conditions, considered suitable enough for common criminals, made it difficult to keep them in close

confinement. As early as 1599 Bishop Vaughan of Chester had complained to the Privy Council how Catholic recusants had 'liberty to go when and whither they like, to hunt, hawke and go to horse rases at their pleasure'; and almost a century later Roger Kenyon admitted to Derby how some Quakers 'were permitted by the gaoler to go home' while eight papists 'were lodged in or about the town', none of them available when unexpectedly sent for by the sessions bench.¹¹² The first of all the known orders made at the JPs' meetings during assizes week concerned the support of the poor prisoners in the county gaol; and in 1637 the table introduced a proper rate: but the meagre nature of its product may be gauged by its treasurer having to argue in the 1680s that support should not be entirely withdrawn from those prisoners permitted to work in Lancaster.¹¹³

It was not until the Restoration that the JPs, possibly at the judges' prompting, began to take a close interest in the fabric of the Castle. Even then the conditions of the prisoners were only one of their considerations. When Charles II issued a commission for a survey to the sheriff and eleven senior JPs in December 1663, after a petition in which the grand jury had joined, the gaol came last in a list of those working parts of the castle which were to be inspected. The commissioners reported back within the month, estimating that the castle's court rooms, offices, gaol and fabric generally could be made good for just under £2000. Yet little work of any lasting value seems to have been done, possibly because the Chancellor, Trowbridge, died shortly afterwards.¹¹⁴ In May 1667 the assize judges, Thomas Twysden and Richard Rainsford, wrote to his successor Ingram 'at the instance of several gentlemen of Lancashire where we have frequently beene in our circuits, being eye witnesses of the requiteness of their importunity', and informing him of the 'very ruinous condition' of the judges' lodgings and outer walls especially and of the sheriff's extreme difficulty in restraining prisoners from escaping – or perishing – before trial. The Duchy in response permitted its receiver, Sir Ralph Asheton, to spend up to £150; and when he had exhausted this sum on the walls and cells alone, allowed him £60 more for the 'convencye of the reception of the judges'.¹¹⁵

Finally the JPs at the table decided to take a further step towards establishing full responsibility for the management of the county's internal affairs, despite the continuing presence of the Duchy. In March 1678, it ordered that the courts and gaol in Lancaster Castle should be repaired at the county's charge even though it had no obligation to do so; and after a rapid survey, arranged for two fifteens (£660) to be levied. Why it chose that moment to take this course of action is not entirely clear. The names of the JPs at this table are not recorded; but if the Tory emphasis at the next was already apparent, it is possible that they were anxious amid the current propaganda campaign against Danby to find some way of asserting their concern for the proper implementation of the penal laws.¹¹⁶ But

it is equally possible that the condition of the castle simply required urgent attention; in any case the table can hardly have anticipated that the gaol would shortly receive an influx of prisoners in the wake of the Popish Plot. Whatever its motives, the table's unilateral action did not command general support. In the hundreds the high constables had unending difficulties in collecting the rate and in consequence some of them obdurately resisted the table's attempt to bring them to account. Even the reported comment of the circuit judges in February 1680 that they were 'dissatisfied to keep assizes at Lancaster, conceiving some danger to sitt there . . . in respect of the ruines' had little effect; and there was talk amongst the gentry that it would be cheaper to build a new prison altogether. Certainly the table's £660 rate was likely to be only a preliminary charge.¹¹⁷

The grant by Charles in December 1680 of a ninety nine year lease of the Castle to the sheriff and JPs clarified the county's relationship with it but scarcely ended the table's problems.¹¹⁸ It continued to be concerned about laggard payments of its rate; and the need to order a further £800 for repairs in March 1693 did nothing to ease its mind. Long experience at handling the house of correction was of little help; and the management of the Castle was perhaps more than a table meeting only twice a year could easily sustain. In August 1689 it decided that the shire hall within the Castle should be elaborately renovated and provided with better accommodation, handsome furniture and more light. Yet three years later, after complaints from the judges and counsel, it realised that conditions had only been changed for the worse and, after ordering its surveyors to restore the hall to its former state, had shamefacedly to instruct them to study the court rooms in the shire hall at Chester as a model of what might be achieved. As it did so the gaoler appeared at the same table to complain once more about the decay of his prison.¹¹⁹ The table nevertheless was trying to face up to its responsibilities; and in so doing it was continuing a process, begun many years before, by which the JPs gradually assumed charge of the routine administration of Lancashire despite its diffuseness and despite the lingering involvement of the Duchy.

8. *Religion and the table*

The regulation of religious worship in Lancashire was for long complicated by the slowness with which many of its principal gentry came to terms with the protestant reformation. Their disinclination to embrace abrupt change suited the county as a whole well enough; but it worried Elizabeth's distant Council, unsure about whom it could rely upon either in the commission of peace or within the select group which formed the earl of Derby's own council. Its uncertainty was not helped by the varying, and sometimes conflicting, reports it received from informants in the

county concerning the attitudes of individual gentlemen; nor could it always allow doubts expressed about a man's faith to overcome the practical necessity of appointing him JP in an isolated district where alternatives were very few.¹²⁰ Such lack of definition never deterred Edward Fleetwood, the minister who was at the head of the protestant campaign in Lancashire in the 1580s and 1590s. While neglecting his own parish of Wigan, he showed a ready appreciation of the evangelising potential of the county's administrative structure. He it was who suggested the reversal of the sequence in which the divisional quarter sessions were held, so that the firmly protestant Salford bench could set the tone and then maintain it by attending the later sessions; and he showed during Trinity assizes 1587 that he expected the assize judges to give public support to the reforms he advocated, mingling discipline with welfare. Whether Edward Fleetwood ever envisaged using the JPs' formal meetings during assizes week for his purposes is by no means clear. He never mentioned such meetings in his correspondence with Burghley; yet it may be more than chance that his uncle John Fleetwood, sheriff in 1578 when the meetings probably began, was also sheriff in 1587 when Edward took advantage of his patronage to deliver the sermon at the Trinity assizes and afterwards to associate the judges with his campaign. John, by then elderly, had been summoned back from Staffordshire where he had gone to live. Before that assizes, the commission of the peace lost a dozen members, several of them regular signatories to the surviving orders of the JPs meetings in 1578 and 1586; and it is possible that, with a more amenable gathering, Edward took the opportunity to draft the petition, principally on Sabbath observance, which he and thirteen other JPs presented to the judges during the same assizes. One of the signatories at least, Sir Richard Sherburne, was more likely to have signed on a public occasion than otherwise.¹²¹

The lengthy gap in proceedings, not helped by Farington's removal from the commission of the peace at this time, makes it impossible to assess the role which the JPs' meetings might have played in the evangelising campaign, or indeed to know how characteristic of their approach was the very firm expression of Sabbatarianism – echoing Fleetwood – in the first set of proceedings noted by Mosley in 1616.¹²² What does seem clearer is that the repercussions of those proceedings, approved at the time by the judge but not subsequently by the king, dissuaded the JPs from dabbling further in such matters, and very probably brought to an end the table's involvement in partisan administrative measures with strong religious overtones. Certainly its handling of religious matters in the years after the Restoration, when the record is fuller, is of a different order. After 1660 the Anglican gentry who came back with the king pursued a fairly even handed course which reflected the moderate attitude of the lord lieutenant Charles, 8th earl of Derby, even though he was

never apparently present at the table. Despite a stream of early rumours of nonconformist risings, most of them recorded in the lieutenancy letter book of the excitable Sir Roger Bradshaigh and some of them seeking to implicate current JPs, proceedings at the table rarely concerned religion.¹²³ Only the Quakers were briefly noticed, at a time when their stand against religious and procedural conformity was occupying a disproportionate amount of time at quarter sessions and assizes. Even in 1670, with a new conventicle act in the making, Sir Roger Bradshaigh's sweeping gloss on an order he had got from the Privy Council for action against some Gorton dissenters was either not conveyed to the table as he instructed it should be or was not considered important enough by the clerks to ensure its preservation in the order book. The commission of peace itself reflected this low key approach, and was not part of the nation-wide attempt at remodelling in the Whig interest in 1679.¹²⁴ It had nevertheless shortly to demonstrate that the firmness which it had occasionally applied to protestant dissenters could also be directed against Roman Catholic nonconformity when need arose.

As the hysteria surrounding the Popish Plot slowly worked itself out in the countryside, the Lancashire JPs found themselves faced with many hundreds of Roman Catholics who refused, in whole or part, to observe the government's orders, expressed by proclamation and commission, to subscribe to the oath of allegiance and, where applicable, the oath of supremacy too. Although on one side the JPs of Salford hundred not unexpectedly grew restive for convictions and on the other, serjeant Edward Rigby shifted perilously close to a pro-Catholic stance, the main body of the magistracy preferred to move haltingly, binding the refusers over to successive quarter sessions and allowing their lawyers time to air their well worked objections to the legal process. It needed pressure from the Privy Council and at least one of the assize judges to persuade them that the spent recognisances ought to be estreated. Indeed, the only table order which relates directly to this matter, recommending that those JPs present when recognisances had finally been held to be defaulted should set their names to the estreats, owed its unequivocal tone to the opinion which one of the judges, Dolben, had just delivered during Trinity assizes 1680.¹²⁵ Even afterwards only Roger Kenyon, as receiver general of revenues from recusant forfeits, and his fellow farmers were at all active in pushing the policy forward, with intermittent help from the current sheriff. The impatience of Dolben and of the Council itself had no place in a county long aware of the advantages of cautious accommodation.¹²⁶

Between 1683 and 1686, when the commission of peace had finally become mainly Tory and Anglican, it sharpened its interest in protestant conventiclors; but the JPs characteristically emphasised at the table during Trinity assizes 1683 that they were moving against 'every sort of dissenter' including Catholic ones. Only for a matter of months between June 1687

and September 1688 was the commission itself distinctly Roman Catholic. But after the coming of William III, the prevailing tension between a Whiggish lord lieutenant, Brandon, and a Tory chancellor of the Duchy, Willoughby d'Eresby, found some expression in the drawn out dispute over the governorship of the house of correction.¹²⁷

9. *Social and economic provisions*

If the timing of the table's meetings, in the expansive hours towards the end of the day, ever encouraged relaxed and wide ranging discussions of social and economic problems they have left little impression on its order book. The summary form in which its proceedings are customarily recorded is no help; but its reticence is unlikely to be seriously misleading. Lancashire was spared the deep seated industrial problems caused by workforces over-dependent on the fickle fortunes of the new draperies or pushed aside to make room for sheep; and if its own rather sluggish economy was not entirely without common interests and practices, they owed more to tradition than to recent enterprise. Unlike its counterparts in Norfolk, Suffolk or Essex, for example, the Lancashire magistracy was not accustomed to taking a county view of a whole range of localised conditions.¹²⁸ Their idiosyncratic response to Charles I's Book of Orders, further discussed in a later section, illustrates the extent to which the execution – as well as the contemplation – of statutory and other provisions was left to local initiative. That initiative may not entirely have been found wanting. In a very belated first certificate in 1634, most notable for its sins of omission, the bishop of Chester and a fellow JP struggled hard with the truth in asserting that in the parishes of Bolton and Deane 'the impotent poore . . . have been provided for throughout our whole division ever since 39 Elizabeth and the statute in that behalfe hath beene ever since more duly executed hereabout (as wee believe) than in any other Place Wee know of. In regard whereof we have lesse to certify than other Places.'¹²⁹ Hollow sounding though the report is, it gains substance from evidence from the neighbouring hundred of Blackburn where shortly afterwards the JPs, in their own first report, confidently asserted that 'wee have fewe that begg with us unless it bee forrenners which com out of other Counties, and those wee restraine as much as wee can by our privie searches'.¹³⁰ Local sessions, held every three weeks in the hundreds, certainly predated the 'monthly meetings' introduced by the 1631 Book of Orders and may be identical with, or similar to, the six week sessions held in West Derby hundred by late in 1605. Other occasional pieces of evidence also raise the possibility that in the hundreds magisterial government in Lancashire had more probing capacity than jurors' rather narrowly based presentments to quarter sessions might suggest.¹³¹ Nevertheless such initiatives were probably usually local ones. Although vagrants formed the staple ingredient in the first Lancashire

returns to the Book of Orders, it was only after the Ormskirk bench had decided to appoint a beadle in each township to curb their activities that the table decided to apply the order to the whole county.¹³² The table's surviving record for the 1630s is far from complete; but even so, it gives the firm impression that the table dealt more surely with matters which had a financial element in them than it did with provisions for social regulation.

The one exception was its handling of the plague regulations. Here, where central control was always needed, its orders were invariably full and careful.¹³³ Even so its activities did not for long lose their customary emphasis; it played an important part in commanding financial support throughout the county for the victims of the severe visitation of 1630-1 which had a savage effect on Preston and the surrounding countryside, disrupting the processes of government for much of the year.¹³⁴ During the later 1640s and 1650s, there is occasional evidence that it ensured there was no dilution in social responsibility in the aftermath of war, perhaps particularly but not exclusively for plague victims. From the Liverpool archives there is even an indication of detailed interest by the table. During the visitation of 1647 it allotted £10 to the use of the victims in Liverpool, to be claimed retrospectively; early in 1648 one of the bailiffs, John Sturzaker, journeyed to Lancaster to present the town's accounts 'and gave great satisfaction and content at the Sheriffe's Board'.¹³⁵ By 1618 maimed soldiers were already showing preference for dealing with the table over pensions rather than with quarter sessions, if only because it had a clearer view of the funds available; but it was also quick to set in motion the additional rate for the recently maimed introduced by an early post-Restoration act.¹³⁶ It managed too to keep the annual relief for the poor prisoners in the Castle in being right through the seventeenth century, even though Henry Johnes, the Lancaster alderman who was for many years the fund's treasurer, had to threaten resignation fairly frequently in order to ensure that arrears in rate and salary were collected.¹³⁷ On the other hand, the table seems on the surviving evidence only rarely to have called attention to the need to set wages at Easter quarter sessions or to enforce the statute of apprentices.

After the Restoration, though, there are signs of further change in the table's attitude to social regulation. Circumstances were certainly different. Neither the mass of detailed instructions from the judges, familiar under James I, nor the intermittent Council pressures of the later 1620s and 1630s returned with the restored monarchy. Instead the table was able to take prompter notice of new legislation than it had done for many years. In Cheshire, the post-Restoration charges to the sessions grand jury by Sir Peter Leicester suggest a similar release from some, if by no means all, the legislative encumbrances of the past, and in his case at least a clear determination to convey the sense and purpose of the weightier

passages in the statute book.¹³⁸ In Lancashire, newly made provisions stood much more chance after 1660 of being brought promptly to the county's attention than they had done before 1640, and the table for the first time began to have recent acts of parliament and Council letters read out at its meetings. Too much should not be made of this however. If the constables and overseers were now given more immediate opportunity to enforce new provisions, the chance was one they were likely to pass by. The table's own approach, too, smacked of the piecemeal and haphazard. As directives appeared before it, quite often by way of the judges, it acted upon them. Such summary treatment was characteristic of early modern government; but lack of discussion could easily lead to uneven implementation of complicated provisions. The cursory manner in which the 1662 act of settlement was revived in 1686 disclosed differences of interpretation amongst the Lancashire JPs which had not previously been checked by the table.¹³⁹ The predominantly Catholic bench of 1687-8, perhaps made persistent by its untutored state, in the end secured a ruling from the assize judges on the application of the period of notice and of the £10 a year residence qualification which the sheriff had somehow neglected to get for its Tory predecessors. Divided though they also were amongst themselves, the new JPs did not turn readily to the judges however. First they sought to reach a compromise at the table between the tough minded who wanted to apply the £10 qualification to servants, apprentices and sojourners as well as to farmers and householders, and those who regarded such a practice as unwarranted by the act. The compromise, denying settlement to those whose masters were worth less than £10 a year, failed to end the dissension amongst the JPs; and it was only after the whole matter was referred back to the table that it at last 'thought fitt to crave the Judges opinion'. Lutwyche and Powell took a liberal view, applying the £10 qualification chiefly to householders.¹⁴⁰ The episode usefully illustrates both the way in which the JPs had come to accept that differences on the bench could most satisfactorily be settled through the agency of the table and also the dwindling influence of the judges in administrative matters. Differences in interpretation among themselves had long dogged the circuit judges; but here their opinion was to be taken as binding: the measure of their withdrawal from an aspect of government heavily dependent on their late Tudor and early Stuart predecessors is that they had to wait to be asked.¹⁴¹

RELATIONS WITH THE PRIVY COUNCIL AND ASSIZE JUDGES

If only because its meetings were both brief and infrequent, the table was never likely to become one of the Council's accepted points of reference; and as the Council's emissaries, the assize judges, were close at

hand whenever it did meet the table had little opportunity to develop the spasmodic correspondence with Whitehall kept up by quarter sessions benches in more centralised counties. Only once is it known to have announced an intention of writing to the Council, in response to a nation-wide enquiry in 1620 into the feasibility of setting up corn magazines; but its reply, if ever made, is among the many which have failed to find their way into the state papers.¹⁴² It is possible, too, that the role of the chancellor of the Duchy of Lancaster as an intermediary was more substantial than it appears to have been.¹⁴³ Under Elizabeth, Henry earl of Derby served for eight years as a Privy Councillor, but thereafter the Stanleys were seldom associated with the inner circles of government. Family feuds, involving their Midlands estates, proved both costly and time-consuming.¹⁴⁴ In the seventeenth century the family showed most interest in the office of lord lieutenant, to which it developed an almost hereditary claim, and took little part in the work of the magistracy in either Lancashire or Cheshire. Even James Lord Strange, its most active member during the 1630s, preferred to correspond with the sheriff and JPs from his home at Lathom rather than come in person to assizes.¹⁴⁵ Secure in their family's predominance in the north-west, he and his father seem to have felt little need to assert themselves by regular attendance at assizes and quarter sessions; and later generations took a similar attitude.

The county's main collective contact with the central government was thus by way of the judges riding circuit. For all parties, the gathering of gentry and freeholders during assizes week represented an opportunity for canvassing opinion on a broader front than was usually possible in Lancashire; and for the judges in particular it provided not only the conventional opportunities for putting over Conciliar policy by way of the address at the court's opening but also, if they so desired, forwarding its purposes through the sheriff's table. The character of the relationship which the judges established with the gentry was thus of unusual importance in Lancashire; but there is no indication that either the Council or the judicial bench ever gave it much thought. The practice by which the senior judges had first choice of circuits, some of which were regarded as more attractive than others, together with a high rate of mortality amongst their number meant that changes of circuit were frequent. If there was seldom any risk of an overlong association with a particular circuit breeding partiality in a judge, there was almost as little chance of developing the confidential relations with the gentry which Sir Francis Bacon wished to see.¹⁴⁶ So little continuity was there, particularly from the close of the sixteenth century, that the most enduring partnership on the Northern circuit at any time between 1559 and 1714 came close to the start of the period when Nicholas Powtrel and John Walsh served together for eight and a half years from Hilary 1562.¹⁴⁷ Both were also among the judges with the longest unbroken service on the circuit:

Powtrel, as a serjeant, over twelve years from Hilary 1559 served longer than anyone else; Walsh, first as serjeant and then as JCP, was not far behind with eight. Neither entirely escaped doubts about his attitude to the reformed Church nevertheless.¹⁴⁸ Over the 117 years between 1578 and 1694 covered by this edition, at least 86 judges rode the Northern circuit in a minimum of 100 different pairings, quite apart from those occasions when, with parliament in session, the junior judge went on circuit alone. At least twenty of them were serjeants at law, especially commissioned as judges, their presence an indication that the Northern was not among the more favoured circuits. The longest continuously serving judge between 1578 and 1694 was John Clench, JKB, who managed eleven years from Hilary 1582; but only four others served without break for as long as eight years, and none did so after 1626. After the Restoration the only judge to provide any sense of continuity was Christopher Turner, B, who served for four consecutive years in the 1660s, three and a half of them in the longest later Stuart partnership with Richard Rainsford, then also a Baron. During the years 1670–94 changes were made almost every year, as the bench itself underwent frequent remodelling. By that time the judges were quite unable to compensate for their lack of acquaintance with the northern counties by the breadth of their experience on other circuits; many were newly elevated to the bench, and few were lawyers of high repute. In the circumstances, the otherwise unexceptionable practice by which each judge presided over the Crown side business at one assizes and over the civil suits at the next only added to the sense of instability.

As far as the implementation of policy is concerned, the relations between the judges and the county hold out most interest in the half century or so before the Civil War, when the Council from time to time made serious efforts to improve the quality of English local administration, rather than after the Restoration when its will was generally less apparent. The written evidence for such transactions is far from full. Much of what passed between them was by its nature semi-formal, and not taken down by the clerks. Even what appears on paper poses its problems. Although the early orders of the JPs' meetings often read as though dictated by the judges, and are countersigned by them, there is no conclusive evidence that they attended those meetings. It is also unfortunate that very few of the extant addresses, which the lord keeper – and sometimes the king – gave to the judges and such JPs as were in London before the circuits began between c.1595 and the Civil War, happen to coincide with the available proceedings at the sheriff's table. It is all the more so since the Northern circuit judges' own addresses and charges at the opening of the assize court have not apparently survived. Against this background, the record kept by Oswald Mosley is particularly useful because it happens to cover one of those periods of known Council pressure on the judges and JPs, providing unusual detail with only a minor risk of distorting the

overall perspective. Mosley's notebook, taken with other recorded proceedings of the table and occasional help from other sources, makes it possible to attempt some kind of assessment, despite limitations on evidence, of the ways in which the judges and JPs regarded each other and of the effectiveness with which central government measures were made known and observed locally.

Despite the Council's optimistic reiteration of the importance of the circuits, it would be misleading to assume that the judges were anxious to involve themselves in the detail of local administration. Lord Chancellor Bacon might seek to flatter them in 1618 by likening the circuits to 'the four rivers in Paradise' along which the judges carried the 'majesty of the King to the people and the love of the people to the King'; but it was not long before his address turned to James I's criticisms of their reports from recent circuits: 'And for the houses of correction that are not kept as they ought, he desires to know where the default is, to the end that these things might not end in his ear but in his head: and so likewise for highways: and one other thing else, he would have you to distinguish your accounts of Justices of peace by names . . .'.¹⁴⁹ The judges could hardly be blamed for preferring the settled processes of the law courts to the intricacies of local government, and in particular to the uncertainties of administrative decisions which sometimes had unforeseen consequences. The meetings at the table may very well owe their origins to the judges' wish to ease their administrative load. As occasional visitors, often new to the circuit, they found it difficult to provide the continuity of oversight the counties required. What one pair of judges did imperfectly or neglected to do at all was likely to escape the notice of their successors, unless brought to their attention by the JPs. In a modest way the handling of the provisions for the relief of poor prisoners in Lancaster gaol, with which this edition begins, illustrates the untidiness which often prevailed.¹⁵⁰ Under the terms of a statute of 1572, up to 8d. a week should have been raised in every parish for the prisoners. This was either not put to the JPs or they were allowed to set it aside. Instead the judges and JPs together belatedly concocted the unwieldy arrangement set out in the orders for Hilary 1578 below; even then the judges made no mention of the Council's alehouse census launched in 1577, which might have helped to swell the product of the poor prisoners rate. Similarly in 1601, as the consolidating act was about to be passed, the JPs were not prevented from continuing to ignore s. 13 of the 1598 poor act by which separate treasurers for charitable uses should have been appointed in addition to the treasurers for the maimed soldiers fund, even though a six man working party of JPs was then setting up a joint rate for maimed soldiers and for prisoners in king's bench and the marshalsea.¹⁵¹ Despite its abundance of rates, Lancashire never had a charitables uses fund which could be employed for a wide variety of small but immediate needs.

Only in 1637, towards the end of a decade in which the Council had shown at least passing interest in the condition of the poor, was the cumbersome tax replaced by a proper rate for the prisoners in the county gaol.¹⁵²

Rather more blatant was the judges' longstanding failure to respond adequately to the central government's various initiatives intended to ensure that there should be at least one general house of correction established in each county where punishment of relatively minor wrongdoers might be blended with rudimentary rehabilitation through work. This was a matter on which the judges' interest and enthusiasm – or lack of them – were thrown into relief by the unusually restrained tone of the first two of the three acts concerned. The 1576 act set a two-year time limit within which houses were to be built, at the end of which any rates levied were to be returned to subscribers; but where the Wiltshire JPs responded with comparative alacrity, for example, the subject was not apparently raised at the Lancashire JPs' meetings with the judges in 1578.¹⁵³ The 1598 act repealed its predecessor, but replaced it merely with a permissive clause enabling JPs to set up houses as and when need arose.¹⁵⁴ As the parliamentary session that year ended too late for the new act to be published on the Hilary circuits, the Privy Council held back its exhortatory letter until the eve of Easter quarter sessions and thus served to emphasise the need for central direction in Lancashire's administration. Where a large county bench, like that in Essex, was able to respond with an elaborate if ultimately insubstantial plan for houses in every hundred, the small Lancashire benches either could not make a concerted effort or would not do so; and again the judges do not appear to have pressed them subsequently. Lancashire's remissness did not entirely escape attention in and around the Court; and twice, in 1601 and again in 1604, a household servant Alphonse Fowle, sought help from leading courtiers in presenting to the Lancashire JPs his proposal for setting up a general house and leasing it for 21 years. Within the county, too, there was localised anxiety; and after a petition to the Ormskirk bench in 1606, comparing the county unfavourably with 'the south partes of this Realme', a local house for West Derby and Leyland was opened at Wigan by 1608.¹⁵⁵ The sharper terms and the deadline for a county house set by the third act in 1610 both also went unheeded in Lancashire.¹⁵⁶ It was only some years later as James I once more sought, for a variety of reasons, to improve the quality of local administration in the most notable effort of his reign, that Lancashire at last converted the old friary buildings at Preston in 1618 into a general house of correction, intended for use by the whole county. Even then the process was an untidy one. The house was scarcely as centrally placed as the 1610 act had intended, and was not supported by a series of local houses. A house which Salford hundred JPs set out to establish at Bury in 1615–16 was now

abandoned; so shortly afterwards was the existing house at Wigan.¹⁵⁷ The judges, whose intervention in the end was entirely responsible for the speed with which the Preston house was opened, seem nevertheless to have been under the impression that they had ordered houses in the hundreds too.¹⁵⁸

Despite orders against rogues at the JPs meeting in 1586, the judges failed to provide the impetus the acts of 1576 and 1598 required; nor did they succeed in enforcing their stricter successor of 1610 within its original time limit. The Preston house only came into being when it did because of the unusually close attention which the king, his lord chancellor and chief justice happened to be giving to local government between c.1615 and 1620. During those years James, stung by Coke's hot but never wild attacks on equity in general and the court of Chancery in particular, took a more active part than usual in directing the course of English administration, turning his attention at an early stage to the performance of the JPs in much the same way as he had done when disturbed by the apparent extent of protestant inconformity in 1604-5. The need to do so was made more pressing by his intention to pay his first visit to Scotland in 1617 since coming to the English throne. In Bacon and Montagu he found enthusiastic and ambitious supporters, the extent of whose energies may be gauged by the flood of instructions which reached the Lancashire JPs during 1618 alone (appendices II to IV). For the moment the king's will impressed itself sufficiently on his assize judges for them to bring a rapid response from the JPs in an administrative matter. What the judges subsequently did about the profusion of articles is not clear; but on the evidence of Mosley's notes there is no indication that they made any enduring attempt to improve the quality of the presentments at sessions and assizes.¹⁵⁹

The right balance in the relationship between judge and JPs was never easy to establish, as Edward Bromley discovered while on the Northern circuit in 1616 and 1617. Although from a north western family himself, and having ridden only the Northern circuit since his elevation to the bench, Bromley found that it could be embarrassing to incautiously indulge partisan local sentiment. The chain of circumstance which led to James issuing the first of his declarations on sports, that addressed specifically to Lancashire in 1617, had begun at the sheriff's table on 8 August 1616. Bromley's senior partner on that Trinity circuit, Nichols, had died some days earlier after no less injudicious indulgence at a feast at Naworth, leaving him to sit alone at Lancaster. What followed is reminiscent of Fleetwood's activities to a similar end in 1587. By Bromley's 'appointment', the JPs passed a series of resolutions reflecting a zealously Sabbatarian attitude, forbidding recreation on Sunday even after divine worship. Afterwards Bromley felt sufficiently in agreement to set his name to them; and Mosley duly copied them into his notebook. A year later

however he had to add a rider that nevertheless 'Pipeing, dancinge, valtinge . . . [are] lawfull upon Sondaies by the king's Declaration.' James's response came as he journeyed south from Scotland, after an approach by courtiers and gentry antipathetic to puritan pretensions, who saw an opportunity to exploit the king's well known anxiety to take notice of genuine public grievances. Accordingly while he lodged for a few days at Hoghton Tower, James ordered the bishop of Chester, Morton, to draft some less restrictive articles on the Sabbath; and these were published a few days later from the king's new resting place at Gerrard's Bromley in Staffordshire, as the declaration of sports for Lancashire. At some point the king consulted Bromley and his new partner. They prudently now found it possible to agree that Roman Catholic influence was after all at last in sufficient decline to render the extremer expressions of protestantism unnecessary, although Bromley may possibly have argued that the king's celebrated Star Chamber address to the judges in June 1616 had itself laid some stress on the stubborn resistance of Catholic recusancy. However chastening his interview, Bromley was left a little longer on the Northern circuit where he was able to explain the king's views from first hand experience. It may be Bromley that Bacon had already in mind when in his Star Chamber address in the summer of 1617 he advised the judges to 'move always and be carried with the motion of your first mover, which is your Sovereign. A popular Judge is a deformed thing.'¹⁶⁰

A further illustration of the constraints on the judges' attempts to order local life is provided by their part in the Council's intermittent efforts during the 1620s to secure an 'exact militia.' Whatever it did for the Lancashire trained bands, this shortlived exercise left a continuous undercurrent of dissatisfaction in the county during and after the 1630s at the quality of the hundred and parish officers. The decisive step was taken in 1626. After Derby, like other lord lieutenants, had received two lengthy letters from the Council in the space of three months, the Lancashire deputy lieutenants met at Lancaster during Trinity assizes week, 1626 and got the judges – and quite possibly their fellow JPs at the table – subsequently to endorse their decision to excuse all trained bandsmen from parish office during their period of service because of the demands of their training and the need to have them available at an hour's notice.¹⁶¹ It is unlikely that either judges or JPs understood the implications of this arrangement. One consequence was that by the later 1630s the Lancashire trained bands consisted, most unusually, mainly of non-freeholders. Although this ran counter to the Council's continuing insistence on the substance and ability of the trained men, it may have done no harm to the military proficiency of the county foot; it certainly provided an incentive for recruitment. But the consequences for civil administration soon appeared less favourable. Within a short space the judges found it neces-

sary to produce a counter-measure which excused all past and present high constables for life from service as petty constables, an order which the table itself confirmed in 1633. Numerous copies of this confirmation are to be found in the county records, indicating the frequency with which it was invoked. Just as common in the sessions order books and files are certificates for exemption from parish office sent on behalf of trained bandsmen.¹⁶² The effect on the parishes was to restrict the range of recruitment and to threaten the quality of their chosen officers. The sessions records abound with disputes about who should be chosen petty constable and how it should be done. But if former high constables were no longer to serve as petty constables, parish elders may well have done their best to deter their abler neighbours from ruling themselves out of future consideration for the most troublesome of parochial offices by becoming high constable. The gap in social status between the two offices certainly shrank during the 1630s, as though at times candidates of no obvious value to the parishes were being suggested to the JPs for the high constable's post.¹⁶³ As the judges themselves were periodically told as they travelled through the county on their way back to Westminster, the appointments made at the table were sometimes almost comically inappropriate.¹⁶⁴ They ordered replacements, but never a general review of the effects of their ill matched orders. Instead, as the military pressure of the later 1620s gave way to the Council's attempts to quicken the pace of magisterial government, in part by requiring regular reporting from the parishes and hundreds, it was left to the clerk of the peace in c1634 to institute a register of all the parish constables, seemingly in an effort to monitor the limited resources still available.¹⁶⁵ For the combined effect of the two orders was to restrict potential office holders in the parishes and hundreds to service in one of trained bands, parish office or the high constable's office. In theory the degree of overlap in recruitment ought to have been small; in practice there was sufficient of it seriously to aggravate the perennial problem of finding suitable candidates for all forms of local service. As the Salford bench found at Michaelmas sessions 1636, in many townships 'four or six of the best and ablest inhabitants' were in the bands, leaving the rest 'much oppressed and prejudiced in the often execution of the . . . office of constableness'. They resolved to bring the matter to the judges' attention again at the next assizes; but without noticeable effect.¹⁶⁶

The judges' relations with the county over the Book of Orders which Charles I and his Council launched with a fine show of urgency in January 1631 further illustrates their reluctance to involve themselves unduly in administrative affairs. The judges were expected to collect four reports a year from the JPs in every hundred or division on their circuit, setting out their dealings with parish officers at monthly meetings and among other matters recording details of vagrants whipped, alehouses suppressed

and pauper apprentices bound out. Two of these reports were to be returned by way of the sheriff to assizes, the others sent to the judges at Westminster. Even allowing for the severe effects of the 1630-1 plague, Lancashire – like the whole of the Northern circuit – made an extremely sluggish response, and for three years its JPs contented themselves with little more than passing references to the stream of Council instructions they were receiving.¹⁶⁷ By late 1633 however, the brighter start made by some counties further south was also fading; and after the judges returned from Trinity assizes the Council discovered that only 18 counties had submitted any report at all that year. The judges were told to contact the counties at once, ordering the sheriffs to make returns promptly in future, so that they could assess the diligence of JPs. In consequence, and as if to further emphasise the importance with which the Council regarded the administrative functions of the circuits, reports from now on were almost exclusively collected by the judges during the course of the assizes.¹⁶⁸ Only then did the Lancashire JPs make their first returns, to Hilary assizes 1634. They were threadbare and unconvincing documents, reflecting a bench lacking experience of this method of formal reporting and parish officers slack in their ways.¹⁶⁹ Yet by the end of the 1630s Lancashire had developed a facility for making returns which, in quantity at least, compared favourably with any in England. The quality of its returns, although variable, had also improved sufficiently to suggest that JPs were now paying rather closer attention to the way parishes were implementing disciplinary and welfare statutes than in the past, when much had been left to manorial courts. In this development the table clearly had a role to play. Although it had not been used by the judges to stir the JPs initially, and its members had not done so of their own accord, it provided a convenient focal point in the magisterial round. It also offered the judges an opportunity for further enquiries, and thus encouraged the return of certificates. Between 1634 and late 1638, when its JPs returned their last certificate, Lancashire had not only exceeded the volume of returns for the rest of its circuit but had matched the most prolific of the counties to the south which, with more numerous divisions and longer acquaintance with reporting, had certain undoubted advantages.¹⁷⁰

The scale of reporting is especially impressive in the light of the soured relations between the judges and JPs during the later 1630s, which came about because one of the sheriffs took seriously the Council's long-standing concern over the cost of entertainment at assizes. That sheriff was another William Farington; and he may have been encouraged by reading his grandfather's 1578 notes, presumably then in his possession. Certainly he enjoyed the support of at least thirty of the JPs, including the bishop of Sodor and Man and Sir Gilbert Hoghton, as he reverted to the 'old custom' of providing for the judges himself at Trinity assizes

1636 after employing the services of the steward of Lancaster Castle for the less crowded Hilary assizes only. His immediate predecessors had all entered into contracts for both assizes with the steward, Thomas Covell, himself a JP; and Covell's intervention must have added to the inflationary spiral. But the prudent economy admired by Elizabeth's Council simply affronted early Stuart assize judges. Despite the quality of Farington's provisions, as the gentry testified, the judges – perhaps encouraged by Covell – took this homely touch as an insult. As a consequence Vernon and Berkeley pursued Farington with every appearance of vindictiveness for the rest of his year of office, alleging other shortcomings in his management of their visit and causing him considerable anxiety and inconvenience. The JPs, including two who had recently written to Vernon as 'good cousin and friend', were not impressed by their behaviour; but the judges had shown again, at a time when the Council was anxiously trying to retain its grip on the counties, that they had their own order of priorities.¹⁷¹

It is probably no accident that, despite the greater volume of evidence for Lancashire's government in the later seventeenth century, there is little more than routine material about the judges. In the 1650s it is likely that the JPs at last managed to free the table from their shadow, and to concern themselves much more with internal administration according to their own preferences. After the Restoration the judges continued to remain in the background, referring business to the table from the assize court, drawing attention to recent legislation, backing the table's efforts to get the castle repaired, helping to exact accountability from recalcitrant high constables, and occasionally giving advice when it was asked for. Dolben certainly gave a belated lead over estreating forfeited Catholic recognizances in August 1680; but constant changes in the composition of the bench in the 1680s and divisions which saw one judge going to mass in a schoolhouse and the other to an extemporary sermon in St Mary's, Lancaster scarcely helped in establishing a well defined relationship with a magistracy which was subject to similar changes.¹⁷² By the time Aston visited Lancaster, the table was well on the way to turning itself into an additional general sessions for the county, held in the assize town during assizes week, but much more loosely associated with the judges than it had been eighty years earlier.

RELATIONS WITH THE DUCHY OF LANCASTER

Despite the chancellor's formal role in the appointment of county officers, the Lancashire JPs had comparatively little contact with the Duchy in administrative matters, even at the table. Well before the seventeenth century began, the Duchy's major preoccupation had become

the gathering of revenues within its far-flung jurisdiction; and the chancellor's contacts with Lancashire on other matters were seldom crucial. He remained a source of patronage supplementary to the Court itself; but even here his influence was limited by the strong hereditary associations of many Duchy offices. To the county he very often appeared as little more than an additional channel through which Conciliar opinion might flow. He was almost invariably of subordinate rank amongst the king's ministers; and although Roger North might describe the equity proceedings in Lancaster's palatine courts as 'more august and regular' than those at Durham, the bishop of Durham and his chancellor were likely to carry at least as much political weight as the chancellor of the Duchy.¹⁷³ The various changes in the county's quarter sessions arrangements were made by order of the Duchy court at Westminster; but the initiative behind, and the form of, those changes came from other sources, principally the Privy Council itself. As the impracticality of several transient adjustments during the later sixteenth century demonstrated, the chancellor had little more grasp of conditions in the principal part of his jurisdiction than had the Privy Council as a whole. He was denied the close territorial identification with his palatine open to the bishop in Durham.¹⁷⁴

By the 1620s, when the JPs at the table are known first to have had dealings with him, the chancellor was under pressure on two fronts. At Court, proposals were again in the air for reducing unnecessary subordinate jurisdictions whose functions could be absorbed by the Exchequer.¹⁷⁵ Locally, as military and other rates emphasised the widespread belief that money was in short supply, resentment at the alleged malpractices of the Duchy's revenue collectors was once more apparent. In 1620 the county's attention, and that of the table itself, was attracted by John Breres of Marton, a well connected attorney who had recently been granted the Duchy lease for collecting revenues on the greenwax summons, including forfeited recognisances and fines in all manner of courts. The table wanted him to go, but he was not easily disposed of: and to the chancellor's embarrassment both parties at one time or another threatened to put their case as a grievance to the Commons. The unusually able chancellor, Sir Humphrey May, first suspended Breres after complaints from the table and petitions to assizes against his deputies, and then suggested to the JPs that they should purchase the remainder of Breres's lease for £20. He seems to have let the matter drift for some years however; and it took the threat of a petition to the Commons by Breres, alleging prejudice to the king by the non-collection of his Duchy revenues in Lancashire, to spur May into moving Charles for a new lease nominating senior JPs as patentees for a term of 31 years. The grant was not finally made until December 1628; but the table at Trinity assizes earlier that year had already begun to take action on its new re-

sponsibility, in confident anticipation of its arrival. As the table thus marked a satisfying advance in its control over the county's administration, May continued to seek adequate compensation there for Breres without immediate success. May had had a narrow escape. In the Commons of 1628 Sir Edward Coke, remarking the king's want of money, had posed and answered the awkward question: 'What reason to maintain the Duchy of Lancaster? [It is] a charge; annexe it to the Crown.'¹⁷⁶

A further example of the insubstantial role played by the chancellor of the Duchy in the county's administration was provided in 1633, fittingly as a result of a challenge by the court of the Exchequer. During Hilary term 1633, attorney general Noy prompted that court to reaffirm that the sheriffs of Lancashire had an obligation to pass their foreign accounts in full in the Exchequer in the same way as sheriffs of other counties did, despite having neglected to do so since 1578 when John Fleetwood had first held the office (Appendix VII). Noy argued that this failure to account in full left many in doubt about whether their debts had finally been discharged; but reaction within Lancashire was strong. The table flatly declared it 'a business concerning the general good of the county', and proposed a rate to pay for a counter suit; while the undersheriffs responsible for the high sheriffs' accounts during the ten years to which the order was retrospectively to apply, sought to negotiate through Christopher Bannister, vice-chancellor of the county Palatine. What the chancellor of the Duchy, Newburgh, did is difficult to discover. The Exchequer certainly expected him to 'aid' its order; while a petition to the king which one of the undersheriffs, Roger Kenyon the elder, had hopefully drafted in Newburgh's name, subsequently had its sponsorship amended to the 'late and present sheriffs of Lancaster and the gentry there'. Newburgh, perhaps made wary by recent experiences, clearly did not want to get involved. As a result the Council, when writing to the Palatine of Durham for a similar purpose in 1635, was able to cite the conformity of the 'sheriffs of Lancaster and other sheriffs'. On that occasion though, it did little good; bishop Morton, unlike Newburgh, easily brushed the approach aside.¹⁷⁷

Post-Restoration chancellors were seldom mentioned in the table's proceedings, appearing less often even than post-Restoration judges. In the published Kenyon papers the chancellor who held office longest in this period, Sir Robert Carr, gained frequent notice only through reports on his health during his last illness.¹⁷⁸ He, like all chancellors, remained a point of reference because he still had influence in the nomination of county officers and candidates for some parliamentary seats; but his administrative grip had long since relaxed. 'I take my self obliged by the Duty of my place to promote this affaire to the utmost of my power' Carr wrote to the JPs in 1674 in support of the permissive bridge clause contained in the highways act of 1670, suggesting by his tone that he was

not in the habit of corresponding regularly with the county on administrative matters.¹⁷⁹ Because of its financial interest, however, the Duchy found itself caught up in the drawn out proceedings against recusants in the wake of the Popish Plot, in the course of which Caryl Viscount Molyneux led a stubborn campaign against estreating the forfeited recognisances. Although Carr gave the recusants no advantage, he was throughout careful to see that they had such accommodation as the law could offer while proceedings were in progress. In that respect he adopted a position close to that of the majority of the Lancashire gentry, and by his circumspection made a virtue of the shrinking role of the Duchy in the county's affairs. Further evidence of its contraction came at much the same time, with the grant by Charles through the Duchy to the JPs of a 99 year lease of Lancaster Castle, in effect confirming the responsibility for its management which the table had already begun to assume.¹⁸⁰

RELATIONS WITH QUARTER SESSIONS AND THE LIEUTENANCY

Whatever the mixture of motives which prompted their beginnings, the JPs' meetings during assizes week depended originally for their standing on the 'appointment' of the assize judges; and for a generation or so their proceedings revealed an almost exclusive concern with the enforcement of disciplinary action against rogues, vagabonds and disorderly alehouses, according to an agenda prompted by the judges themselves. In that time there was no room for the sessions benches to doubt the authority which lay behind them. Once the table had distanced itself a little from the oversight of the judges, as it had begun to do by the early 1620s, it depended much more on what it could make of itself or, more precisely, on what the JPs themselves wanted it to be. For it seems to have been subject to no superintending authority within the magistracy, such as the *custos*, but to have taken its shape from the attitudes prevailing at its board. Its frame of reference was certainly changing. No longer were its deliberations made on the basis of implied criticism of the sessions benches for failure to control vagrancy adequately or to suppress unwanted alehouses; instead they were undertaken on administrative grounds, dealing primarily with those matters of county business which could most conveniently be handled by a single agency. It thus dealt increasingly not with sanctions which had a clearly defined statutory application to individuals or parishes in all counties, but with those localised arrangements for meeting statutory obligations on the shire as a whole, such as the upkeep of major bridges or the appointment of high constables of sufficient quality. In the long run, as habit hardened into custom, it was the table's convenience for internal management

which ensured its continuing acceptability to the sessions benches. In this it was helped by the peculiar nature of Lancashire's quarter sessions arrangements which habitually left the smallest and most remote of the benches, at Lancaster, to set the tone for orders which the three larger benches subsequently had to endorse. It was helped too by the customary hurry with which sessions were conducted ensuring, as Aston implied, a brisk welcome for ready-made administrative orders, especially those freely available and endorsed by the clerk of the peace. It may well be that the apparent lack of penetration in the Lancashire JPs' dealings with the hundreds and parishes has some connection with this practice of decision making by sequence, which put a premium on 'moderate' and relatively undemanding orders, likely to be quickly accepted by later benches; they in any case were rarely disposed to amend what had gone before.¹⁸¹ Unless much was left unrecorded the table itself did rather less than it might have done to prod JPs into making regular enquiries about conditions in the parishes and townships on the lines of the various instructions provided by the judges in 1618 – and doubtless on many other occasions. Instead it contented itself with occasional memoranda about the need to fix wage rates at Easter quarter sessions or to enforce the statute of apprentices.¹⁸² It seems almost entirely to have abandoned the role in which the judges had cast it, leaving oversight of the investigative and disciplinary work of the magistracy almost entirely to divisional quarter sessions. No doubt this was precisely what the JPs wanted.

Nevertheless in a county where attendances at sessions and assizes were always liable to be low, it was important that the table's orders should continue to command support. The table could only function effectively when those JPs absent from its proceedings were prepared subsequently to abide by its decisions. For this reason, its orders were framed in a tactful way, apart from occasional excesses by clerks more used to the imperatives of the sessions order books. Its colleagues were prayed, desired, encouraged, urged and entreated to take action, but never told that they must do so. It was always aware that its decisions were binding only in so far as the JPs as a whole chose to make them so. As late as 1692 it twice emphasised that quarter sessions was the court of record, not the table.¹⁸³ Its orders in consequence seem, on the evidence of the sessions order books, to have commanded lasting support, providing the Lonsdale bench with a convenient point of departure and leaving little for the Salford bench to argue about. Only one aspect of its work was subject to considerable amendment. That concerned the appointment of high constables, delegated by the assize court by 1612, and undertaken for that reason and also because, as collectors of county rates, the constables could most conveniently be held to account at the table. All too often it had to make appointments in the absence of JPs with local knowledge, and to do so from the 1630s with little assurance

of the quality of the names before it. As far as the high constables were concerned, the real test of the table's effectiveness was whether it could exact accountability; bad patches like the 1680s apart, it managed to do so with little fuss, with the outgoing constables submitting accounts to the table or to Easter sessions before their successors were sworn in.¹⁸⁴

The table was however less successful in its occasional dealings with the lieutenancy. While the military side of county government was sluggish for long periods, it is clear that whenever it was forced into a flurry of activity as in the later 1620s or at the end of the 1680s, the deputy lieutenants treated the table casually and at times with scant respect. In 1626, as Charles I agitated for reform of the trained bands in the course of an awakened, if ill conceived, foreign policy the deputy lieutenants held their own meeting at Lancaster during assizes week and subsequently got the judges – and perhaps the JPs – to endorse their bold decision to excuse bandsmen from parish duties in much the same way as the table might have done. Consideration of its effects on matters of concern to the magistracy apparently went by default; and the order was still in force at the start of the Civil War. In 1628 the deputy lieutenants were in no hurry to comply with their fellow magistrates' request for information about the way in which recent rates had been disposed, and the lack of reference to the topic either in the table's later proceedings or anywhere in the three extant lieutenancy books may well indicate that they did nothing about it. More obviously, towards the end of the century Brandon's deputies treated the table with defiance over Tomlinson. But when military needs were paramount, tempers often ran high; and the divisions between lieutenants and JPs were apparent in parliament itself.¹⁸⁵

By the 1690s the table had also established itself as a forum for county opinion, holding at least some – or some parts – of its meetings in public, and having in attendance grand jurymen, other gentry and freeholders. In this it was extending an aspect of its activities apparent from the early 1620s when it had challenged the Duchy's greenwax lessee and which had led it later to take financial responsibility for the county's gaol out of the faltering hands of the Duchy even before a lease had been granted. The table represented the JPs' best chance of emphasising the administrative unity of Lancashire and the common interests which it ought to contain. This can be seen in its challenges to minor jurisdictions as well as in its attempts to diminish the influence of the Duchy itself. At the same time the table enabled the county to develop institutions of its own: without it, the house of correction would not long have survived, even if the judges had let it be set up without adequate supervision. In this material way it achieved something the sessions benches could never have done on their own. The general sessions act of 1798 in due course demonstrated that, whatever the inconveniences of meetings at the table, the JPs con-

tinued to recognise the need for an occasion on which the bench as a whole might apply itself to county business. In a generally understated way the table brought Lancashire, for all its internal differences, quite close to county mindedness.

CONCLUSION

The introduction and subsequent history of the JPs' meetings during assizes week at Lancaster provide a useful illustration of the way English administration might, in its working out, turn apparent weakness into limited advantage. In typically piecemeal fashion it contrived a likely remedy for a particular local weakness which as late as the 1570s left Lancashire, more than any other county, without adequate provision for at least one general sessions a year. It did so without any obvious instruction from the Council and despite the flimsiness of the central government's knowledge of local administrative circumstances. Instead the impetus for change was derived from an opportune blending of a variety of interests, most of them local but also including those of the judges of assize, here apparently acting on their own initiative. Once established however, the meetings at the table did more than merely strengthen the internal direction of Lancashire's affairs. They also offered the Privy Council itself the opportunity through the circuit judges of imposing its will more emphatically on distant Lancashire than on many counties much nearer to the court. In the event the Council seems only rarely to have taken advantage of the facility thus provided; but the bustling activity of the assize judges in 1617-18 and the county's ample, if belated, response to the 1631 Book of Orders showed what might occasionally be done. Probably the decisive influence in setting up the meetings was the judges' concern for their own convenience; and certainly up to the 1620s they usually supplied the JPs with the agenda for their meetings. It is thus regrettable that there is not more evidence of the role of the judges in sustaining, through the table and elsewhere, the protestant minority in Lancashire. From the 1620s the JPs began to make the table their own. It detached itself increasingly from the round of enquiries into shortcomings in the hundreds and divisions to which the judges intermittently addressed themselves, and became instead a convenient means of determining administrative measures for the whole of Lancashire. It also began to develop its role as the representative of the interests of the county at large, especially in its relations with the Duchy and in seeking accountability from those entrusted with county rates. In such ways it encouraged amongst the gentry and freeholders an awareness of a county interest as distinct from a divisional or parochial one, amplifying in a practical way the lengthy territorial associations still apparent in the

enduring aptness of many families' locative surnames. In due course, too, it became a means of airing factional and political differences amongst the gentry. In the long run however its importance, as its revival in modified form in 1798 confirmed, rested in the rejection of a proposition all too familiar in early modern England: 'that which concernes all in generalitie is not understood to touch any in particular'.¹⁸⁶

NOTES FOR INTRODUCTION

- 1 As QSV/11/2.
- 2 For copyists' errors, see e.g. QSV/11/2, pp. 21, 22, 31, 54, 112, 114. Henry Rowe, the deputy clerk of the peace from 1672, seems to have been particularly error prone: after the Blackburn high constables had complained of inaccuracies in assessments for a bridge repair rate, he 'was chid for interlineing and botching the Role at Lancaster by the Justices.' See 'A High Constable's Register, 1681', ed. R. Sharpe France in *THSLC*, 107 (1956), 77.
- 3 *Lancashire Quarter Sessions Records I: QS Rolls 1590-1606*, ed. James Tait (Chetham Society, n.s. 77, 1917), xi; *Western Circuit Assize Orders 1629-1648*, ed. J. S. Cockburn (Camden Society, 4th Ser. 17, 1976), xiii.
- 4 LRO, QSV/11/1.
- 5 LRO, QSO/2 series for order books, Q/SR for sessions rolls.
- 6 LRO, DDF 2437.
- 7 This volume, containing Oswald Mosley's notes as a JP between 1616 and his death in 1630 and later those of his son Nicholas (1661-72) and great grandson and namesake (1734-9) is in the Archives Department of Manchester Central Library. Part of this volume, covering the years 1616-23, was edited by Ernest Axon and published by RSLC under the rather misleading title of *Manchester Sessions I* (RSLC, 42), in 1901. Axon, a late replacement as editor, did not realise the significance of the JPs' meetings at Lancaster; those of its proceedings which he printed have also been included in this edition.
- 8 The Shuttleworth evidence is printed in *The Lancashire Lieutenancy under the Tudors and Stuarts*, ed. John Harland II (CS, o.s. 50, 1859), 254-9, the Kenyon in HMC, *Fourteenth Report, Appendix iv* (1894), 16 where dated [1610-27]. Other Kenyon Mss are in LRO, DDKe.
- 9 Including what are now the Hawkhead-Talbot (DDHk) and De Hoghton (DDHo) papers in LRO, and the Chetham Muniments in Chetham's Library; the supporting sessions papers are in the QSB/1 (recognisances) and QSP (petitions) series, which contain a much wider variety of material than their generic titles suggest.
- 10 LRO, QSO/2 series.
- 11 LRO, QSR (sessions rolls), edited by Tait to 1606 (CS, n.s. 17); QSO/2 (order books); QSB/1 (recognisances) supported from 1648 by QSP (petitions) series. Most of the surviving assize records are in the Public Record Office in the classes PL 25-29, the records for the clerk of the crown for the Palatinate of Lancashire. They are very patchy for the period covered by this edition. A few post-Restoration rolls are in LRO, PPLC/1/1-6.
- 12 Lord chief justice Popham: see 'The Journal of Sir Roger Wilbraham', ed. H. S. Scott in *The Camden Miscellany X* (Camden Soc. 3rd Ser. 4, 1902), 20.
- 13 e.g. Essex Record Office, QSR 5/1, 2 (1561).
- 14 The act was 33 Henry VIII c. 10, repealed by 37 Henry VIII c. 7; see also S. E. Lehmberg, *The Later Parliaments of Henry VIII 1536-1547* (Cambridge, 1977), 151-2. To their credit those who drafted the 1542 act were aware of these differences, but they left too much to local initiative and provided no precise guidance. Use of a new unit, the division, became common after its introduction in 1531 by 22 Henry VIII c. 12; but in some counties it represented groups of hundreds, in others subdivisions of a single hundred.

54 Notes for Introduction

- 15 As in Cheshire: G. P. Higgins, 'County Government and Society in Cheshire, c. 1590-1640' (Liverpool M.A. thesis, 1973), 84-7.
- 16 A. Hassell Smith, *County and Court: Government and Politics in Norfolk 1558-1603* (Oxford, 1974), 87-90.
- 17 See list of officers in R. Somerville, *History of the Duchy of Lancaster I: 1265-1603* (1953), 461 ff.
- 18 For the religious implications of these differences, see C. Haigh, *Reformation and Resistance in Tudor Lancashire* (Cambridge, 1975), and his 'Puritan Evangelism in the Reign of Elizabeth I', *English Historical Review*, XCII (1977), 30-58. Earlier in the century John Leland had reported the castle 'wel repaired': *Leland's Itinerary of England and Wales*, ed. L. Toulmin Smith (1906-8) IV, 11.
- 19 Sarah Tyacke and John Huddy, *Christopher Saxton and Tudor map-making* (1980), 24-39; R. A. Skelton, *County Atlases of the British Isles, 1579-1850: A Bibliography 1579-1703* (1970), 216; Joseph Gillow, 'Lord Burghley's Map of Lancashire, 1590', *Miscellanea IV* (Catholic Record Society, 4, 1907), 162-216. For a report to Burghley at this time on the West Riding gentry, see HMC, *Salisbury (Cecil) Mss XIV*, 99; and for similar reports for Cheshire, PRO, SP 12/127/89, 126/2.
- 20 'A Collection of original letters from the Bishops to the Privy Council 1564' ed. Mary Bateson in *The Camden Miscellany IX* (Camden Soc. n.s. 53, 1893), 77-80; SP 12/17/47, SP 15/13/42-3; *Salisbury*, I 162-5; Simonds D'Ewes, *The Journal of all the Parliaments during the Reign of Queen Elizabeth* (1682), 151-4, 192-5, 232-5; Thomas Smith, *De Republica Anglorum* (1583), 67.
- 21 Smith, *County and Court*, 64.
- 22 e.g. HMC, *Seventh Report, Appendix* 625b (Surrey, 1573); *Salisbury* II, 99, 194 (Northants, 1575; Norfolk, 1578). In 1575 John Fleetwood, like other *custodes*, returned names of all resident JPs, coroners, the clerk of the peace and his deputies, together with details of hundreds and divisions and some account of quarter sessions arrangements: SP 12/104/63. It is just possible that this report prompted Burghley to discuss Lancashire's weaknesses with the assize judges at some point before March 1578.
- 23 SP 12/240/139, 140; R. B. Manning, 'The Making of a Protestant Aristocracy: the Ecclesiastical Commissioners for the diocese of Chester 1550-1598', *BIHR*, XLIX (1976), 60-79 esp. 68; J. S. Cockburn, *A History of English Assizes, 1558-1714* (Cambridge, 1972), 214, 267-8, 283. Walmisley rode the Northern circuit 1589-91, 1602-3; earlier, as a Lancashire JP, he had attended meetings during assizes week in 1578 and 1586.
- 24 *A Calendar of Assize Records: Essex Indictments, Elizabeth I*, ed. J. S. Cockburn (1974), 39, 49, 89 and *passim*.
- 25 *APC 1586-7*, 143, 163; BL, Harl. 1926, f. 87r; J. S. Cockburn, 'Trial by the book? Facts and theory in the criminal process 1558-1625', in *Legal Records and the Historian*, ed. J. H. Baker (1978), 60-79, esp. 65, 73.
- 26 *APC 1581-2*, 320; Harl. 1926, f. 79v.
- 27 PRO, DL 42/95, f. 167v, 41/12/22, 42/96, f. 165v, 5/10, f. 263r; Harl. 1926, f. 80r. A proviso, added at a late stage to the 1542 bill, stipulated that no JP should be obliged to serve outside his own division.
- 28 East Suffolk Record Office, 105/2/1 (earliest surviving quarter sessions order book, 1639-51), *passim*. A similar impression may be gained from later order books in the series, 105/2/5, 7, 10 (1658-83). See also Robert Reyce, *The Breviary of Suffolk*, ed. Francis Hervey (1902), 84-6.
- 29 e.g. Harl. 1926, f. 80r. In this context the Yorkshire ridings and the Lincolnshire divisions have been regarded as counties in their own right.
- 30 For a list of JPs' names drawn from the recognisance book for 1583-4, see R.

- Sharpe France, 'Lancashire Justices of the Peace in 1583', *THSLC*, 95 (1944 for 1943), 131-3. Only John Fleetwood attended sessions in all four divisions; six others attended in three, seven in two and 26 in one only. See also R. Somerville, 'Lancashire JPs in the 15c and 16c', *THSLC*, 102 (1951 for 1950) 183-9 and J. Brierly Watson, 'The Lancashire Gentry and Public Service 1529-1558', *TASLC*, 73-4 (1966 for 1963-4), 11-59.
- 31 For an interesting discussion of the contrasts in the nature and incidence of presentments returned to quarter sessions in Essex and South Lancashire during the forty years from 1626, see Keith Wrightson, 'Two Concepts of Order' in *An Ungovernable People*, ed. John Brewer and John Styles (1980), 21-46, 299-307.
- 32 SP 12/21/111, 23/59. I am grateful to Mr. M. J. Tillbrook for these references.
- 33 Strong minded, outspoken and a former radical MP, Mounson had put his judicial career in jeopardy solely because he was prepared to give judgements which he knew would be unpopular with the queen: Edward Foss, *Biographica Juridica* (1870), 448; Somerville, *Duchy*, 471, 474.
- 34 DDF 2437, ff. 2r, 3r. This book of precedents does not seem to have survived; it is not his book of precedents, cases and forms, now LRO, DDF 1269.
- 35 SP 12/106/18, 19; *APC 1577-8*, 162.
- 36 DL 42/95, f. 167v; Somerville, 'Lancs JPs' *THSLC*, 102, 188; France, 'JPs in 1583' *THSLC*, 95, 131-3.
- 37 BL, Cotton Titus BII, f. 239r; 'The State, civil and ecclesiastical, of the county of Lancaster about the year 1590', *Chetham Miscellanies V* (CS, o.s. 96, 1875), 1-13, esp. 13. Edward Fleetwood was one of seventeen signatories, but he was always their leading spokesman.
- 38 Derby's appointment to the Privy Council in 1585 may have been intended to confirm his adherence to the queen's government. His son Ferdinand regarded him as unenthusiastic about the new ecclesiastical commission in a letter to bishop Chaderton in March 1584: Francis Peck, *Desiderata Curiosa* (1779), 147, no. 38.
- 39 *APC 1586-7* 143, 163. For the cool response of the judges on the Western circuit, see Cockburn, *History of Assizes*, 312-3; see also his 'Trial by book?' in *Legal Records and the Historian*, 73.
- 40 Roger North, *The Lives of the Norths*, I, ed. Augustus Jessopp (1890), 183-4.
- 41 DDF 2437, ff. 4r-5v.
- 42 CL, Muniment A7.31, p. 19; LRO, DDN 1/64, pp. 49-50.
- 43 The proceedings at all meetings mentioned in this section are printed in this edition.
- 44 LRO, QDD/27, m.1.
- 45 Discussed further below in the context of the table's relations with the assize judges.
- 46 HMC, *Kenyon*, 46, 54.
- 47 It may also have been associated with the puritanical campaign against alehouses which sharply increased the incidence of presentments to Lancashire quarter sessions during the later 1640s: Wrightson, *art cit.*
- 48 LCRO 920 MD 174, Diary of Sir Willoughby Aston, 1681-1702, vol. 3, entry for 28 March 1696.
- 49 LRO, QSO/2/164, unfol., proceedings at a special meeting of JPs at Wigan, 18 May 1795. The Lonsdale JPs, whose predecessors in 1556-7 had tried to revive Edward III's order that all quarter sessions should be at Lancaster, were most opposed to the new scheme. See also *Lancs QSR*, I, ed. Tait, x.
- 50 38 George III c. 58; R. Sharpe France, 'The Lancashire Sessions act, 1798', *THSLC* 96 (1945 for 1944), 1-57. An additional general sessions, called the 'Epiphany sessions', had for some years previously been held at the end of the quarter sessions cycle each January at Preston; from 1798 it was to be at the end of the

Midsummer cycle. Provision was also made for additional special sessions should need arise during the course of the year.

- 51 1 Mary session 2 c. 8.
- 52 As John Birch did at the meeting during Trinity assizes 1689, and Peter Bold a year later.
- 53 On the Western circuit during the 1630s JPs were bringing quarter sessions orders to assizes for endorsement: Cockburn, *History of Assizes*, 174.
- 54 P. R. Long, 'The wealth of the magisterial class in Lancashire, c. 1590-1640' (Manchester M.A. thesis, 1968), 12, 41.
- 55 Meeting on 17 March 1624.
- 56 *The Farington Papers*, ed. S. M. Farington (CS, o.s. 39, 1856), 8-10; PRO, C 231/5, p. 194.
- 57 DDKe 3/87.
- 58 *Stanley Papers I: The Derby Household Books 1581-90*, ed. F. R. Raines (CS, o.s. 29, 1853), 13-90; France, 'JPs in 1583' *THSLC*, 95 (1944) 131-3; DDKe 3/93a. The Privy Council particularly asked Derby to attend Trinity assizes 1590 to confer with the judges about enforcement of penal laws: *APC 1590*, 337.
- 59 e.g. QJC 95, commission of peace 12 January 1687 with 111 members.
- 60 Meeting in August 1689.
- 61 Peck, *Desiderata* 113-4; *Salisbury V*, 241, XVII, 56-7; SP 14/10/62; BL, Add. 8978, f. 117r.
- 62 J. J. Bagley, 'Kenyon v. Rigby . . .', *THSLC*, 106 (1955 for 1954), 35-56; SP 29/64/63; DDKe 2/19/9; *The Visitation of the county palatine of Lancaster . . . 1664-5*, ed. F. R. Raines, II (CS, o.s. 85), 169, III (o.s. 87), 245.
- 63 *Farington Papers*, 28.
- 64 DL 44/14/271; MCL, LI/40/1/1, Sir Robert Bindllose's lieutenancy book 1625-87, entries for 4 Nov. and 28 Dec. 1663.
- 65 One of the rare occasions when the table did direct its attention to this aspect of its magisterial duties was in September 1663 when it appointed a small committee of lawyer JPs to amend the high constables' articles by including references to a recent act on the transportation of corn and to monthly and weekly absences from church. Had the latter not been included before?
- 66 LCRO, 920 MD 174, entry for 28 March 1696.
- 67 QSO/2/164, unfol., 18 May 1795.
- 68 Hilary 1620, Trinity 1690. During James II's reign, the few protestant JPs left in the commission were anxious that all their co-religionists should take the oath of office so that they 'might not be inferior if any difference was.' See DDKe 2/21/14, defence of Dr Stephen Alcock, prepared by Roger Kenyon.
- 69 See appendices II and III below.
- 70 France, 'A High Constable's register' *THSLC*, 107, 55-87, esp. 72-3. Ms is LRO, DDB 64/3.
- 71 *West Riding Sessions Records II*, ed. John Lister (Yorks Arch. Soc. record series, 54, 1915), 394-7; BL, Add. 39245, f. 27v (1615).
- 72 First found in *Lancs QSR*, I, ed. Tait 93. Not clear when instituted; West Riding had them from c. 1575, but Durham (*ex. inf.* Mr Tillbrook) not until 1617-18. A reference in a Duchy council order of 2 December 1547 to 'an Inquest sworn of the Constables of the hundreds and wapentakes' for quarter sessions probably refers to petty constables: DL 42/96, f. 10r.
- 73 QSB/1/100/10, 9 April 1632. Cooke had already served in 1628-9.
- 74 That this was so from the start of the seventeenth century is conveniently shown in *Lancs QSR I*, ed. Tait. See especially the service of Richard Hill of Burscough, Francis Watmough of Micklehead, Randle Rishton of Harstonlegh, William Traves of Nateby, John Parker of Lovely, John Johnson als Bower of Borwick,

- John Thompson and William Parker both of Gressingham. For similar service in Cheshire, see J. S. Morrill, *The Cheshire Grand Jury 1625-59* (Leicester, 1976), 9, 19.
- 75 As the Barcrofts did. Ambrose did not accord gentle status to five other former or future high constables when returning a freeholders list in 1681, and called himself a yeoman of £40 p.a. See France, 'A High Constable's register' *THSLC*, 107, 83; and also QSB/1/35/23, 39 for yeoman status of his grandfather and namesake, 1628. By 34 & 35 Henry VIII c. 26 high constables had to be at least yeomen.
- 76 This miscalculation is discussed on pp. 42-3. Five of the hundreds had two high constables each, West Derby three.
- 77 Henry Fishwick, *The History of the Parish of Preston* (1900), 78, 263, 296, 349. Elston called his work 'Mundana Mutabilia Ethelstophylax: a declaration of how God hath preserved the family, kindred and posterity of Ethelstan (now called Elston)'. Written in 1625, it is now Harl. 2042, ff. 127r-153v. While James I was staying at Hoghton he received information which led directly to the Declaration of Sports for Lancashire of 1617: see pp. 41-2.
- 78 John Lomax of Ainsworth: meeting of 17 March 1668.
- 79 France, 'A High Constable's register' *THSLC*, 107, 65, 67, 72, 75-9, 85.
- 80 LRO, DDHk series.
- 81 See e.g. Richard Sheirdly and Nicholas Norris (1633) and Robert Chewe and John Hartley (1653) below.
- 82 Meeting of 14 March 1618. Durham JPs did so at much the same time (*ex inf.* Mr Tillbrook); but Cheshire's not until 1646: Morrill, *Juries*, 59.
- 83 QSO/2/12, quarter sessions at Manchester 27 April 1637; 2/14, sessions there 2 May 1639.
- 84 e.g. QSP 303/26. Suffolk and Essex each had roughly three times as many hundreds as Lancashire but their constables could serve for three years (Suffolk from 1615) or indefinitely (Essex up to 1646, when reduced to max. of four years): Add. 39245, f. 27v. Essex RO, Q/SBa 2/57.
- 85 A bill was current in the parliaments of 1625 and 1626 for accounting on oath for public rates and taxes on pain of imprisonment: C. Russell, *Parliaments and English Politics, 1621-1629* (Oxford, 1979), 275. For post-Restoration difficulties see e.g. meeting on 23 March 1663; also those on 8 April 1674, 24 August 1680, 18 March 1681 (Baron Gregory asked his opinion concerning non-payers of Lancaster Castle repair rate, and issuing warrant), 27 March 1682, 23 March 1683, 27 August 1683, 15 March 1684, 21 August 1686.
- 86 Meeting of 23 March 1663.
- 87 Meetings of 17 March 1624 and 31 August 1625; QSP 107/6. At meeting of 1 March 1621 JPs threatened legal action against anyone charging toll on Crosford Bridge.
- 88 *Lancs QSR* I ed. Tait, 138; meeting of 20 August 1634; LRO, DDHo 267, 268. In January 1634 a correspondent of secretary John Coke, believing 'we have forerunning signs of God's judgements many', noted among them the 'immoderate rains and great inundations of waters' which had swollen the Ribble: HMC, *Cowper* II, 43.
- 89 22 Charles II c. 12; *Statutes of the Realm*, V, 682-5: see 685 for s. 14. It is possible that this provision owes something to the wish of Bradshaigh and Peter Legh, among others, to improve the chances of apprehending conventiclers. Legh, a strong supporter of the Court and firmly anti-presbyterian, was a deputy lieutenant in both Lancashire and Cheshire and at the time certainly had roads on his mind: Evelyn Legh [Lady Newton], *The House of Lyme* (1917), 244; D. T. Witcombe, *Charles II and the Cavalier House of Commons* (Manchester, 1966), 100-1.

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- 90 Meetings on 24 March 1675 (also referring back to one on 7 September 1674), and 30 August 1675; DDKe 2/15/5a.
- 91 See e.g. the case of William West, and his various partners, first appointed overseer of Lancaster Bridge 'about 1656' and still in service 1668: meeting of 17 March 1668.
- 92 LRO, DDN 1/64, p. 45.
- 93 CL, Muniment A7.30, pp. 1–2; A7.31, pp. 4, 23; A7.32, pp. 1–2. See also meeting on 11 August 1624.
- 94 See entry for 2 April 1601 below and meeting on 23 August 1637. The king had asked the judges on circuit, Trinity 1637, to ensure that each county had a general rate: PC 2/48, p. 295. Ordered originally by 14 Elizabeth c. 5 s. 38 (1572).
- 95 CL, Muniment A7.31, p. 49; France, 'A High Constable's register' *THSLC*, 107, 86.
- 96 For a copyist's slip producing a rating dispute (in Bolton parish) which had to be sorted out at quarter sessions, see QSO/2/15, Midsummer sessions at Manchester, 1640. For examples of rate books see Chetham Muniments cited earlier and LRO, DDF 5, DDPt 23/80, DDX 114/1, 123/42, 603/1.
- 97 S. R. Gardiner, *History of England . . . 1603–42* (1894), VIII, 92.
- 98 Harl. 1926, f. 49r; *The House and Farm accounts of the Shuttleworths of Gawthorpe Hall . . . 1582–1621*, III, ed. John Harland (CS, o.s. 43, 1857), 750. According to Fuller, Lancashire-bred oxen were nevertheless the 'fairest in England': Thomas Fuller, *The Worthies of England*, II (1840), 189. Camden had also been impressed: William Camden, *Brittania* (1695 edn.), col. 787.
- 99 See retrospective reference to the appointment of Nicholas Walker as contractor in December 1660 made at meeting on 11 March 1662. See also SP 12/240/130. Add. 36924, f. 96r; QSO/2/14, quarter sessions at Manchester Michaelmas 1640; meetings on 19 August 1618 and 7 April 1671. For comparison with liabilities of other counties see table in *State Papers relating to . . . Norfolk*, ed. Walter Rye (Norwich, 1907), 160. Cheshire provided 25 oxen, Yorkshire 100, Derbyshire 400; the contributions of Essex and Kent, the highest in England, were nine or ten times the monetary value of that of Lancashire: e.g. Bodleian, Ms. Firth c. 4, p. 593; PRO, LS 13/279, f. 71v.
- 100 Its origins are discussed in on pp. 40–1. For much information about the history of the Preston house, see Sylvia S. Tollit, 'The first House of Correction for the county of Lancaster', *THSLC*, 105 (1954 for 1953), 69–90.
- 101 For calendars, see e.g. QSP 238/5, 459/4, 835/1.
- 102 Walter J. King, 'Prosecution of Illegal Behaviour in seventeenth-century England with emphasis on Lancashire' (Michigan Ph.D. thesis, 1977), 170–96.
- 103 King, thesis 112.
- 104 QSO/2/8, quarter sessions at Ormskirk, 16 April 1633. This sessions ran into a second day to the misfortune of the moothall doorkeeper who was ordered to 'sit in the stocks until the sessions ended' after failing to open the doors at 7 a.m. The first statute recommending houses of correction was 18 Elizabeth I c. 3 (1576). For similar reluctance to use the house for budding petty thieves before trial in the West Riding, see *The Wentworth Papers 1597–1618*, ed. J. P. Cooper (Camden Soc. 3rd Ser. 1973), 234.
- 105 Meetings on 14 March and 19 August 1618, 29 March 1620.
- 106 QSB/1/36/21.
- 107 George Fox, *Journal* (New York, 1831), II, 45, 50, 52, 53; meeting on 23 March 1663.
- 108 Meeting on 23 March 1683; QSP 569/14, information laid by Anderton against Edward Riddihalg of Preston, webster, before Henry Farington 5 May 1683. Burton's predecessor, John Hilton, who took over a well-aired house after the 1631 plague, lasted over forty years.

- 109 Meeting on 18 August 1673.
- 110 DDKe 2/14/11, Roger Kenyon's case notes from which quotations are taken; Kenyon, 233.
- 111 The dispute may best be followed in Kenyon's case notes. Amongst much other Mss. material, see also DDKe 3/21, 6/51; QSP 683/11, 688/1, 696/14, 777/23; LI 40/1/1, entry for 22 June 1685; Kenyon, 233–47. There is also a valuable account in Tollit, 'First House of Correction' *THSLC*, 105. Sheriff Birch was nephew of the much better known Colonel John Birch, MP.
- 112 SP 12/266/32, Kenyon, 160.
- 113 Meetings on c. 12 March 1578 and 23 August 1637; QSP 560/8.
- 114 LI 40/1/1, entries for 8 and 28 December 1663.
- 115 DL 42/143, ff. 41r & v, 47r.
- 116 Andrew Marvell's *An Account of the Growth of Popery and Arbitrary Government* was in circulation by Feb. 1678: John Miller, *Popery and Politics in England 1660–1688* (Cambridge, 1972), 148. The chancellor of the Duchy, Sir Robert Carr, was however closer to Arlington than Danby.
- 117 Kenyon, 115–6.
- 118 DDKe 5/160, 6/50.
- 119 Meeting on 16 August 1692.
- 120 As e.g. Thomas Preston. See SP 12/235/4, 240/139; Cotton, Titus BII f. 239r; *Salisbury V*, 241.
- 121 Lansdowne, 53, ff. 178, 179; Cotton, Titus BII, ff. 239r–240r. On Fleetwood, see also Haigh, 'Puritan evangelism' *EHR*, XCII, 38. Eleven of the twelve JPs put out in 1587 had attended meetings during assizes in 1578, 1586. Thomas Preston, John Bradley (still left in the Westmorland commission), and Edward Scarisbrick had endorsed all the early proceedings; William Farington and Gabriel Croft all but one of them. The endorsement on the commission given in Lans. 53, f. 179r recommends the return of Preston and Farington.
- 122 Discussed on pp. 41–2.
- 123 Anon., 'Sir Roger Bradshaigh's letter book [1660–76]', *THSLC*, 63 (1912 for 1911), 120–73. Bradshaigh was knight of the shire in both the Convention and the Cavalier parliament: See W. W. Bean, *The Parliamentary Representation of the six Northern Counties of England* (Hull, 1890), 180, 199; Kenyon, 84–5. For the persistence of protestantism in south Lancashire, see e.g. P. Collinson 'Lectures by Combination', *BIHR*, XLVIII (1975), 200–1.
- 124 L. K. J. Glassey, *Politics and the Appointment of Justices of the Peace 1675–1720* (Oxford, 1979), 273; see also pp. 270–96 for a 'Postscript – the special case of Lancashire', which discusses in detail the changes in the county's commission of peace in these years.
- 125 For government action which initiated this campaign see R. R. Steele, *A Bibliography of Royal Proclamations . . . 1485–1714*, I (Oxford, 1910), nos. 3663, 3672 (proclamations of 17 November and 20 December 1678) and Kenyon, 119 (commission of 23 November 1678). The number of Catholics involved easily exceeded one thousand: one petition of late 1680, swelled no doubt by those protestants who also acted as sureties for Catholics, had three thousand supporters: DDKe 7/5. For other lists of names, see DDKe 7/6, DL 28/28/1; JRL, English 213, no. 119. For this whole episode, see English 213, *passim*; DDKe 7/4, 8, 9, 11; HMC, *House of Lords Papers, 1678–1688*, 173–93; Kenyon, 118–60; Fleming, 171–2. For wider context, see Miller, *Popery and Politics*, chaps. 8 and 9.
- 126 Miller, *Popery and Politics*, 192–3 suggests on the basis of accounts in DDKe 7/19–21 that annual fines on recusants amounted to 5% to 10% of yearly income – a substantial amount, but appreciably less than the 66% required by law.
- 127 Glassey, *Politics and the Appointment of JPs*, 'Postscript'.

- 128 *The Agrarian History of England and Wales*, IV ed. Joan Thirsk (Cambridge, 1967), 84–9 suggests that the pattern of landholding in fielden and mixed farming areas was still reminiscent of that in the pastoral parts of the county.
- 129 SP 16/265/86, 18 April 1634. The bishop's partner was John Bradshaw.
- 130 SP 16/273/55, 18 May 1634.
- 131 QSB/1/1/50; LCRO, 920 MOO 1126, instructions from Gregory Turner to the high constables and other officers of West Derby hundred after an out of sessions meeting of JPs at Sefton in December 1617.
- 132 See table order of 28 August 1633.
- 133 See meetings on 31 August 1625, 30 March 1631, 24 August 1636, 29 August 1665.
- 134 *Kenyon*, 43–8.
- 135 J. A. Picton, *Selections from the [Liverpool] Municipal Archives* (Liverpool, 1883), 193.
- 136 14 Charles II c. 9 (1662); meeting in August 1662.
- 137 Johnes served from at least 1674 to 1694: see e.g. QSP 414/20, 446/9, 470/10, 481/4, 647/14, 744/10.
- 138 See his charges at quarter sessions at Northwich 15 January 1661, Knutsford October 1664 and October 1668 in *Charges to the Grand Jury at Quarter Sessions 1660[–]1677 by Sir Peter Leicester*, ed. E. M. Halcrow (CS, 3rd Ser. 5, 1953), 3–56. Leicester tried to give a conspectus of all those statutory provisions, including economic and social ones, which most concerned JPs; yet altogether he mentioned only about one-third of the articles listed as a basis for the charge in the later editions of William Lambard's *Eirenarcha*. Some of course he mentioned more than once.
- 139 By two brief sections in the act 'for Reviveing and Continuance of Severall Acts of Parlyament', 1 James II c. 17, ss. 2 & 3 (1685): *Statutes of the Realm*, VI, 19. S.3 contained a gloss on the 40 days' notice of settlement without making any clearer than the original act to whom it should apply.
- 140 Meetings on 21 August 1686, 13 August 1687, 23 March 1688.
- 141 The table noted of Lutwyche's interpretation of the 1601 poor act's provision for compelling masters to take pauper apprentices that it was made 'notwithstanding some Judges have been of contrary opinion'; meeting on 23 March 1688.
- 142 Meeting on 29 March 1620. Only returns for the Midlands circuit survive; all were discouraging.
- 143 See pp. 45–8. Extant Duchy material for the seventeenth century is not as helpful as that for the sixteenth century on non-financial aspects of its responsibilities.
- 144 *Salisbury IX*, 405; L. A. Knafla, *Law and Politics in Jacobean England* (Cambridge, 1977), 36. The 4th earl was a Privy Councillor from 20 May 1585; he died in Sept. 1593.
- 145 e.g. DDKe 3/93.
- 146 *Letters and Life of Francis Bacon*, ed. James Spedding (1872), VI, 211.
- 147 All the statistics below are based on Cockburn, *History of Assizes*, appx. I esp. 264–82, which may slightly underestimate the number of changes: according to Christopher Hudson, for example, Vernon had replaced Trevor as Davenport's partner on the Northern circuit by Trinity 1632: DP 353 (introduction to assize sermon) and cf. Cockburn, 271.
- 148 'Collection of original letters' ed. Bateson, 49, 73; *Salisbury I* 312; *CSPD 1547–80*, 122, 418; Cockburn, *History of Assizes* 193, 264, 291.
- 149 *Letters and Life of Bacon*, ed. Spedding, VI, 303–4.
- 150 Meeting on c. 12 March 1578.
- 151 39 & 40 Elizabeth I c. 3; 43 Elizabeth I c. 2. For the returns of 29 counties,

- 5 boroughs and the Cinque ports (but not Lancashire) to the census, see H. Hall, *Society in the Elizabethan Age* (1888), 163.
- 152 Meeting on 23 August 1637.
- 153 18 Elizabeth I c. 3 s. 5; *Wiltshire County Records: Minutes of Proceedings in Sessions 1563 and 1574 to 1592*, ed. H. C. Johnson (Devizes, 1949), 42, 45, 47, 51, 59. Norfolk had at least one local bridewell, at Acle, before the 1576 act: Smith, *County and Court*, 164.
- 154 39 & 40 Elizabeth I c. 4 esp. s. 1; E. M. Leonard, *Early History of English Poor Relief* (1902), 143; Penry Williams, *The Tudor Regime* (Oxford, 1979), 202. For Essex, see Harl. 7020, f. 267r; Kent had two houses by c. 1590: *Kentish Sources VI: Crime and Punishment*, ed. E. Melling (Maidstone, 1969), 209. A further bill was lost in the Commons in January 1598 after trouble with the Lords: Simonds D'Ewes, *The Journals of all the Parliaments during the reign of Queen Elizabeth* (1682), 582.
- 155 DDKe 2/14/1; *APC 1601-4*, 507; QSB/1/1/46; King, thesis, 100-1; Tollit, 'First House of Correction' *THSLC*, 105, 70-1. Robert Worsley had tried back in 1582 to add a house of correction to his Manchester gaol: Peck, *Desiderata* 127; Liverpool was planning a house by 1598: Picton, *Selections*, 124.
- 156 7 James I c. 4.
- 157 King, thesis, 101; *Manchester Sessions I*, ed. E. Axon (RSLC 42, 1901), 9-12. The county of Durham was almost as laggard (*ex inf.* Mr Tillbrook).
- 158 See appendix V a.
- 159 Much of this may be traced through *Letters and Life of Bacon*, ed. Spedding, V-VII, *passim*; but see also G. W. Thomas, 'James I, Equity and Lord Keeper John Williams', *EHR*, XCI (1976), 506-28; *The Political Works of James I*, ed. C. H. McIlwain (New York, 1918), 326-45; and appendices II to IV below.
- 160 See esp. James Tait, 'The Declaration of Sports for Lancashire (1617)', *EHR* XXXII (1917), 561-8; *Kenyon* 16-17; *The Declaration . . . concerning Lawful Sports* (1633) sig. B1v; *Political Works of James I*, ed. McIlwain, 341-5; *Letters and Life of Bacon*, ed. Spedding, VI, 211. Tait, who was apparently unaware of the JPs' formal meetings during assizes, thought Bromley merely 'approved' the orders; but the version in *Kenyon*, 16 indicates like the Mosley one below that they were by his appointment.
- 161 *APC 1625-6*, 496; 1626, 72; *State Papers . . . Norfolk*, ed. Rye 7-12; and appendix VI.
- 162 e.g. DDHk, box containing high constables' papers; QSP 195/74; QSO/2/1, quarter sessions at Wigan, Mich. 1626; 2/7, Preston, Mich. 1632; 2/10, Preston, Easter 1635; 2/12, Ormskirk, Easter 1637; 2/13, Manchester, Epiphany 1638. On quality of trained bandsmen, see e.g. *APC 1613-14*, 552; Ms. Firth c. 4, pp. 39, 475. See also D. P. Carter, 'The Exact Militia' in Lancashire, 1625-40', *Northern History*, XI (1976 for 1975), 97. For a claim to exemption from service as a petty constable by a former Durham high constable in 1634, referred by his county's puzzled JPs to the Northern circuit assize judges, see Durham RO, QS/OB/2, p. 144 (a reference I owe to the kindness of Mr Tillbrook). Was the claimant, John Shipperdson of Wearmouth, aware of the practice in Lancashire?
- 163 For examples, see text and notes below.
- 164 e.g. QSO/2/12, Ormskirk Easter 1637.
- 165 QDV/20/1, register of petty constables 1632-7, which internal evidence suggests was started c. 1633-4. Later rolls cover 1650-9 and 1660-4, after which the practice was perhaps abandoned: QDV/20/2, 3. The sixth direction of the 1631 Book of Orders had urged that constables should be chosen from the 'abler sort of parishioners. . . if it may be': John Rushworth, *Historical Collections* (1659), II ii, Appx. 88.

- 166 QSO/2/11.
- 167 For an abridgement of the Book of Orders see *The Stuart Constitution*, ed. J. P. Kenyon (Cambridge, 1966), 497–501. See also DDN 1/64, f. 73v; PC 2/41, p. 545; QSB/1/105/48.
- 168 PC 2/43, p. 278; SP 16/259/88. It is worth noting that the Council had taken its first decisive action against Lancashire muster defaulters in the autumn of 1633, summoning 25 of them to its board, and precipitating a wave of local excuses: Carter, 'Exact Militia', 92. It later sent one of its messengers to Trinity assizes 1634 to enquire about the collection for the repair of St Paul's cathedral: DDN 1/64 f. 102v; see also DDKe 3/93a for Strange's anticipatory letter to JPs, August 1633.
- 169 SP 16/265/86, 267/39.
- 170 The Council and the judges had both blamed the sheriffs for not collecting certificates in time for assizes; the table thus had added usefulness: PC 2/43, p. 278. Lancashire had made 49 returns by the end of 1638. Kent made 48 between 1634 and 1639, and over that same period Sussex made 37, Norfolk 35, Surrey 32, and Yorkshire 25: SP 16/258–429, *passim*.
- 171 *Farington Papers*, 3–4, 28. The first known contract with Covell was made in Jan. 1633: DDKe 3/87. See also SP 16/267/39; HMC, *Lonsdale*, 244.
- 172 *The Diary of Dr. Thomas Cartwright*, ed. J. Hunter (Camden Soc. o.s. 22, 1843), 71. The judges were Allibone (at mass) and Thomas Powell (at St Mary's).
- 173 North, *Lives*, I, 183–4. The political clout of the bishops was itself variable. For a reappraisal of the Palatinate of Durham c. 1558–1642 we must await the Liverpool doctoral thesis of Mr M. J. Tillbrook. See also the valuable essay by W. J. Jones, 'Palatine Performance in the seventeenth century', in *The English Commonwealth*, eds. P. Clark, A. G. R. Smith, and N. Tyacke (1979), 189–204.
- 174 e.g. DL 42/96, ff. 156v–158r; DL 5/10, ff. 263r–265v.
- 175 SP 16/19/97; and cf. W. K. Jordan, *The Chronicle and Political Papers of King Edward VI* (1966), 177 for mid-sixteenth-century precedent.
- 176 DDKe 2/1/1, 5/102, 5/111, 5/113; HMC, *Third Report*, Appx. 64b; *Letters of John Chamberlain*, ed. N. E. McClure (Philadelphia, 1939), II, 327; meeting on 27 August 1628. One of Breres's brothers, Henry, was recorder of Preston and had made the speech of welcome to James I on his visit there in 1617; another, Edmund, was son-in-law of Sir Thomas Tyldesley and with him holder of the office of attorney and serjeant in Lancashire: R. Somerville, *Office-holders in the Duchy and County Palatine of Lancaster* (1972), 100; Fishwick, *History of Preston*, 324; *The Visitation of the County . . . of Lancaster . . . 1613*, ed. F. R. Raines (CS, o.s. 81, 1871), 93; HMC, *Lonsdale*, 51, *Cowper*, I, 351, 354; *Commons Debates 1628*, ed. M. F. Keeler *et al.* (1978), IV, 405, 413. While in Sir Roger Aston's hands at £48 p.a. the Lancashire greenwax summons had, by a narrow margin, become one of the Commons' grievances presented to James I in May 1606: *The Parliamentary Diary of Robert Bowyer, 1606–1607*, ed. D. H. Willson (Minneapolis, 1931), 113, 126–7, 131, 154. See also *Wentworth Papers 1597–1628*, ed. Cooper, 232–3.
- 177 DDKe 3/91, 92. The Exchequer took this action when its own officers were under investigation for taking excessive fees from sheriffs while not pressing them hard enough for uncollected revenues, as Kenyon was no doubt aware. This order is however part of a wider campaign by Charles I to improve the efficiency of his government by further centralisation. Newburgh had been chancellor of the Exchequer 1628–9, until lord treasurer Weston had moved him to make way for his own friend Cottington. See G. E. Aylmer, *The King's Servants* (1961), 193–8; M. Havran, *Caroline Courtier: the Life of Lord Cottington* (1973), 89. For Durham, see SP 16/302/6. I am grateful to Mr Tillbrook for this reference.

- 178 *Kenyon*, 97–186 *passim*.
179 22 Charles II c. 12 s. 14; DDKe 2/15/5a.
180 DDKe 7/8, 9, 11; English 213, no. 121; *Kenyon*, 118–22; DDKe 5/160.
181 Based on QSO/2, *passim*.
182 e.g. Meetings on 29 March 1620, 29 August 1665, 2 April 1666, 26 March 1667.
183 Meeting on 16 August 1692.
184 Ralph Asheton of Middleton once stood out against a decision by the rest of the Salford bench to appoint replacement high constables: it is possible that the cryptic note of his refusal implies that he thought orders of the table were binding, more likely that he doubted the excuses of the outgoing pair or the quality of the incoming one: QSO/2/14, Manchester, Easter 1639.
185 Meetings on 27 August 1628 and 25 August 1690; DDKe 2/14/11; Russell, *Parliaments and English Politics 1621–1629*, 329, 333. The lieutenancy books are LRO, LV/80 (Trafford), DDN 1/64 (Hoghton) and DDHk (Rigby).
186 SP 16/89/17, unknown correspondent, advocating reforms, to secretary Conway, c. 1625.

TABLE OF MEETINGS

Listed below are the dates of all meetings included in this edition for which one or more items of business is known to survive, usually in the form of an order but occasionally through a reference made by another body.

c. 12 March	1578	5 September	1649	21 August	1676
24 March	1586	7 April	1650	5 April	1677
11 August	1586	13 March	1652	19 March	1678
2 April	1601	18 March	1653	23 August	1678
20 March	1612	9 March	1654	25 August	1679
8 August	1616	27 March	1655	26 March	1680
14 March	1618	Hilary	1657	24 August	1680
19 August	1618	6 April	1658	18 March	1681
[August]	1619	20 March	1661	13 August	1681
29 March	1620	3 September	1661	27 March	1682
1 March	1621	11 March	1662	23 March	1683
22 August	1621	August	1662	27 August	1683
17 March	1624	23 March	1663	15 March	1684
11 August	1624	7 September	1663	10 August	1684
31 August	1625	14 March	1664	29 August	1685
8 August	1627	20 March	1665	22 March	1686
2 April	1628	29 August	1665	21 August	1686
27 August	1628	2 April	1666	22 March	1687
25 March	1629	10 September	1666	13 August	1687
30 March	1631	26 March	1667	23 March	1688
11 April	1633	17 March	1668	31 August	1688
28 August	1633	17 August	1668	24 August	1689
20 August	1634	31 March	1669	2 April	1690
24 August	1636	30 August	1669	25 August	1690
Hilary	1637	24 March	1670	30 March	1691
23 August	1637	7 April	1671	21 March	1692
Trinity	1638	10 September	1672	16 August	1692
Hilary	1639	18 August	1673	4 April	1693
Trinity	1640	8 April	1674	2 September	1693
6 August	1646	7 September	1674	31 March	1694
7 April	1647	24 March	1675		
Trinity	1647	30 August	1675		

DOCUMENTS

1578

LRO, DDF 2437

f. 1r Orders respecting the Lancaster Assizes
1578¹

f. 2r Orders taken within the countie of Lancaster *Anno* 1578 by the right honorable Henrie erle of Derbye, William Lord Montegle and the Sheriff and Justices of peace of the saide Countie by virtue of letters addressed to the Justices of assize of the said countie from the Lords of the Quenes highnes [and] most honorable privie counsell wherein hir Majesty's pleasure and comand is declared howe and in what maner the Sherif and Justices of peace shall kepe theire table and commens together at everie assyse to be houlden within the said countie.²

First it is ordered and agreed that the said Sherif and Justices of peace for the tyme beinge shall everie assyse hereafter kepe theire table and commens together in some convenient place within the towene of Lancaster or where the said assyse shall fortune to be kepte.

Also that the said commens shall begyn the mondaie at dyner beinge the firste daie of the somer assises next in this presente yeare and shall contynue untill Supper be dunne upon the Thursdaie nexte after.

Also that the said Sherife for the tyme beinge shall have at his chardge attendinge upon hym in the said Commens two servants and everie of the said Justices of peace one servant, and that there shalbe a porter to kepe the gates of the house of comons and the same to be appointed by the Sherif.

Also that the said Sherif and Justices shall paie for everie mele duringe the said tyme for everie of theire dyets xijd. and for everie of theire said servants viijd., the same to be paie to the hands of the Steward of the said Commons or purveior for the tyme beinge in the beginninge of everie assise, the same steward to be appointed by the Sherif for the tyme beinge.

Also it is agreed that if it fortune the said Sherif or anie of the said Justices beinge comorant inhabiting or abydinge within the said countie at the tyme of the said assyse to be absent from the said assyse or anie of them That then the said Sheriff and Justices so beinge absent to paie half commens for himself and his man for the hoole assise, that is to saie vjd. for himself and iiijd. for everie mee for his man provided alwaies that if the master be absent from the assise (f.2v) havinge a servant there the servant shall come and be allowed his comons emongest the said Sherif and Justices servants without anything payinge but onlie xd. a mee for his master and himselfe. And the said Sherif and Justices beinge absent to sende at everie assise theire said commons to be delivered to the hands of the said Steward or purveior in the beginninge of everie assyse.

Also it is agreed that if it shall fortune the said Sherif and Justices of peace for the tyme beinge or anie of them beinge personallie in the said countie at

the tyme of the assyse and absent from the same, doe not sende or delyver to the hands of the said Steward or purveyor of the said [county] half commons for everie assise in maner and forme aforesaid That then upon sute and request made to the said sherif or Justices to the Justices of assise, the said Sherif and Justices being within the said countie and absent and not painge the said half comons in maner and forme afforesaid, to be fyned in xiijs. ivd., the one half to be paide to the hands of the said Steward or purveyor towards the chardges of the said Comons, And the other half to be towards the reli[e]f of the poore prisoners in the gaole; and the same to be delivered to the hands of such persons as are appointed to have distribucion of the money assessed upon aele house keepers.

Also it is agreed that the said Fynes shalbe streyted at everye assise by the Clarke of the Crowne for the tyme beinge and the extracts delivered to the Sherif for the tyme being to collecte the same and to make payment thereof as is afforesaid.

Also that the said steward for the tyme being shall, at his chardges being allowed as is afforesaid fynde all things necessarie and requisite for the saide Comons and shall appoint convenient officers under him for the same. And shall duringe the tyme of everie th[e] assise releve the poore prisoners in the said gaole with some such broken meats as shall remaine after everie meelee.

Also it is agreed that the said Sherif for the tyme being at the somer assise shall fynde wyne and veneson and at the Lent assise wyne whereof one runlett to be sacke.

[Endorsed with the names of:]³

Henry Derbye	Thomas Preston	William Farington
William Mountegle	Richard Sherburne	Rychard Bold
John Fletewode,	Edward Scarisbrecke	Edmonde Hoppwood
sherif	Richard Holland	Christopher Preston ⁴
Robert Dalton	Edward Halsall	Edward Tildesley
Edmund Trafford	Thomas Walmisley	Jhon Atherton
Thomas Hesketh	Charles Radclif	*Francis Holt ⁵
Francis Holte	Christopher Preston	Gabriel Croft
John Bradley	Alexander Rygbie	

[Marginal note:] This is entred into the booke of president uses.

f. 3r Orders taken at Lancaster at the Assises there holden in the iiijth weeke of Lent 1577 by the Quenes Majesty's Justices of assyse and Justices of peace within the Countie of Lancaster there assembled for and concerninge the relif of the poore prisoners within the gaole of Lancaster aforesaid.⁶

First it is agreed and ordered by the said Justices that everie Justice of peace within the said Countie beinge the most parte of the yeare comorant and abydinge within the said Shyre shall paie yerlie towards the relif of the said prisoners ijs viz. everie quarter of the yeare vjd. and that the Sherif for the tyme beinge shall paie the like.

Also it is likewise ordered that everie person kepinge alehouses for victuallinge shall paie yerlie iiijd viz. at everie quarter sessions holden within the hundreds

where they doe inhabite jd. or els to be dissalowed and dischargd from kepinge alehouse or victualinge house, the same order to be observed by the aelehouse keepers and victualers within the borrowe towens, franchises and liberties. The first paiment thereof to begine at the quarter sessions to be holden after the feaste of the natyvetie of St John babtiste nexte cominge and then to paie for one half yeare nexte affore viz. everie Justice of peace xijd. and everie aelehouse [keeper] and victuler ijd., the said somes paiaible by the said Justices to be delivered to the hands of the Sherif his Deputie for the tyme beinge and the said somes paiaible by the said aelehouse keepers and victulers to be collected yerlie by the constables of everie towen shippe where they be constables and by the bailiffe of Burrowe towens, Franchises and liberties and to be delivered to the hands of the said Sherife of his deputie in maner and forme aforesaid.

Item the Sherif to kepe a booke of the receipts thereof wherein mencion is to be made of the particuler names of everie person that doth paie.

Item it is ordered that the said Sherif or his deputie shall quarterlie delyver the somms by him received by bill indented or otherwise to the hands of the Maior of Lancaster and the heade Jailor of Lancaster for the tyme beinge and two others of the most Substanciall honeste and discrit inhabitants of the towene of Lancaster therewith to releve and sustaine the poore prisoners within the gaole from tyme to tyme as neede shall (f.3v) require by the advise and oversight of Francys Tunstall of Audeclyf and George Southworth of the highe Sheld within the said Countie esqs and the Recorder of Lancaster for the time beinge or of one of them.

Also it is ordered that the said Maior and gaoler for the tyme beinge and the said two inhabitants shall yerlie at everie assise to be holden at Lancaster bringe in theire accompts in writinge before the Justices of peace there assembled or two of them at the leaste to be authorised by the reste thereunto declaringe therebie what summes they have received and howe they have bestowed the same.

Also it is ordered that everie Councillor Lersedd in the Lawe shall paie at everie assise to be kepte within the Countie of Lancashire to the hands of the Sherif of the same shire or his deputie for the tyme beinge towards the relyf of the said prisoners xij d. and everie attorney in like maner iiij d. the same to begine this presente assise and so still from henceforth from tyme to tyme to contynue the same and from henceforth to be paid as aforesaid before anye of the said Councillors and attorneys shall pleade or deale in any cause.

And also it is further ordered that if there be anie overplus of the sommes collected more then is needfull for the prisoners then the same to be disposed at the discreccion of the Justices of peace or the more parte of them beinge present at the next assises and in default of such disposicion the same to be dysposed at the discrecion of the Justices of assise for the tyme beinge at the next assises from tyme to tyme.

[Endorsed with names of:]⁷

Robert Mounson
Thomas Meade
Thomas Hesketh
Richard Holland

John Fleetewood
Richard Bould
Thomas Preston
James Assheton

Robert Dalton
John Bradley
Edward Scarisbricke
John Bradill

Richard Molyneux
Francys Holte
Robert Worsley
Richard Bradill
Thomas Walmisley
Randle Hurleston

Christopher Preston
Robert Calvert
Alexander Rygbie
Thomas Bradley
William Farington

Rychard Bolde
Edward Tildesley
Jhon Atherton
Gabryell Crofte
Edward Hoppwood

[Marginal note: This is also entred into the said booke.]

1586

f. 4r.

24 March 1586

It is thought convenient by us whose names are hereunder subscribed that the severall orders before mencioned shalbe contynued.

[Endorsed with the names of:]⁸

Henry Derby
John Clenche
Francis Rodes
Richard Shyrburn
Thomas Walmysley
Rychard
Shuttleworthe
Edmund Trafforde
Thomas Holcroft

Edward Butler
Thomas Preston
Randle Hurleston
Roger Dalton
Richard Braddyll
Edward Scarysbrycke
Alexander Rygbye
Gabriel Croft
John Fletewoode

John Bradlay
Edward Halsall
Wylliam Flemynge
John Byron
John Atherton
Christopher Preston
Richard Holland
Francis Holt
Edward Tyldisley

f. 4v. Orders concluded and agreed unto at Lancaster 11 August 1586 aswell by the advise and consent of the right wourshipfull John Clenche and Francys Roods hir Majesties Justices of assise within the countie of Lancaster, as also such hir Majesties Justices of peace within the said Countie as hereunto have subscribed their names.⁹

For alehouses.

First it is thought convenient and agreed unto aswell by the said Justices of assise as by the Justices of peace hereafter mencioned that no person in towene corporat or ells where from and after the nexte quarter sessions of peace for the hundreth where suche persons shall then inhabit shall kepe aelehouse unles he be allowed to kepe aelehouse openlie at the Quarter sessions.¹⁰ And that no licenses for kepinge of aelehouse shalbe granted but in open Sessions, and that onlie by the Justices of peace within the hundreth where such person licensed shall inhabit, and all former licenses to be void from thencefourth.

Also it is thought Convenient that in the grantinge of allowances in open sessions these things shalbe chieflie considered: the abiletie and Conversacion of the person, the nomber of aelehouses and that none or ells as fewe as maye be shalbe allowed to kepe aelehouse in houses which stande upon or nere mores or places farre distant from hye waies to markett towens or Churches.

Also by cause the aelehouse keppers ought by the lawe to kepe the assise for aele, It is agreed and thought verie necessarie and specialle in this tyme of durthe that no aelehouse keper in towene corporat or ells where from and after the said Sessions shall sell anie aele or beare above the rate of one penie

for a quarte. And that none shalbe allowed to kepe aelehouse but such as wilbe bownden to kepe the said assisse that if anie doe kepe aelehouse contrarie to the orders afforesaid that then everie such person shall incurr the penaltie appointed by the Statute made on the vth yeare of the reigne of the late kinge Edward vjth viz. to the committed to the comon gaole within the said shire there to remaine without baele or Maneprise the space of three daies and before his deliverance to enter bownds by recognizances with two suerties that he shall (f.5r) not kepe anie aelehouse or use sellinge of anie aele or beere thenceforth.

For rog[u]es and valiant beggers.¹¹

As touchinge roges and valient beggers it is thought convenient that all strandge beggers of forren shiers from and after the next quarter sessions shall not be allowed or permitted to begge within this countie and that warninge be hereof geven openlie in all parishe churches of this countie and that upon the Monday next after everie quarter sessions to be kept at Manchester the Justices of peace of everie hundreth within the shyre shall assemble them selves together within their severall hundreths or divisions for the banneshinge and repressinge of rogs and valient beggers as hereafter foloweth: to mete for Lonnisdalle at Lancaster and Dalton, for Amoundernes at Garstange, for Blackeburne at Whalley, for Leyland at Leyland, for Darbie at Prescotte and Ormeschurch and for Salford at Manchester; and that the Justices of peace shall so devide them selves as all the places maye be furnished for the observinge of those orders.

And it is thought Convenient that in everie quarter sessions the Constables of everie towene apperinge at the quarter Sessions shalbe warned to be before the Justices at the tymes and places afforesaid and that suche Constables as use not to appeare at the quarter sessions shalbe speciallie warned that the said Constables shalbe chardged to present before the said Justices all the beggers and harborers of rogues and beggers within their severall towens and as nere as they can the names and number of strandge beggers continuinge in this Countie contrarie to this order and all such [as] use licences to begge oute of their owne hundreths and all such as be able persons to worke and do use begginge as well of their owne hundreth as of other hundrethes.

f. 5v. And that all licences hereafter granted shall after the said nexte quarter sessions be utterlie dissalowed and from henceforth no licenses to be granted for begginge but in the generall quarter sessions and that onlie within the lymits of the hundreths for which the sessions are kepte.

[Endorsed with the names of:]¹²

John Clenche	William Farington	Alexander Rygbye
Francis Rodes	Edward Scaresbrycke	Thomas Ockelestonn
Richard Asheton	James Asshton	John Bradley
Rychard Shyrburn	Randle Hurleston	Edmund Hopwodd
Thomas Walmysley	Richard Bradill	Christopher Preston
Richard Shutelworth	Charles Holte	Christopher Anderton
Edward Butler	William Flemynge	Nycholas Banester
Richard Holland	James Anderton	Thomas Preston.

[Marginal note: This is also entred into the said booke.]

1601

CL, Muniment A7.31, p. 19; LRO, DDN 1/64, pp. 49-50.

[At the meeting of the Justices of the Peace during Lancaster assizes week, Thursday 2 April 1601.]

The weekly taxacion of the severall Parishes within the countie of Lancaster sett downe att Lancaster att the generall Sessions of assize in Lente 2 April 1601 for the Reliefe of the maimed souldiers and the poore prisoners in the [King's Bench and] Marshalsee, according to the forme of the statute[s] in that case provided, and agreed upon by the Justices whose names are hereunto written, unto whom the saide assessment was referred to bee sett downe by the consente of the Justices of peace att the said assizes then beinge.¹³

SALFORD HUNDRED

Manchester	vjd.
Boltonn	iiijd.
Eccles iijd. }	
Deane iiijd. }	vjd.
Ashton	ivd.
Rachdall	vjd.
Middleton	ivd.
Burie	ivd.
Prestwich with Ouldarn	ivd.
Ratcliffe	ijd.
Flixtonn	ijd.
per weeke	iijs. vjd.
Some	
per annum	ix li ijs.

DARBIE HUNDRED

Ormischurch	ivd.
Sephton	ijd.
Waltonn	ivd.
Hytonn	ijd.
Leighe	ivd.
Wigan	vjd.
Prescott	vjd.
Halsall	ijd.
Aughton	ijd.
Childwall	ijd.
Winwicke	vd.
Warrington	iijd.
Northmeales	ijd.
Alker	ijd.
per weeke	iijs.xd.
Some	
per annum	ix li xixs.ivd.

LEYLAND HUNDRED

Standishe	iijd.
Crostonn ivd. }	
with Chorley ijd. }	vjd.
Leylande	iijd.
Ecclestonn	ijd.
Penwortham	ijd.
Brindle	ijd.
per weeke	is. vjd.
Some	
per annum	iiij li xviijs.

AMOUNDERNESS HUNDRED

Prestonn	vjd.
Kirkham with Goosnargh	viiijd.
Michaelles	ivd.
Poolton ijd.ob. }	
Bispam id.ob. }	ivd.
Garstange	viiijd.
Litham	ijd.
per weeke	ijs.viiijd.
Some	
per annum	vj li xviijs.viiijd.

BLACKBOURNE HUNDRED

Blackbourne	viiijd.
Whalley	viiijd.
Ribchester	ijd.
Chippinge	ijd.
per weeke	is.viiijd.
Some	
per annum	iv li vjs.viiijd.

LOINSDALL HUNDRED

Lancaster	vjd.
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Cockeram	ijd.	Hawckshire with Colton	ijd.
Boltonn	ijd.	Cartmeale	iijd.
Wartonn	ijd.	Taitanne	ijd.
Mellinge	ijd.	Haltonn	ijd.
Whittingtonn	ijd.	Heesham	ijd.
Daltonn	ijd.	Tunstall	ijd.
Urswicke	ijd.	Claughton	ijd.
Aldingham	ijd.	per weeke	iijs.viijd.
Penington	ijd.	Some	
Ulverstonn	iijd.	per annum	ix li xs.viijd.
Kirkbie	ijd.		

Some total per annum xliij li vjs.viijd.¹⁴

whereof to be allowed to the prisoners in the marshalsee i li
 And soe theire remaines xliij li vjs.viijd.
 whereof allowed this yeaere to the souldiers hereafter named etc [no names given]

[Endorsed with the names of six JPs:]

Richard Molineux	Raph Ashton	Richard Holland
Thomas Preston	Richard Fleetwood	Edmund Fleetwood

1612

Shuttleworth Mss.¹⁵

[At the meeting of the justices of the peace during Lancaster assizes, Friday]
 20 March 1612.

High Constables

Salford hundred

Thomas Leaver of Bolton gent
 Oswald Mosley junior gent

Derby hundred

Adam Mort of As[t]ley gent¹⁶
 Thomas Halsall of Melling gent
 Thomas Eccleston of Braodocke gent

Layland hundred

Nicholas Rigbie of Horrocke gent
 Richard Robinson of Euxton gent

Amounderness hundred

William Butler of Parrockes gent
 Thomas Banester of Preston gent

Blackborne hundred

Richard Hancocke of Cornefeild gent
 James Livesey of Livesey gent

Lonsdale hundred

John Ambrose of Lowicke gent
 Richard Hornebie of Bolton gent

Treasurers for maymed souldiers

Robert Bynlosse esq.

Saville Ratclyf esq.

The Justices of the peace within Salforde hundred [are] to consider at the next sessions whether Smethurst of Bury shall have his pencion continued or noe.

The Justices of peace within the severall devidions to take order for the amendement of the high waies, and yf anie bee slacke in the same service, his negligence to bee certified to the Justices of Assizes and the same amendement to bee made at or before the Quarter Sessions after Midsomer and the[n] certified to the next Assizes.

The Justices of peace to take order that the high constables, taking to them the aide and assistance of the pettie constables, at the next quarter sessions within everie severall devicion to certifie to the saide severall sessions the names of all Allehowsekeepers and their severall habitacions, and which keepe by lycense and which without.

It is further commanded by the Justices of Assizes that the Justices of peace shall give comandement to the high constables, and the high constables to the pettie constables in everie severall townshipp, that they shall certifie the Justices of peace of them that keepe Allehowse in their severall Townships, aswell lycensed as those unlycensed. That then they, the said Justices of peace, maie certifie the Justices of Assizes at the next generall Sessions of Assizes their to bee holden.

[Endorsed with names of:]¹⁷

Cuthbert Halsall
[current sheriff]
Edward Rigby
Richard Shirborne

Roger Nowell
Edward Moore
Hugh Hesketh
John Calvert

John Ogle
Roger Downes
Francis Houlte
Savill Ratcliffe

1616

MCL, Mosley Ms.

p. 25. Orders to bee observed within the Countye of Lancaster, sett downe and agreed upon at Lancaster upon Thursday, 8 August 1616 by the Justices of the peace theare present and by the apoyntement of the Judge of Assise.¹⁸

Fyrste that theree bee no wares or victualls sould or shewed upon any Sunday (necessar[y] victualls onely excepted) and that noe Butcher sell any flesh upon any Sunday afte[r] the second peale ended to morninge prayer nor yet at any tyme in the afternoone upon the sabothe Day and that every person so offendinge presently bee broughte by the Constables before some Justice of peace to bee bound by him to the good behaviour and to apeare at the next assise after hee is so bounde.

That noe Howshoulder after the beginninge of the last peale to morninge prayer suffer any personne (not beeinge of the howshould) to eate, drinke or remeyne in theyre howse in tyme of Devyne service but shall shutte theyre Doores upp, to the end that all persons within the sayd howse may goe to the

Church; yf any bee found in any alehowse in tyme of Devyne service the said Alehowse to bee putte downe and thenceforth not to bee lycensed agayne.

p. 26. If any Alehousekeeper will not suffer the Constables or churchwardens to search theare howses to see whether good order bee kept thearein Then upon Complaynte made and Due prooffe thearof that any one Justice of peace or mo[r]e shall Discharge the sayd Alehowsekeeper so offendinge from brewinge and not afterwards to bee lycensed.

Every Alehowse keeper with his wife and familie shall come to the church every Sunday as well upon payne to loose and forfeite xij d. as to bee discharged from brewinge except they have a lawfull and resonable excuse to the Contrarie.

Such persons as shalbee found walkinge, talkinge or ydely standinge either in the church yeard or markett place in tyme of Devyne service shall pay xij d. a peece and are to bee bound to the good behaviour and to apeare at the next Assises.

If the Constables, Churchwardens or other officers for the Church bee negligent or refuse to Doe theare Duties in these articles then such to bee bound to apeare before the Justices of Assise as aforesayd.

That theare bee no pipinge, Dancinge, (bowlinge, beare or bull batinge)¹⁹ or any other profanacion upon any Saboth Day in any parte of the Day or upon any festivall day in tyme of Devyne service, that the persons so offendinge bee bound to the good behaviour and to apeare as aforesayd. [Later marginal endorsement:] Pipinge, dancinge, valtinge, leapinge, shootinge etc lawfull upon sondaies by the King's Declaracion.

That the Justices of peace themselves sometymes searche whether the churchwardens and Constables have Done theare Duties and that the Minister or Incumbent do reade these orders publickly once every quarter of the yeare that they may the better bee remembred and observed by the parishioners.

1618

p. 36. Att the Assembly of the Justices of the peace at Lancaster upon Weddensdaye in the fourthe weeke of Lent, 14 March 1618.

Highe constables for Salford hundred

Robert Heywood of Heywood²⁰

Ellis Crompton of Hackinge

Treasurers for maymed souldiers

John Greenehalghe esq.

Roger Kirkbie esq.

It is ordered that a howse of Coreccion shalbee erected and found out att and in the Towne of Preston in Amoundernes which shall serve for the whole Countie. And that the charges for conveyinge and cariage of rogges and other malefactors sent by the Justices of peace of this Countie shalbee made and borne at the equall charge of the hundred wheare such a rogue or malefactor shalbee apprehended. And the some of five hundred pounds shalbee collected within the whole Countie for the erectinge and furnishinge of the same howse

and that the money allready collected in any hundred for a howse of Correccion in whose hands soever the same is shalbee brought in.²¹ And that Sir Thomas Tilsley knight, Robert Blundell, Edward Rygbie, Gregory Turner, Hughe Hesketh and Richard Burgh esqs shall fynd out a howse fitt for scituacion and shall make composition for the same howse.

It is likewise ordered that the Collectors apoynted for Collection of the money for provision of the kings oxen shall make undelayed payment of the same money to Mr Houlte and Mr Radcliffe at the howse of John Hinde in Preston upon Weddensday after Easter weeke next.²²

It is likewise ordered that the ould highe Constables within the severall hundreds within this Countie shall at the elleccion of the newe highe Constables in their places deliver the names of six sufficient men within the severall hundreds to the Justices of the peace at their meetinge out of which those Justices may ellect twoe or more sufficient persons fitt for the said office of highe Constable within their severall hundreds; and such as make defalt hearin to continue in their office.

It is likewise ordered that the gentlemen formerly willed to make provision for oxen shall upon their accounts have such further exhibition within the whole Countie as upon their accompts shall truly appeare to bee needfull and by them Disbursed, if anie bee; and if any surplusage bee the same shalbee disposed as by the Justices at the next meetinge heare shalbee thought fitt.

It is ordered that the Justices of peace in the sessions of peace to bee houlden after Easter next within the hundreds in this Countie shall make order and apointe who shall take the Accomptes of the last highe Constables within their severall hundreds for the money by them received and collected within their severall offices; which accomptes soe to bee taken shalbee certified and broughte in at our next meetinge heare.

It is likewise ordered that the somes of money within the hundred of Loinsdale and Amoundernes for the repaire of Caton bridge shalbee forthwith collected accordinge to the Kings majesties pleasure signified by his gracious letters and such as shall refuse to make payment thearof shall answer their contempt before his Majesties Judges of Assise.²³

It is likewise ordered by the consent of James Farrar, a poore maymed souldier, that Mr Mosleye, one of the Treasurers of the last yeare, shall deliver five marks remayninge in his hands to the said James Farrar and that . . . [he] shall thearupon depart this Countie and bee no further chargeable or burdensome to this same Countie.

p. 37. It is likewise ordered that the some of twoe hundred markes shalbee collected within this Countie for the repaire of Lancaster bridge accordinge to the ancient tax; and that for Loynsdale hundred Thomas Richardson of Penington and Nicholas Thornewton of Oxcliffe, for Blakeburne Raphe Ashton and Roger Nowell, for Amoundernes John Leccombie and William Davie, for Darbie Peeter Marshe and John Starkie, for Leyland Richard Lancaster and William Claiton [and] for Salford Francis Nuttall and John Halliwell shalbee collectors to Collecte the same; and that Robert Byndlosse kt and the maior of Lancaster and Thomas Covell gent shalbee supervisors to see the same bridge repaired, amended and finished.²⁴

It is ordered that the surplusage of the money for maymed souldiers in

Mr Mosleyes hands shalbee paid to the prisoners in the kings bench and Marshalsey on discharge of the sum of iij li to them in Arrears.

[Endorsed with names of:]

Robert Bindlosse
Raphe Ashton
Thomas Ireland

Humfrey Davenport
John Flemminge
Oswald Mosleye

Edmund Fleetwood
Edward Rigbye

p. 40. Orders agreed upon on Wednesday, 19 August 1618 at a generall meetinge of his majesties Justices of the peace at Lancaster.²⁵

The some of 700 li beinge taxed upon the whole Countie, the severall hundreds bee as followeth:²⁶

Derby	168 li	Blackburne	126 li
Salford	98 li	Amoundernes	133 li
Leyland	63 li	Loynsdale	112 li

The somes abovesaid are agreed to bee collected and levied within the severall hundreds . . . for the furnishinge of a howse of Correccion to bee at Preston in Amoundernes, and for a stocke of money. And that Sir Richard Molineux and Edward More for Derby hundred, Sir Edmund Trafford and Richard Ashton for Salford hundred, Edward Rigbie and William Leighe for Leyland hundred, Raphe Ashton and Roger Nowell for Blackburne hundred [and] Sir Robert Byndlosse and George Preston for Loynsdale hundred shalbee collectors to collect the money abovesaid, which shalbee collected before Michaelmas next. And such money as allreadie is collected for or towards a howse of Correccion in anie hundred shalbee broughte in and allowed as parcell of the said some to bee collected within that hundred.

It is agreed that Roger Langton of Preston gent shall have 250 li paid him out of the money to bee collected within the Countie of Lancaster for and towards the ereccion of a howse of Correccion in Consideracion whearof the said Roger shall grant to all such of his Majesties Justices of the peace of this Countie as Sir Thomas Tilsley kt and Robert Blundell esq shall thinke fitt for ever for the use of a howse of Correccion to serve for the whole Countie, the messuage, howse and other parts thearto belonginge allreadie veiued by . . . Tilsley . . . and . . . Blundell; and by them and Edward Rigbie and Radcliffe Ashton esqs to be hooled²⁷ and sett out; and assurance by them for the same howse from the said Roger Langton to bee taken; and Henry Briers, Roger Langton, Richard Blundell Alderman and Thomas Banester of Preston gent are intreated to bee supervisors to see the same howse made fitt and necessarie to be provided for the use and purpose aforesaid.²⁸

It is ordered that the some of 180 li shalbee yearlie collected within this Countie for the money for provision of oxen for the kings howsehold And that Peeter Marshe of Wigan gentleman shall have the same money paid him by yeare at the usuall tymes for seaven yeares next. And that . . . Marshe shal become bound with sufficient suerties to William Leighe, Edward Rigbie and Edward Chisnall esqs for the Discharge of this Countie for provision of oxen for his majesties household before the feast of St Michaell the arkangell

next the some of six hundred pounds and that the said Peter shall have nine score and ten pounds for the first yeare paied him at or before Candlemas next out of which hee shall pay tenne pounds to Savill Radcliffe and John Hoult esqs at or before the same tyme for money by them laied out in the yeare last past.

p. 41. Collectors for ox money

Loynsdale	Robert Bindlosse	Blackburne	Roger Nowell
	Miles Dodding		John Bradell
Amoundernes	John Massie	Derbie	William Norris kt
	Richard Burghes		Edward Stanley
Leyland	Edward Chesnall		John Ashton
	Edward Rigbie	Salford	Richard Ashton
			Oswald Mosley

It is ordered that the some of Fortie pounds shalbee collected within the whole sheire for the repaire of Crosford bridge And that the high Constables of the severall hundreds in this Countie shalbee collectors of the same money And that George Tipping of Manchester gent and Thomas Erlam of Barton gent shalbee overseers and supervisors of the same worke to see the . . . bridge repaired and amended as shall apertayne.

It is ordered that Sir Robert Bindlosse kt, Thomas Cooke, George Preston and John Calvert esqs shall call before them James Proctor and John Dobson of Caton to account for an hundred pounds by them received for the buildinge of Artle Beck bridge lyinge in Caton.²⁹

It is ordered that Richard Holland shall have xls. exhibition alowed him in the pay of maymed souldiers if upon the Treasurers account it shall apeare so much money to remaine in their hands over and above the somes of money apointed to the Souldiers in pay and the prisoners of the Kings bench and Marshalsee.

It is ordered that Nicholas Johnson shall have xxs. more allowed him then formerlie hath beene allowed unto him if upon the treasurers account so much money shall remaine overplus in their hands.

[Endorsed with the names of:]

Richard Shuttleworthe	Richard Ashton	John Greenhalghe
Richard Molineux	Robert Bindloss	Hughe Heskethe
Thomas Tilsley	Leonard Asshawe	

1619

[SJL, Ms.23.1.s.12.

According to a letter which Edward Moore of Bankhall directed to the 'officers of Childwall and to all and everie the Constables within the severall townshippes of the same parish' on 28 November 1619, he had been 'by special order and agreement of his Majesties Justices of peace att the laste Assizes houlden at Lancaster', presumably Trinity 1619, 'nominated and appointed one of the Collectors of the oxe money' for Derby hundred.]

1620

Mosley Ms.

p. 71. Orders agreed uppon at the meeting of his majesties Justices of the peace within the Countie of Lancaster in the Assizes weeke at Lancaster uppon Wednesdaie in the fourth weeke in Lent 29 March 1620.

It is agreed that a letter bee made from the Justices of this countie to the lords of the Councell aswell to informe them of the state of the Countrie concerning corne and graine as also to require consideracion therein.³⁰

It is ordered that for the better repaire of Crosford bridge uppon Certificate of Sir Edmund Trafford and Mr Mosley and uppon informacion of Mr Sheriffe the some of xl li more unto the some formerlie allowed for the repayre of the same bridge shalbee levied within the whole County and that the Clerke of the peace and Mr Dutton (p.72) to morrowe at three of the Clocke will asseesse the same with allowance of such Justices as shall then bee there:³¹ and Mr sheriffe Sir Edmund Trafford and Mr Mosley to bee supervisors and the Constables hereafter named to bee Collectors within their severall divisions, and if Richard Hill, Henrie Hamond, Thomas Waller and others the Collectors for the xl li formerlie allowed for repaire of the said bridge called Crosford bridge doe not paie the monie behind uppon that tax unto Oswald Mosley esq att or before Mondaie in Easter weeke next then Mr Mosley to grant forth his warrant against them who shall [then be in] arrere to answer their contempt at the next Sessions of assises here to be houlden.

Mr Downes is required to incite Mr Calvert to paie the monie in Mr Calverts hands collected for the howse of Correccion to Mr Henrie Breres of Preston uppon Mondaie in the easter weeke next.³² Raphe Ashton esq is required to incite the executors of Mr Hulton to doe the like for the money . . . Hulton collected. George Preston esq is required to incite Mr Parker to doe the like for the monie by him collected. Mr Veale and the executors of Mr Massie are required to paie the xx li in their hands at or before the aforesaid tyme. Mr Dutton is required to make the like payment of the monie in his hands to . . . Mr Breres.

The Justices of the peace and counsell learned of the shire here present are of opinion that the townes of Alker and Childwall nor anie other townes, corporacions or hamletts are not to bee exempted in the taxe for the howse of Correccion or bridges but are lyable and ought to paie as other neighbor townes ought to doe notwithstanding anie charter or prescription to the contrarie and therefore doe order that those townes and all other townes, hamletts and corporacions shall make payment of the monie uppon them taxed for the same howse and bridges or otherwise bee distreined for the same monie by the Collectors in that behalfe appointed.³³

Ytt is ordered that such things as are provided for the howse of Correccion and furnishing thereof shall bee viewed, inventored and surveied by the Justices hereafter appointed for the severall meetings with the Mayor and three Aldermen of the towne of Preston and it is ordered and explained that whatsoever shall bee wrought or made in the same howse of Correccion by the Master, his servants or anie thither comitted shalbee freeleie uttered and sould within the towne of Preston, or anie other towne in the same shire notwithstanding anie liberties or restraint to the contrarie. And that Francis Barker, Master of the

same howse of Correccion shall have 1 li exhibicion for this yeare the same to bee taxed together and according as the some of xl li for Crosford bridge is and to bee paid to Radcliffe Ashton esq, Mr Mayor of Preston and Mr Henrie Breres at or before Whittsundaie next by the high Constables hereafter named who shalbee collectors of the same monie.

Yt is ordered that if Mr John Breres doe not make staie of the Collecting of the fynes and amerciaments assessed by the Clerke of the markett within this Countie, that then the Justices of the peace in their severall hundreds shall take such order by peaceable withstanding, rescuing or otherwise taking the bailiffe or minister bound to answer his contempt as in their discrecion they shall should fitt and that the Justices and counsell of this Countie at the next terme will make mocion in the dutchie for staie of levying thereof.³⁴

Yt is ordered that John Leech shall have the paie of xls. in Mr Brockholes hands which was the paie for Mathew Sweeting and shall lykewise have xxs. more forthwith paid him by Mr Wattmough uppon payment whereof hee shall departe this Countie and have no further exhibicion in the paie of maymed souldiors unlesse uppon his returne hee make undelaied payment of xxs. parcell of the same some.

p. 73. High Constables now appointed.³⁵

Loynesdale hundred

Thomas Johnson als Bower of Barwicke gents

Thomas Richardson of Penington

Amoundernes hundred

Robert Parkenson of Fairesnapp gents

William Davies of Eccleston

Blackborne hundred

Thomas Barcroft of Lodge gents

Richard Crumbleholme of Dutton

Leyland hundred

Thomas Worthington of Croshawe gents

Robert Halliwell of Tunlie

Derbie hundred

John Barton of Scaresbricke

Hugh Forth of Wigan gents

Edward Deine of Rainehill

Salford hundred

James Cheetam of Crowsall gents

James Walmslie of Turton

Treasurers for maymed soldiors

Paul Fleetwood for Loinsdale, Amoundernes and Blakeburne hundreds

Hugh Wattmough, Clerke for Leyland, Derby and Salford hundreds.³⁶

Yt is ordered that William Tomson shall have the exhibicion and allowance in the paie of maymed souldiors formerlie allowed to Mathew Sweeting who is dead.

It is ordered that Nicholas Johnson shall have xxs. by the yeare more allowed him and added to his former paie and allowance according to a former order made in August in the sixteenth yeare of the kings raigne.

It is ordered that the Justices at their severall Sessions to bee houlden within this Countie shall agree aswell of the meetings and orders of lycensing of alehowsekeepers as also of the taxing and rating of servants wages within their severall divisions and precincts and that at such tymes and places as shall then bee agreed uppon.

[Endorsed with the names of:]

Thomas Tildslie	Thomas Ireland	Richard Burgh
Raph Ashton	Roger Downes	Roger Nowell
Richard Shuttleworth	Robert Blundell	Paul Fleetwood
John Greenehalgh	Oswald Mosley	Roger Kirkbie
Edward Moore	William Leigh	John Braddill
Humfrey Davenport	Gregory Turner	Myles Dodding
Edward Rigbie	Edmund Fleetwood	John Bradill ³⁷
George Preston	Robert Bindlosse	Edward Chesnall
Charles Gerrard		

1621

p. 90. Orders agreed uppon at the meetinge of his majesties Justices of the peace at Lancaster uppon Wednesdaie, 1 March 1621.

Treasurers for maymed souldiors

Thomas Covell, esq, mayor of Lancaster, for Loinsdall, Amoundernes and Blackbourne hundreds.

Robert Barrow, gent, mayor of Wigan, for Derby, Leiland and Salford hundreds.

High Constables³⁸

Loinsdall hundred

Thomas Woods of Snobb

Mathew Richardson of Rollehead

Amoundernes hundred

William Elston of Brockholes

William Pateson of Ribbie

Blackbourne hundred

John Nuttall of Newhouse in Pendle

Richard Osbalston of Showley

Leiland hundred

Peter Catterall of Crooke

John Gerard of Brindle

Derby hundred

John Bretherton of Hey

Edward Aspinall of Toxeth

John Blackledge of Lathom

Salford hundred

Thomas Longworth of Longworth

Lawrence Bradshaw of Hope

Yt is ordered that everie highe Constable which hereafter shalbee found delinquent in making collection and undelaied paiemente of anie some of monie wherein they shalbee appointed collectors shall stand comitted for the same offence untill they make restitution of that some of monie. And if the petie constables doe not their duties then they to bee brought before some Justice of the peace to bee bound over for their contempt by such high constable under whom anie such pettie constable shalbee found faultie.

The Justices heere present are of opinion that if any tolle or stelage bee taken for the carriage over Crosford bridge or anie other bridge repaired by the comon charge of the countrey the same is extorcion and ought not to bee taken or paid and that the takers thereof shalbee dealt withall by inditement of extorcion *quo warranto* or otherwise as the lawe will warrant; yet nevertheless all bridges shalbee repaired by the charge of counties and hundreds as formerlie they have bene accustomed.

Yt is ordered that Mr Edmund Fleetwood and Mr Veale shall bring their notes of accounts concerning the monie by them formerlie collected for finishing of the howse of Correction and then shall abide by such orders as the Justices or the greater parte of them shall thinke fitt concerning the some of xv li behind of the monie by them formerlie collected for finishing of the howse of Correction and then shall abide such orders as the Justices or the greater parte of them shall thinke fitt concerning the some of xv li behind of the monie collected by the said Mr Fleetwood and Mr Massie deceased for the same howse. And for xl li or more which is behinde and collected in Loinsdall hundred by Edward Parker and the executors of William Hilton, his majesties Justices of assize shalbee dealt withall the daie next followeing the granting of attachments against them.³⁹

p. 91. Yt is ordered that the Master of the howse of Correction at Preston shall have the some of lvi li for his wages yeerlie to bee collected by the highe Constables of everie severall hundred within the countie and the same to bee paid to Mr Maier of Preston at or before midsomer Sessions next who shall paie the same over to the said Master quarterlie by even porcions.⁴⁰

Yt is ordered that the treasurers for maymed souldiours for the time to come shall paie yearlie xls. to the prisoners in the kings Bench and Marshalsie and shall take course with the Sherriffe or some other person to paie the same soe that acquittance bee delivered to the treasurers succeeding before the ould treasurers bee discharged.

Yt is acknowledged by Mr Worsley that vi li xs. of the some of x li xs. by him formerlie paid to the prisoners in the kings bench and Marshalsie and xlijs. in Mr Watmoughs hands, being overplus of the monie for maymed souldiours collected within his division, and xxvs. promised by Mr Paull Fleetwood to bee paid to . . . Mr Worsley out of the monie collected within his division shall be paid to . . . [him]. And the Justices doe farther promise to paie to . . . Mr Worsley at the next assizes (uppon bringing in of a discharge for the said some of x li xs.) the some of xiijs. consideracion, being the last part of the said some of x li xs.

Yt is ordered that Thomas Hutton shall have the place of Richard Holland in the paie of maimed souldiours if the said Richard bee dead and if the said

Richard bee in life then . . . Thomas is to have the paie of xls. per annum to bee paid him by the treasurers of Derby, Leiland and Salford hundreds.

[Endorsed with the names of:]⁴¹

Edward Moore	Richard Shuttleworth	Edmund Fleetwood
[current sheriff]	Edward Holland	Oswald Mosley
Cuthbert Halsall	Humfraie Davenport	Edward Chesnall
Thomas Tildsley	William Leighe	Paull Fleetwood
Thomas Ireland		

p. 95. Orders agreed uppon at a generall Meetinge of the Kings majesties Justices of peace at Lancaster uppon Wednesdaie in the assizes week, 22 August 1621.

Collectors for the oxen monie . . .

Loinsdale

Roger Kirbie esq and Robert Bindlose kt

Amoundernes

John Brockholes and Richard Burgh esqs

Blackbourne

Radcliff Asheton and John Braddill esqs

Leyland

Edward Rigbie esq and William Leigh, clerk

Derby

Edward Moore esq and Gregory Turner, clerk⁴²

Salforde

Cecyll Trafford kt and John Holt esq

Forasmuch as uppon informacion of Francis Barker master of the howse of Correction it appeareth that the howse . . . wanteth reparacion in slate coveringe and such like, it is required that Sir Thomas Tildsley kt, Robert Blundell and Radcliffe Asheton esqs will before the next sessions of peace to bee houlden at Preston viewe and at the same sessions certifie the same decaie; at which Session this table intreateth that Consideracion and order maie bee taken for the speedie repaire of the decaie of the same howse.

Yt is ordered that the xxx li remayninge in Edward Moore, highe sheriffe of this countie, his hands shall by him forthwith bee paid over to Thomas Beespham, William Wooley, Thomas Mather and Thomas Stubbs of Warrington and by them shalbee ymployed and converted towards the repaire of Warrington bridge; and they or some of them to make their accounts of the disbursement thereof at this table at the next somer assizes heere to bee houlden.⁴³

p. 96. Commissioners for taxation of the first paiement of the seacond Subsidie in August.⁴⁴

Derby hundred: William Earl of Derby; Bishop of Chester; Sir Richard Molineax kt and bt; Sir Thomas Gerard kt and bt; Sir William Norres, Sir Peter Leigh, Sir Charles Gerrard and Sir Gilbert Ireland, all kts; Edward Standley and Robert Blundell, esqs.

Salford hundred: Sir John Radcliffe, Sir Cecyll Trafforde and Sir Thomas

Barton, kts; Edward Holland, Roger Downes, Leonard Asshawe, Savill Radcliffe, John Greenehalgh and Oswald Mosley, esqs.
 Leyland hundred: Sir Richard Houghton kt and bt; Alexander Standish, Edward Rigbie, Edward Wrightington, Edward Chisnall esqs; and William Leigh, clerk.
 Amounderness hundred: Sir Richard Houghton, kt and bt; Sir Thomas Tildslie kt; Richard Shuttleworth, Radcliffe Asheton, Robert Houlden, and Edmund Fleetwood, esqs.
 Blackburne hundred: Sir Raph Asheton bt; Richard Shuttleworth, Richard Sherburne, John Braddill, and Radcliffe Asheton, esqs.
 Loinsdale hundred: Henrie Parker, esq; Sir Robert Bindlose kt; George Preston, Roger Kirkbie and John Fleeming, esqs.
 Collectors appointed for the Collectinge of the first paiement of the said subsidie:
 High Collector for Derby, Salford and Leyland hundreds: Rauffe Standish of Standish, esq.
 High Collector for Blackburne, Amounderness and Loinsdale hundreds: Nicholas Towneley of Royle, esq.
 Daies appointed for the Commissioners to meete within their severall divisions:
 For Amounderness at Preston uppon Fridaie, 31 August.
 Derby at Prescot uppon Wednesdaie, 29 August.
 Leyland at Leyland uppon Fridaie, 31 August.
 Salford at Manchester on Mundaie, 3 September.
 Loynesdale for the neerer side of the sands at Lancaster and for the further side at Ulverston uppon Fridaie, 31 August.
 Peter Marsh, provider for oxen for the kinge househould for this Countie, hath delivered in a discharge for provision and deliverie of the same oxen for 1621.

[Endorsed with names of:]

Richard Molineux	Thomas Barton	Roger Kirkbie
Charles Gerrard	Thomas Ireland	Leonard Asshawe
Richard Haughton	Robert Blundell	Robert Houlden
Robert Bindlose	Alexander Standish	Savill Radcliffe
Thomas Tildslie	John Bradill	

1624

p. 135. Orders to be observed, agreed upon at a generall meeting of the kings majesties Justices of the peace and quorum within the countie of Lancaster at the Sheriffs table at Lancaster upon Weddnesdaie at night in the Assise weeke, being the 17 March 1624.⁴⁵

Treasurers appoynted for maymed souldiers
 for Loynesdale, Blackburne and Amoundernes hundreds: Robert Coale of Coate, gent.
 for Derby, Leyland and Salford hundreds: Edmund Hopwood, esq.

Mr Covell is to deliver at the next quarter sessions at Lancaster to the clerck of the peace the Account for the moneys heretofore delivered him about 10 or 11 years since for repaire of Lancaster bridge.

Yt is ordered that Mr William Johnson who at this table acknowledgeth the Receipt of lvi li being the benevolence money given by this Countie to the Palatinate shall at the next meeting in the next Assises weeke shew his Acquittance or discharge of that money; upon shewing of which Acquittance, this table is to take consideracion whether . . . Mr Johnson be chargeable with that money or be discharged thereof.

And whereas Sir Richard Houghton kt and bt did receive of Mr Shuttleworth lx li of the same benevolence money given by this countie which is yet remayning in . . . Sir Richards hands, this Table doth thinck fitt that some informacion in the behalfe of the Countrie should be exhibited against . . . Sir Richard for the same money with all expedicion the rather for that the Countie is now to be greatly charged for the repaire and building of Lancaster bridge.⁴⁶

Yt is ordered and required that a ferrie boate for six horses shalbe presently provyded at the charges of the Countrie for the passage over the River of Loyne untill the bridge called Lancaster bridge lying over the same River be repayed, and that the keeper of the same boate shall take for a single horse and man a half pennie and for a horse and his loade a farthing, and for everie beast (except a sheepe) a farthing, and for a man a farthing, and for everie fower sheepe a farthing; and that Mr Mayor of the towne of Lancaster for the tyme beinge and Robert Dalton, esq are required to be supervisors to see the same boate made and provyded, and Sir Robert Bindlosse, kt, is required to receive so much money of the moneys in Mr George Preston his hands, and out of the same to disburse so much as shalbe necessarie for the making of the same boate, which this table conceaveth to be about xx li or under; and that after that the same bridge shalbe repayed and amended then the same [boat] is to be sould over againe and the money to be imployed for the countries good.

Yt is also ordered that a whole fiteene within this Countie of Lancaster shall presently be collected by the high constables of the severall hundreds . . . and shall by them be payed over to Sir Robert Bindlosse, kt, at or before the first daie of May next for the repaire of Lancaster bridge and in the meane tyme Mr Preston is required to deliver the moneys in his hands presently to . . . Bindlosse; and Mr Mayor of Preston and Robert Dalton . . . are required together with . . . Bindlosse to see the . . . bridge repaired and amended and to be supervisors thereof, and such materials as stone and Timber and other necessities which were formerly provyded for the same bridge are now to be taken and imployed for repaire and amendment thereof.⁴⁷

High Constables appointed⁴⁸

Loynesdale hundred

Christopher Sands of Booth, gent.

Robert Croft of Warton, gent.

Amounderness hundred

Henrie Siddall of Preston, gent.

Henrie Butler of Parrocks, gent.

p. 136.

Blackburne hundred

Richard Houghton of Redleigh, gent.

Henrie Shawe of Longwade, gent.

Leyland hundred

Richard Preston of Coppull, gent.

John Sumpner of Leyland, gent.

Darbie hundred

Henrie Sutton of Rainhill, gent.

Richard Urmston of Penington, gent.

Robert Welch of Aughton, gent.

Salford hundred

William Hide of Denton, gent.

Roger Hindley of Hindley in Aspull, gent.

[Endorsed with names of:]

Raphe Ashton

[current sheriff]

Cecill Trafford

Richard Bould

Roger Kirkbie

Myles Dodding

Oswald Mosley

William Leigh

Edward Chesnall

Roberte Bindlosse

Richard Shuttleworth

Edward Moore

Savill Radcliffe

Gregorie Turner

Chetham's Library, Muniment A7.31, p. 23.

An order to be observed, Agreed upon att a generall Meeting of Sir Ralph Ashton, bt, high Sheriffe of the County Palatine of Lancaster; Sir Richard Molineux, kt and bt; Sir Peter Leigh, kt; Sir Gilbert Houghton, kt; Sir Thomas Tildesley kt, Attorney of the County Palatine of Lancaster, one of his Majesties Council established in the North parts; Sir Charles Gerrard, kt; Sir Cecil Trafford, kt; Sir Robert Bindlosse, kt; Sir Thomas Barton, kt; Sir Paul Fleetwood, kt; Richard Shuttleworth, Roger Downes, Robert Blundell, Edward Rigby, Roger Kirkby, John Greenhalgh, John Braddill, Thomas Ashton, Savill Radcliff and Richard Burgh esqs, the kings Majesties Justices of the peace and Quorum within the county of Lancaster, att the Sheriffes Table at Lancaster upon Wednesday at night in the assizes weeke, being the 11 August 1624.

It is thought fitt and so ordered that the Soldiers Ley shall be taken and holden to be the most fitting and meetest Tax to be for the Generall Tax of such Moneys as shall be laid for this County throughout every severall hundred within this County, the Ley which is only for provision of oxen for the kings Majesty called the oxen ley and the fifteenth to his Majesty only to be pursued for those two purposes and noe other, unless speciall order be hereafter given.⁴⁹

1625

Mosley Ms.

p. 141. Orders to be observed, agreed upon at a generall meeting of Edward Holland, esq high Sheriffe of the countie of Lancaster; Raphe Ashton, bt;

Robert Bindlosse, kt; Richard Shuttleworth, esq; Roger Downes, esq; Edward Wrightington, esq; William Leigh, batchelor of divinitie; Gregorie Turner, clerk, rector of the parish church of Sefton; Radcliffe Ashton, esq, protho-notary of the county palatine of Lancaster; Edmund Prestwich, esq; Robert Hoult, esq; Myles Dodding, esq; Alexander Rigbie, esq; Edmund Ashton, esq; John Braddill, esq; Edward Rawstorne, esq; Thomas Covell, esq; and Richard Burgh, esq and other theire associates, the kings Majesties Justices of the peace and quorum, at the sheriffs table at Lancaster upon Wednesday in the assises weeke, 31 August 1625, By and with the consent of Francis Harvie and Henry Yelverton, the kings Majesties Justices of Assise at Lancaster.

It is ordered that if heerafter it shall fall out in anie village, Corporacion, towne or hamlet that anie person shalbe [suspected] to be infected with the plague, the same parties upon complaint to 2 of the next Justices of the peace, or to the Mayor or chiefe governor of the Corporacion if it be within a towne corporat, shalbe shutt up, watched and attended at theire owne charges if they be of abilitie, or otherwise at the Charge of the Towne or hamlet where they be resident for such tyme as the said Justices or Mayor shall thinck fitt (not exceeding six weeks) unlesse the same partie shall appeare to be infected.⁵⁰ And if the Towne or corporacion be not of abilitie then at the Charge of the Parish where they be resident or such part thereof as the same Justices shall thinck fitt, and such as shall appear to be infected to bee shutt up for and during such tyme as 2 of the next Justices or the Mayor of the Corporacion where anie such falleth out in a corporat towne shall houlde meete, and in default of the Justices the greater number of the inhabitants of the Towne where anie such be so infected meeting for that purpose And that everie Towne, hamlet and corporacion shall maintaine and keepe watch and ward by the sufficientest and best of everie housekeeper and Inhabitant of such Towne; and if any inhabitant shall refuse to pay anie such Contribucion as for that purpose shall by the Taxes of the same Towne be assessed upon him then he by the same next Justices or Mayor to be committed to the comon gaole untill he make payment thereof. And that all Carriers, Tradesmen and other persons shall forbear to travell in the saith parts or anie other place whatsoever now infected, or heerafter suspected to be infected untill Christmas next and further untill they shalbe thereunto lycensed by 2 or more of the next Justices of the peace and the Mayor of such Corporacions where they be resident upon payne of imprisonment untill the next ensuing Assises to be houlden at Lancaster. And for the further and more better securing of Townes and places not yet infected with the said grievous plague and sickness and keeping of the same cleere, this Table doth think it meete and so order that the watchmen from tyme to tyme to be appointed may minister oath and oathes to Travellers and passengers that shall pass through the same towne for theire satisfaccion and the satisfaccion of the inhabitants of such Towne where they keepe watch and ward that such persons, Travellers and other strangers have not in theire Travells lodged, stayed, carried, bought, exchanged or received anie wares, Stuffes and marchandis in place infected. And that 2 or more Justices of the peace and the Mayor and chiefe governor for theire Corporacions onely may from tyme to tyme within and for such lymitts where they be resident sett downe such further orders for prevencion of the said sicknes as they in theire discrecions shall

thinck fitt. And this order to be published in everie Market towne of this Countie to the end the kings Majesties Subjects of this Countie may take notice thereof.

The moneys in Mr Dalton of Thurnam, Mr Townson and other the high Constables hands, ordered to be presently payed into the dutchie at the last meeting at this table, shall before the xvth of this month pay in the same moneys wherewith they are chargable to Roger Downes, esq or his deputie at his house in Wardley, or otherwise the Attachments to bee executed and served upon the delinquents and such as shall make default therein.⁵¹

p. 142. It is ordered by the consent of the parties heerafter named that the some of x li shalbe allowed for repaire of the way next adjoyning to the further end of Lancaster bridge from the Towne of Lancaster not extending above 300 foote, and that Sir Robert Bindlosse will presently disburse v li, and that Mr Townson of the Towne of Lancaster hath undertaken for the Towne of Lancaster to disburse [an]other v li which shalbe allowed unto them out of the profitts of the fynes and Amerciaments lost [*sic*] and assessed within this Countie and lately compounded for; and that the same Sir Robert Bindlosse and Mr Townson shalbee supervisors to see the same may [be] made sufficient accordingly.

William Johnson, a poore maymed souldier, is to have the place of exhibicion and allowance that shall become voide by death or otherwise.

Mr Braddill is to deliver xxs., Mr Alexander Rigbie xxs., and Mr Standish xls. to Mr Robert Nield, under sheriff, the which . . . Nield undertaketh to pay in and discharge this Countie of the same which is supposed to be all Arerages and moneys due to the prisoners in the kings Bench and Marshalsie for this present yeare and all other years by past. And Mr William Liegh, one of the high Constables of Salford hundred, hath now by the appoyntment and dirreccions of this table payed xls. to the same Mr Nield for the foresaid Mr Standish which is to be allowed in his collections and in the same Mr Standish his accounts.

Wheras it is reported that there was a boate and divers tymber Trees provyded for the Lancaster bridge at the charge of this Countie all which is now misemployed, the value and Circumstance of all which is referred to the examinacions of Sir Robert Bindlosse, kt, and Myles Dodding, esq, who shall certifie this table thereof at the next meeting.

And it is ordered that Reynold Parker, gent, by his owne consent and choyce, shalbe provyder for the oxen for the kings Majesties household for three yeares now next ensuing and shall have 190 li allowed him by the Countie in such sort, manner and forme and payable at such tymes as Mr Peeter Marsh his late predecessor had the same, who therewith and with the allowance of his Majestie for that purpose shall discharge this Countie of Lancaster of and from the same charge and the penaltie which by the nonperformance thereof this Countie might be damnified; and that the said Mr Parker shall before the next generall Sessions of the peace to be houlden at Preston become bounden in the some of 500 li, with Thomas Parker of Bronsom esq and James Parker of Lees his brother to discharge and save the countie harmles of and from the same.

Collectors for the ox money

Loynsdall hundred:

Roger Kirkby and Thomas Covell, esqs.⁵²

Amounderness hundred:

Richard Shuttleworth and Edward Veale, esqs.

Blackburne hundred:

John Braddill and John Starkie, esqs.

Leyland hundred:

William Farrington and Edward Chisnall, esqs.

Derbie hundred:

Gregory Turner, clerk and Edward Moore, esqs.

Salford hundred:

Edmund Ashton and Edmund Prestwich, esqs.

[Endorsed:] Subscribed by all whose names are in the stile.

1627

LRO, QSB/1/36/22.

An order to be observed and agreed upon att a generall meetinge of the kings Majesties Justices of the peace and quorum att the Sheriffs table at Lancaster upon Wednesdaye in the Assyses Weeke, 8 August 1627.⁵³

Yt is ordered that the somme of Tenn pounds shalbee collected within this whole county and shall bee payed over to the Maior of Preston for and towards the maynetaynance of William Barker, a poore infant of Francis Barker late governor of the house of Correction and Borne in the same house; whoe together with Christopher Bannister and Radcliffe Ashton esqs or any tow of them shall see unto the takeing of Securytie of suche as they shall thinke fitt and sufficient for the keepeing and mainetaynance of the same child and the dischargeing and saveing harmelesse of the parishe where yt was borne or the countie untill suche Time as yt shall bee of Abilitie to gett it his owne lyveing and mainetaynance and that a Taxe to the high constables for the levyng thereof shall bee presently made.

Examined by Robert Mawdesley⁵⁴

1628

LRO, QSV/11/1

f. 1r. Orders to be observed, agreed [upon at a general] meetinge of his Majesties Justices of [peace and quorum within] the county palatine of Lancaster [at the sheriff's table] at Lancaster upon Wednesday in [the assizes week,] 2 April 1628.

Yt is ordered that Sir Raphe Asheton [bt] and [Robert] Holt esq shall take the accounts of Edward Butterworth of Belfield esq and that Richard Shuttleworth and John Bradill esqs shall take the accounts of Roberte Parkinson of Fayre Snape on Bleasdale gent and that they shall at the next meeting of this table certifie unto the Justices there what souldiers in pay are deade and what moneys are in their hands at which tyme the said Justices there will take into their Consideracions what to do in the mocion made by Mr Roberte Taylor for the increase of his pencion.⁵⁵

High Constables⁵⁶

Loynsdale hundred

William Cooke of Scotford gent *Jur*
 George Fell of Ulverston gent *primus Jur. mid. sess.*

Amoundernes hundred

William Bell of Elswicke gent
 Edward Jarvis of Lowerwiersdale gent

Blackburne hundred

Francis Parsloe of Wiswall gent
 *Thurston Tomlinson of A[ighton]
 John Ward of Ribchester gent.

f. 1v.

Leyland hundred

[?John] Halliwell of Wrightington gent *Jur*
 Elizas Sumpner of Leyland gent *Jur*

Derby hundred

William Suche of Burskowe gent *Jur*
 John Glover of Rainehill gent *Jur*
 Richard Whitehead of Astley gent *Jur*

Salford hundred

William Radcliffe of Manchester gent
 Richard Entwisle of Ratchdall gent

Treasurers for maymed souldiers

Salford	}	John Ireland of Hut esq
Derbye		*Edward Butterworth of Belfield esq Continued
Leyland		Nicholas Towneley of Royle esq
Loynsdale		*Edward Veale
Amoundernes		*Robert Parkinson of Fayre snape in Bleasdale gent
Blackburne	}	cont[inued] because they came not to deliver up their
		accounts.

[Signatures of:]

Raphe Assheton	John Grenehalgh	William Legh
Richard Shuttleworthe	Edward Moore	Roger Nowell
Roberte Holte	Raphe Assheton	Edmund Hopwoode
John Bradyll	Alexander Rigby	Thomas Covell

f. 3r. Orders to bee observed agreed upon att a generall [meeting] of his majesties Justices of the peace and quorum within the Countye palatyne of Lancaster at the Sheryffes table at Lancaster upon Wednesday in the assises weeke, 27 August 1628.

Yt is ordered and thought fitt that the lease of all the yssues, Fynes and amerciaments graunted out of the duchye under the seales of the said duchye of Lancaster and the Countye palatyne of Lancaster unto divers leasees within the said Countye elected for that purpose shall remayne and bee in the Custodye

of the Clerke of the peace and that the said Clerke of the peace shall give Copyes thereof unto the said leassees within everye hundred of the said County and that the allowance of Fyfte shillings apeece shall bee given and allowed unto the said Clerke to bee taken out of the same fynes for everye Copey thereof and that hee shall Carrye a Copey thereof unto every quarter Sessions soe as the same may be readye to bee shewed upon any demand.⁵⁷

Yt is thought fitt and intreated that the deputye lieutenants will be pleased at the next Assises to satisfye the Justices of peace at the Sheryffes table how the moneys formerly taxed upon the whole Countye have beene disposedd and Employed and then to give therein answer.⁵⁸

f. 3v. It is intreated that Roger Downes esq, Roberte Blundell esq and Edward Wrightington esq would be pleased to move the Chancellor of his Majesties duchye to grant warrants unto the Clerke of the Crowne and Clerke of the peace to deliver the estreats of all yssues, Fines and amerciaments unto some or all of the patentees and to bee Freed and discharged of and from all Contempts and forfeitures by them Committed in not delivering of the same estreats into the said duchye as formerly they have done.

It is ordered that Captayne [Robert] Taylor shall yerely have v li allowed him by the treasurers for maymed souldiers according to a former order here at this table agreed upon and that hee shall likewyse have x li more allowed him by Rauffe Ashton bt, tresurer for the liutenants deducted out of the fortye pounds allowed to John Parker the muster master in respect of his labor and paynes in trayneing and disciplining of the horse appointed for service within this Countye.⁵⁹

Yt is ordered that yf it shall appeare that Thomas Hutton of Holland formerly beeing in pay of a maymed souldier bee dead that Richard Sankye shall hereafter have the same exhibicion and bee admitted into pay in place of the said Thomas Hutton.

f. 4r. Yt is ordered that Jeffrey Page of Ormskirke shall before the feast of St Michaell the Archangel next make his account of all such sommes of money as hee hath formerly Collected within the hundred of derbye of the Fynes, yssues and amerciaments sessed and forfeited within the said hundred unto Sir Richard Molyneux kt and bt and Richard Bould esq, now nominated patentees for that purpose soe as by or from them the Justices may be at the next Sessions to bee houlden at Wigan Certyfied how much is alreadye Collected for the use of the Countrey and further that the leasse[e]s in every other hundred respectyvely shall call such persons as have beene formerly appointed for Colleccion thereof to make their accounts before the said feast of St Michaell the Archangel next; soe as at the next Sessions to bee kept for that division they may Certyfye their doings therein as afforesaid and soe afterwards to Contynue from Sessions to Sessions and that the said Patentees may in their discrecion appointe subcollectors thereof and soe to Contynue untill further order bee made herein. And further that the summe of xi li vs. shall bee first payed out unto Richard Worsley formerly disbursed by him for the chardges of the same lease.⁶⁰

f. 4v. William Wilson of Bleasdale, a maymed soldier, shall have the next

exhibition and allowance in pay of a maymed souldier which shall by death of any maymed souldier now in pay within the County of Lancaster or otherwyse bee come voyd before any other may [be] ordered to bee provided for.

Yt is required that Mr Towneley of Royle, one of the treasurers for maymed souldiers, shall at the next Sessions to bee holden at Lancaster make his Accompt who are now in pay and what surplus is remayneing in his hands and if there bee any remaineing then Thomas Geldert, a poore maymed souldier, shall have allowed him the somme of xls. a yere or soe much as shall soe remaine in his hands not disburst. Yf it appeare that there bee not any remainder in his hands then the said Geldert to have allowance from the parish of Oldingham⁶¹ where hee was borne and now remayneth untill there shall happen a place to bee vacant.

Mr Reynold Parker is ordered to have nynescore and ten pounds allowed him by yere to bee payed by the Collectors in that behalfe named and to bee payed him at the usuall tymes for three yeres next comeing yf the said Reynold shall soe longe lyve. And the said Reynold hath now undertaken to dischar[g]e this Countye for provision of oxen for his Majesties household for 3 yeres now next comeing yf hee soe long lyve for the said yerely somme of nynescore and ten pounds and it is required that Richard Shuttleworth esq and John Braddill esq would at the next Sessions to be holden at Preston take bonnd to the said Reynold for performance hereof and the said Reynold Parker hath for performance hereof subscribed his name.

f. 5r. Collectors for the oxo money

Loynsdall hundred	
Myles Dodding	
Thomas Covell	esqs
Blackburne hundred	
John Braddyll	
John Starkye	esqs
Amounderness hundred	
Richard Shuttleworth	
Edward Veale	esqs
Leyland hundred	
Rauffe Standishe esq	
Peter Catterall gent	
Derbye hundred	
Edward Moore esq	
Gregorye Turner Clerke	
Salford hundred	
Abell Buckley esq	
James Cheetam of Cheetam Hill gent.	

[Signed by:]

Raphe Asheton
Richard Bold
John Ireland
Roberte Blundell

Oswald Mosley
Thomas Ireland
Roger Downes

Richard Shuttleworth
Edmund Prestwich
William Johnson⁶²

f. 5v. blank.

f. 6r. Orders to bee observed agreed [upon at a general] meeteing of his Majesties Justices [of peace] and quorum within the County and Palatine of Lancaster att the Sherriffes Table att [Lancaster] upon Wednesday in the Assysse weeke, 25 March 1629.

Yt is required by the Justices here present that Alexander Rigby esq Clerke of the Crown and Radclyffe Ashton esq prothonotary of this County would bee pleased yerely hereafter at two se[veral] tymes vizt at the next Sessions of the peace to bee holden after the feast of St John Baptist and the birth of our Lord god give and deliver unto the Justices of the peace within the severall divisions at their severall Sessions an estreat of all such Fynes, yssues and amerciaments as formerly are and the Justices to give allowance as in their discrecions they shall thinke fitt.⁶³

f. 6v. The High Constables⁶⁴

Loynsdall hundred

Henry Preston of Ellell gent

Gyles Brownrigg of Kirkby Ireleth

Amoundernes hundred

George Duddell of Woodplumpton gent

Richard Warbrecke of Layton gent

Blackburne hundred

George Halstead of Burneley gent

Richard Harwood of Darwyn gent

Derby hundred

Thomas Bickerstath of Aughton gent

*John Blackleach of Lathome gent

Raphe Johnson of Crosby

*Richard Whitehead of Astley gent

Oliver Lyme of Prescot gent

Leyland hundred

George Allenson of Adlington gent

Edward Durneing of Bispham gent

Salford hundred

William Lever of Kersall gent

*Henry Cowpe of Ashton botham gent [Endorsed: this must serve.]

*Ellis Flecher [of Walmersley]

Tresurers for maymed souldiers

Loynsdall

Amoundernes

Blackburne

Derbye

Leyland

Salford

Richard Whittingham of Claughton gent

William Farrington of Werden esq

f. 7r. *Consideracion to bee had at the next Assises whether further Allowance shall bee given unto John Breres. [Endorsed: Intr]⁶⁵

*Yt is ordered that the Tresurers shall before they bee dischargd of their office every yere at this table make their accompts and pay the surplusage.

*That at the next Sessions at Preston Richard Shuttleworth and John Bradill esqs or the one of them to take bound of Reynold Parker for the disbsureg [*sic*: disbursing] of the oxe money and then hee to have his allowance.

[Signed by:]

Edward Rawsthorne

[current sheriff]

Cecyll Trafforde

Alexander Rigby

Robert Holte

John Greenhalgh

Oswald Mosley

William Johnson

Thomas Covell

f. 7v. Whereas wee understand aswell by letter as by relation of Roberte Blundell esq that Sir Humfrey Maye, Chancellor of his Majesties duchy of Lancaster doth desire this table to take into their due Consideracion and to give further allowance unto Mr John Breres for the surrendering and yealding up his estate and lease of the greenwax and of all the Fynes yssues and amerciaments sessed and forfeited within this Countye: in regard whereof yt is now thought fitt and ordered that the Justices of peace at their next meeting at the sheryffes table upon Wednesday at night in the Assises weeke next would take course and grant such further allowance to the said Mr Breres as they shall then thinke fitt and as the moneys alreadye Collected and to bee Collected and truly accompted for will extend unto in regard of the premisses and cheeffly in respect of Sir Humfrey May his earnest request herein.

Yt is ordered that the Treasurers for maymed souldiers the yere last past shall at the next Assises here to be holden in August next make their accompts unto this table and that the Tresurers for this present yere now nominated shall likewyse make their accompts to this table before they bee dischargd of their office and soe to contynue ever hereafter and that the Clerke of the peace shall give notice hereof aswell to the said Treasurers for the yere last past as to the Treasure[r]s now nominated That if they doe not come to make their accompts according to this order Then that upon the said Clerke of the peace his Informacion Course may bee taken with them.

f. 8r. Yt is ordered that the sum of ls. shall bee now allowed and payed unto Richard Worsley gent together with the other xili vs. formerly ordered to bee payed him out of the Fynes and amerciaments, which sum of ls. is already disbursed and layed out for the Commission of assistance sued out for the good of the Cuntry.⁶⁶

1631

LRO, QSB/1/87/73.

An order to be observed agreed upon att a generall meeteing of his Majesties Justices of the peace and quorum within the countie of Lancaster att the Sheriffes Table att Lancaster upon Wednesday in the Assyses weeke, 30 March 1631.

Forasmuche as Mr Chadwicke, late one of the high constables of Salford hundred, is dec[eased] therefore Raphe Asheton of Midleton and Edmund Ashton esqs are intreated by this Table imediatly upon sight hereof to call

before them John Gilliam of Newton gent, and Richard Dickenson of Aynsworth gent, now elected high constables for the hundred of Saleford for this present yere and to Take their oathes for the execution of that office and to Certifie the same att the next Sessions of peace to bee houlden at Manchester.

Examined by George Rigbye⁶⁷

LRO, DDHk box containing papers of Leyland high constables, 1616-1724. [Another order made by the JPs at the table, Hilary 1631.]

Forasmuch as yt appeareth upon the petition of the mayor, Baliffs and Comonaltye of the towne of Prestonn and [*sic*: that] the same towne is dangerously and extreamey visited with the plage and that there are to the number of two thousand poore and infected persons and other Poore within the same Towne, which wantinge Realiffe and forasmuch as it ys Conceived that the same townes and the inhabitants within Fyve myles thereof are Sore charged and not able to Realiffe the same poore, yt is therefore nowe agreed and ordered by all the Justices there present by and with the approbacion of his majesties Justices of Assises for This Countie that the some of three hundred three score pounds shalbie presentlie Collected and leveyed within this County for and towards the Realieffe of the pore and infected people within the same towne for the space of six weakes next ensuinge and that the heigh Constables of Everie hundred shall Collecte, levy and gather within theire seaverell hundreds respectively towards the makinge upe of the saide some of ccclx li these seaverell somes heareafter particularly mencioned: that within the hundred of Darby . . . lxxxvi li xs., within . . . Salford . . . l li xs., within . . . Layland . . . xxxij li vs. within Blackborne . . . lxiv li xvs., within . . . Amounderness . . . lxvij li xs. [and] within . . . Loynsdale . . . lvij li xs. And that the high Constables within Darby hundred shall paye over the saide some of lxxxvi li xs., to gregorie Turner, Clarke, Thomas Ireland, esq and Henry Ashurste esq [and similarly the high constables of Leyland to pay their collection to Thomas Standish, esq and William Legh, Bachelor of Divinity; those of Salford to Raph Asheton of Middleton, and Adam Thurgood esqs; those of Lonsdale to Roger Kirkby and Thomas Covell, esqs; those of Blackburn to John Osbaldeston and Radcliffe Assheton, esqs; and those of Amounderness to Richard Shuttleworth and Edward Veale, esqs.] And that payment thereof shalbee made respectively in everie hundred as aforesaid upon Mondaye, beinge the [e]leventh daye of Aprill next; and the seaverell Justices of peace before named are Requested by the whole of this Table to make payment forthwith of the seaverell Somes of money soe Collected, leveyed [and] gathered within everie hundred to Radcliffe Asheton, esq, whoe is entreated to take account of the Same. [The remainder of this document is badly mutilated but its sense seems to be that Radcliffe Asheton is to pay the money collected to the mayor of Preston, who is empowered to disburse it; that at the end of six weeks a further and similar grant would be considered if conditions had not much improved and God withdrawn 'his unresistable ha[nd]'; and that the high constables are charged with full responsibility for seeing that the rate is at once collected.]⁶⁸

1633

LRO, DDHk box containing papers of Leyland high constables, 1616–1724.

An order to bee observed, agreed upon att a generall meeting of his majesties Justices of peace and quorum within the County of Lancaster att the Sheryffes table at Lancaster, upon Wednesday in the Assyssees weeke, 11 April 1633.

Whereas there was heretofore an order made and agreed upon by his majesties Justices of Assyssees att Lancaster that all and every such person and persons as had served or hereafter shold serve the office of high Constable within any of the hundreds within this Countye shold bee exempted from the service of the office of petty Constable within theire or any of theire Towneshipp att any tyme hereafter. And whereas alsoe this Table is informed that some persons within this Countye, haveing served the same office of high Constable for divers yeares are still pressed and enforced to undergoe and execute the office of petty Constable notwithstandinge the said order which this Table holdeth and approveth to bee an undirect course and not permissable: now therefore this Table doth Ratyfye the same order and further ordereth that soe often as the said office of petty Constable shall in course or otherwise fall to any person haveing formerly beene high Constable the same shall bee served by such person or persons in turne or otherwise as the same office should have fallen unto yf that the same high Constable had served the same office.⁶⁹

Examined by George Rigbye

[LRO, DDKe 3/91, minute of meeting of undersheriffs and others at Manchester, 9 May 1633.

Noted that the sheriff's table during Hilary assizes 1633 had 'agreed to and declared by a general consent' that the Exchequer order of 7 February 1633 requiring all Lancashire sheriffs over the past ten years to resume the practice of accounting more fully in Exchequer was a 'business concerning the general good of the county'.⁷⁰

[Amongst the high constables elected by the sheriff's table at its meeting during the week of Hilary assizes 1633 were:⁷¹

LRO, QSO/2/8	Richard Sheirdly	Leyland hundred
	Nicholas Norres	
LRO, QSB/1/118/60	Henry Greene	West Derby hundred]

LRO, QSB/1/134/56.

Orders to bee observed agreed upon att a generall meetinge of his Majesties Justices of the peace and quorum within the county of Lancaster att the Sheriffes table at Lancaster upon Wednesday in the assyses weeke, 28 August 1633.

The Order made at the sessions of peace houlden att Ormiskirke in May last for hyreing, mantaininge and keeping of Beadles in each townshipp within the hundreds of Derby and Leyland for restraint of wanderers and furraine beggars is by this table aproved ratyfied and confirmed; and this table doth conceive itt fit that there [should be] beadles hyred provyded and kept for the same purpose throughout the whole County.⁷²

Examined by George Rigbye

[LRO, DDKe 3/93, Kenyon Papers.

Consists of a 'Note of such gentlemen's names as contributed towards the passing of the Sheriffes accompts', which they did 'accordeinge to the purport of an Order made at the Sheriffes table at Lancaster at the Assizes in August 1633.' Only details for Blackburn hundred are given; but on that basis the response was disappointing: only eight of the sixteen gentry listed had made any kind of contribution.]

1634

LRO, DDHo 267.

An Order to be observed, agreed upon att a generall meeting of his Majesties Justices of peace and Quorum within the County of Lancaster att the Sherieffs Table att Lancaster upon Wednesday in the Assyssees weeke, 20 August 1634.

Ytt is ordred by the voyces of the Sheriffe and the Justices here present that a Taxacion shalbe layd throughout the whole County of Lancaster for and towards the repaire and amendment of the Bank or Copp in Walton in le Dale, lying betwene Ribble bridge and Darwyne Bridge called Walton Banck or the Copp in Walton, and a faire and sound way to bee made upon the said Copp for all maner of passages with Carts, Cariages and all other occasons for a convenient way to passe and repasse in soe high and so much frequented a Comon Streete, and soe to bee upholden and kepte in repaire from tyme to tyme by the generall charge of the whole Countie forever in such maner as the said Bridge called Ribble Bridge is and hath beene repaired. Nevertheles noe money is to be levied for the worke aforesaid beefore such tyme as Sir Gilbert Houghton, kt and bt, hath granted and assured to the Cuntries use a free and absolute libertie and Interest in and over the said Lands called the Copp to continue forever for all his Majesties people att all tymes of the yeare to passe and repasse with all maner of Cariages in as ample, absolute and free maner as anie other highway within the said County is or may bee used without anie maner of lett, Stopp or restraint whatsoever. And the Maior of the Towne of Preston, Christopher Banestre, Thomas Standishe, Radcliffe Ashton, William Farrington and William Johnson, esqs, are intreated to vewe the same banck or Copp and the Ruines and breaches thereof and to make Certificate unto the next generall Sessions of peace to bee holden at Preston aforesaid what some of money they Conceave wilbee sufficient for repaire of the same. And the Justices of peace att the same Sessions to take order for levying the said money and performance of the said worke in all things, according to the true meaning of this order.⁷³

[Endorsed with the names of:]⁷⁴

George Vernon
Francis Crawley
Jo. Cestrienses
Ralph Standish
[current sheriff]
Gilbert Hoghton
Raphe Assheton

Alexander Radcliff
Charles Gerrard
Richard Murrey
Christopher Banastre
Thomas Standish
Thomas Ireland
William Farrington

John Atherton
Richard Shuttleworth
Edward Wrightington
Richard Holland
Edward Rawstorne
Radcliffe Ashton
John Osbaldeston

John Bradshaw
Edmund Hopwood
William Radcliff
John More
Edward Bridgman

William Johnson
Peeter Win
Thomas Covell
William Lemon,
maior of Preston

Thomas Ashton
John Starkie
Henry Ashurst
Edward Veale
Richard Burgh

Examined by George Rigby

1636

LRO, QSB/1/187/68.

An order to be observed agreed upon att a generall meetinge of his Majesties Justices of peace and Quorum within the County of Lancaster att the Shrieffs Table att Lancaster upon Wednesday in the Assyses weeke, 24 August 1636.

This Table taking into Consideration the apparent danger that this Country is now exposed to by the permission of men, packs and other goods to come to bee unladen and brought into Markett Townes and other villages Ytt is therefore ordered by this Table that hereafter noe person or persons cominge from London or any other place infected or suspected to bee infected with the plaige shall bee suffered to come unto any markett townes or villages or goods to be unladen within any of the same townes or villages untill such Tyme as they have beene putt apart into some convenient place remote and distant from the same and there contynued and ayred a convenient Tyme before they bee permitted or suffered to come or bee brought into any markett Towne or village and there carefully watched and kept. And that if hereafter any person or persons shall come or any packs be unladen or any other goods brought into any markett Towne or village either from London, Newcastle or any other place infected with the plaige or suspected to bee infected and receaved by any Inhabitants within the same Markett Towne or village that then such person or persons so receavinge them shalbee forthwith shutt upp within his or theire house or houses and there to bee carefully kept or removed. And that the next Justice of peace upon Information thereof to him given would see the same carefully donne and such person and persons restrayned and confyned for the space of one whole Moneth for the more safty of the same Townes and Inhabitants therein and the rest of the Cuntry thereabouts and that the constable of every such Towne and place shall Imediatly sett watch about the same house and there to contynue the same untill further order bee given by the said Justices of peace.⁷⁵

Examined by George Rigbye

1637

[Amongst the high constables elected by the sheriff's table at its meeting during the week of Hilary assizes 1637 were:⁷⁶

QSO/2/12	Richard Worthington of Pemberton	West Derby hundred
	John Banester of Croston, gent	Leyland hundred
	Francis Mosley of Collyhurst, gent	Salford hundred]

CL, Mun. A7.31, p. 21.

[Order agreed by the Justices of the peace at the sheriff's table in assizes week Wednesday 23 August 1637.]

The weekly taxacion of severall parishes within the County of Lancaster sett downe at Lancaster at the meeting of the Justices of peace at the Sheriffes Table there upon Wednesday at night, being 23 August 1637, for the relief of the poor prisoners in his majesties gaol at Lancaster according to the forme of the Statute in that case provided, and agreed upon by the Justices whose names are hereunder written.⁷⁷

[The annual total raised by this tax was £43 15s. 4d., on the lines of the weekly taxation for the same amount assessed on the county for maimed soldiers and for poor prisoners in King's Bench and the marshalsea, 2 April 1601.]

[Endorsed by:]⁷⁸

Richard Shuttleworth	Edmund Hopwood	John Starkie
[current sheriff]	John Atherton	William Radcliffe
Roger Downes	Edward Wrightington	Alexander Rigbie
Thomas Ireland	John Moore	Robert Blundell
John Greenhalgh	George Dodding	Edward Veale
Roger Kirkby	Edward Bridgeman	Christopher Banaster

[LRO, QSO/2/12, sessions at Lancaster, October 1637.]

Robert Blundell and Radcliffe Asheton, esqs were intreated by the Justices of the Peace at the last sheriff's table, Trinity 1637, 'to contract and compound with some fitt and able person or persons' to provide oxen for his Majesty's household within Lancashire.⁷⁹

1638

LRO, QSO/2/13, sessions at Lancaster 2 October 1638.

[Order agreed by the Justices of the peace at the sheriff's table 'upon Wednesday at night in the assises week', Trinity 1638.]

[It is agreed by this table] that there should be a colleccion within this County to and for the relieffe of those inhabitants within Whittington that have susteyned great losses by fyre, and that the moneyes soe collected or given should be payed to the hands of the Justices of peace within their severall divisions.

1639

[Amongst the high constables elected by the sheriff's table at its meeting during the week of Hilary assizes 1639 were:⁸⁰

QSO/2/14	John Hartley of Manchester, gent	
	Thomas Gadlawe of Aspull, gent	Salford hundred]

1640

[LRO, QSO/2/15, sessions at Preston 8 October 1640.

The sheriff's table at the last assizes, Trinity 1640, desired the Justices of the peace to endeavour to provide an able and sufficient man to undertake the providing of oxen for his Majesty's household.]⁸¹

1646

LRO, QSB/1/282/17.

An Order to bee observed and kept made and agreed upon att a generall meeteing of the kings Majesties Justices of peace and Quorum within the County Palatyne of Lancaster att the Sheriffes table at Lancaster in the Assyses weeke . . . upon Thursday 6 August 1646.

Forasmuch as this Table is informed that Lancaster bridge which is one of the three great bridges which ought to bee repaired and manteyned upon the charge of the whole County is very far in decay Therefore this Table doth nominate and intreat Sir Robert Bindlosse bt, Coll. Philipp Waneman, Thomas Medcalf gent Mayor of the Burrough of Lancaster, Edward Rigby and Thomas Fell esqs or any three of them to appoint some convenient tyme and meete at the said bridge and with expert and honest workmen take an exact view and att the next Sessions att Lancaster as well to make certificate under theire hands of the ruyn and defects of and in the same bridge as alsoe what they conceave will be sufficient for the repaireing and amending thereof Soe as the same some of money may then bee equally proportioned within every hundred and Roules for Collection thereof may bee forthwith granted and assigned by the Justices of peace then present and alsoe att the Rest of the subsequent Sessions of peace to be houlden att Preston, Wigan and Manchester.⁸²

[Endorsed with the names of:]

Raph Ashton
Alexander Standish
Gilbert Ireland
William Ashurst

Edmund Hopwood
John Starkie
Edward Rigbye

Edward Butterworth
John Braddill
Richard Haworth

Rigbye

Examined by Alexander Tompson
deputy clerk of the peace

LRO, QSB/1/284/9

[Same heading and date as for preceding order.]

Forasmuch as part of the highwayes lying betweene the markett Townes of Ormiskirk and Liverpoole called Arnold Raynes is soe farr worne out that the same cannot bee made passible without some other waye may bee obteyned and made fitt for passengers Therefore this Table doth name and intreate Mr Maghull of Maghull, Mr Hugh Cowper of Ormiskirke, Mr Edward Starky and Mr Roberte Biccurstaffe of Aughton will bee pleased to appointe some convenient tyme and meete together and take an exact view of the same place and certifie the Justices of peace att the next Sessions of peace to bee houlden

at Wigan as well how and where a convenient and sufficient way may bee had and made for the safty and free passage for the Cuntry as what charges will be needfull for the obteyninge, making and finishing of the same waye.
[Endorsed in identical form to preceding order.]

1647

LRO, QSB/1/287/38.

An order to bee observed and kept made and agreed upon . . at the Sherryffes table at Lancaster in the assizes weeke, . . . Wednesday 7 April 1647.

High constables nominated and appointed to appeare at the next quarter sessions of the peace to bee houlden at Preston to take theire oathes for:

Blackburne hundred Richard Walmesley of Howclyffe

in Pendleton

gentlemen⁸³

John Roades of Thornley

Rigbye

Examined by Alexander Tompson

deputy clerk of the peace

[*City of Liverpool: Selections from the Municipal Archives and Records* ed. J. A. Picton (Liverpool, 1883), p. 193.]

The Liverpool common council decided on 22 September 1647 that: 'A collection is to be made for raising of moneys for the poore of Warrington, who have lately been visited with the sicknes, in regard of an order of the Justices at the Sheriffes Board [probably Trinity 1647] for contribution through this hundred of West Derby [of] 24s.08d.'

1649

[LRO, QSP 21/22.

At this sheriff's table, held in assizes week on Wednesday 5 September 1649, the JPs received a 'humble petition' on behalf of the parish of Ashton-in-Makerfield from James Pilkington, supported by the 'pastor' James Woodward and eleven other leading inhabitants, which 'hath beene for these eight months last past and as yet doth ly under gods heavy hand of the plague'. The parish had four hundred poor people who 'in these sad and heavy times of dearth and scarcity . . . [must] daily have releefe'. To obtain meal and other necessities Pilkington and others had incurred debts of £363 14s. 2d. which they asked the table to help them meet by setting a rate of two fifteenths on the whole county. The parish had already received £65 from the county. The table evidently referred the matter to the consideration of the benches at Michaelmas quarter sessions, 1649.

LRO, QSO/2/23, sessions at Lancaster 2 October 1649.

Baron Thorpe, one of the judges at Trinity assizes 1649, passed to the sheriff's table a claim by Colonel Edward Briggs for expenses incurred while making a weir for the protection of Burrow bridge 'which was otherwise very likely to have fallen down'. The JPs at the table in turn referred the matter to the bench

at Lancaster quarter sessions where, on 2 October, an order was made for a £32 rate to repay the colonel and also to cover the cost of repairs to the bridge itself.]

1650

[LRO, QSP 31/6.

At the table held on the Thursday of assizes week, 7 April 1650, the JPs took order for the collection of arrears on the rate made for the parish of Ashton-in-Makerfield. The following day Mr Worthington appeared before the judges themselves on the town's behalf, apparently in the hope of obtaining an additional rate. The judges read the table's order, 'declared that this Court doth well approve' of it, and commended it to JPs throughout the county, adding that 'for the more speedy collection' of the arrears, the JPs should apply the terms of the statute of 43 Elizabeth [c.2 s.2] 'by charging the refusers higher'.⁸⁴

Among those appointed high constable at this table were:⁸⁵

LRO, QSP 30/11	William Walmisley of Tockholes	for Blackburn
LRO, QSO/2/23	John Ingham of Osbaldeston, gent	hundred
LRO, QSO/2/23	Richard Abram of Warrington, gent	for West Derby hundred]

1652

[LRO, QSP 66/9.

The table which met at Lancaster on the Saturday of assizes week, 13 March 1652, imposed on the county a rate of one whole fifteenth 'For Relieff of the poor and infected persons within Liverpoole' according to the accounts subsequently submitted by the high constables of Amounderness, William Swarbreck and Richard Whitehead. Mr John Winstanley was appointed treasurer for the rate.

LRO, QSO/2/27, sessions at Wigan October 1654.

An order of the sessions bench recalls that at its meeting during the week of Trinity assizes 1652, the table resolved that a further fifteenth and a quarter of a fifteenth should be rated on the county for the relief of poor and infected persons in Liverpool, Lowe Bootle and Halsall. The clerk of the peace was asked to draw up the necessary rolls and to send them to each high constable for collection.]⁸⁶

1653

[Among the high constables nominated by the table on the Tuesday of assizes week, 18 March 1653, were:⁸⁷

LRO, QSP 78/17	Robert Chewe of Potterford in Billington	Blackburn hundred
LRO, QSP 78/18	John Hartley of Roughlee	
LRO, DDHk		
box labelled	Richard Blackburne	
'Miscellaneous'	of Brindle	Leyland hundred]

1654

LRO, DDHk, box labelled 'Miscellaneous'.

An order to bee observed and kept, made and agreed upon att a generall meetinge of the Justices of peace and Quorum within the County of Lancaster att the Sheriffes table in the Assises weeke att Lancaster upon Thursday 9 March 1654.

Forasmuch as Robert Lowe of Whittle in woods in the County of Lancaster, gent, is nominated and Chosen to bee one of the high Constables within this County for this next ensuinge yeare for the hundred of Leyland, it is therefore ordered by this table that the saide Robert Lowe personally appeare before the Justices of peace and Quorum att the next Quarter Sessions of the peace to bee houlden att Ormiskirke after Easter next, haveing notice hereof or a Coppie hearof left att his house, then and there to take his oath for the execucion of the saide office of high Constable under the paine of Twentie pounds to bee imposed upon him makeing default herein.

Examined by Joseph Rigbye⁸⁸

LRO, QSP 96/23.

[Another order:] Upon Readinge the petition of William Lyme and Thomas Wales and other of the Townes of Prescott and Whiston now exhibited to this table prayinge that the Arreares of £300 taxed upon this county att Wigan Sessions in January 1652[-3] for the releefe of the poore and Infected persons in Prescott and Whiston under Gods heavie hand visited with the Plague the most parte of a yeare might bee ordered in for the Reimbursements of great somes of money which the Petitioners had Taken up for the Necessary releefe of the said poore and infected persons duringe the said visitation as appeared by there Accompts Given up to the Justices of peace att Wigan Sessions last and now in the clerke of the peace hands; and upon serious debate thereon, This Table doth Require the Clerke of the Peace to present the said Accounts to the Justices of peace att the severall Quarter Sessions of the peace to bee holden for this county After Easter next who are desired by this Table to peruse the same and that thereupon they would be pleased to see there proportionable parts thereof within there severall divisions to be Forthwith collected and paid accordinge to the said order made at Wigan in January 1652[-3].⁸⁹

Examined by J[oseph Rigby]

1655

LRO, DDHk box labelled 'Miscellaneous'.

An order to bee observed and kept, made and agreed upon att a general meeteing of the Justices of peace and Quorum within the County Palatyne of Lancaster at the Sheriffes table att Lancaster in the Assyses weeke, upon Tuesday 27 March 1655.

Forasmuch as this table is truly informed that the Justices of peace att October Sessions held at Lancaster in the yeare 1650 in pursuance of an order made by the Justices of Assises concerneing the Releeffe of the then poore and infected persons within Cockerham, Thurnham and severall other adjacent

townes did then by theire order Impose a taxe of fower score pounds upon the whole County for the Releeffe of the said poore and discharge of severall persons who stood ingaged for payment of severall sumes of money lent for releeffe of the said poore and infected persons. And likewise thereby required that the same should bee presently Collected and gathered by the severall high Constables of the severall hundreds of this County . . . and paid over unto Mr Gyles Heysham of Lancaster, appointed treasurer thereof for the uses aforesaid. And whereas this table is further informed that there hath beene an obstruccion in Collecion of the said moneys to the great prejudice of the poore infected people and to the said persons ingaged as aforesaid Contrary to all reason and justice, All which this Table takeinge into Consideracion doe unanimously agree and order that the said taxe of fower score pounds shall bee presently Collected and gathered by the high Constables of the severall hundreds . . . according to the said order. The same together with there severall proporcionable parts thereof beeing hereunto annexed and delivered unto the said severall high Constables by the Clarke of the peace of this County to the end they may make present payment thereof unto the treasurer in the said order mencioned to bee by him disbursed according to the order and appointment of the Justices within Loynsdall hundred.

Examined by Joseph Rigbye

[LRO, QSP 107/6.

This table had referred to it from the quarter sessions held at Wigan on 15 January 1655 a petition from the high constables of Leyland hundred and six of their predecessors on behalf of the inhabitants of the hundred. The petition protested against the current practice of the townsmen of Lancaster of charging toll and custom for passage of men and goods across Lancaster bridge, even though the cost of maintaining the bridge was borne by the county.

LRO, QSP 131/5.

At its meeting during Trinity assizes week 1655, the table ordered the rate for supporting the poor prisoners in Lancaster Castle gaol, realising £43 15s. 4d. from the county as a whole, to be levied. The high constables of West Derby hundred, who received their warrant to make the levy at Michaelmas quarter sessions, accounted for their share in April 1656. At almost £10, it amounted to one-fifth of the total sum charged on them during their year of office.]

1657

[LRO, QSO/2/30, sessions at Salford, 16 April 1657.

At this quarter sessions the bench decided that, 'forasmuch as Mr Richard Greene of Aspull was at the last Sheriffes table at Lancaster in the assises weeke . . . elected one of the high constables within the hundred of Salford and now hath taken his oath [of office]', it would release him from his term as petty constable of Aspull to which he had also just been elected.]

1658

LRO, QSP 159/20.

Order to bee observed and kept made and agreed upon at a generall meeting of the justices of peace and Quorum within the County Pallatyne of Lancaster at the Sheryfes Table in the Assyses weeke upon Tuesday, 6 April 1658.

In Respect the present high Constables within the hundred of Leyland have not Retorned a list of sufficient men for the election of the new high Constables within the said hundred for this next ensueing yeare, yt is ordered by this table⁹⁰ that the said present high Constables shall at the next Sessions bring a sufficient list of able persons whereof the Court then sitteing is desired to choose two and take them sworne for execution of the said office of high Constable for this next ensueing yeare.⁹¹

Examined by Joseph Rigbye

1661

LRO, QSV/11/2

p. 3. [Orders to be observed and kept, made and agreed upon by his Majesty's justices of peace and quorum within the county palatine of] Lancaster at the Sheriff's [table] in the assizes week, 20 March 1661.

High Constables

Loynsdall hundreded

Isacke Jackson of Warton }
Adam Sands of Boweth } gents *jur* 23 Apr 1661 at Lan[caster]

Amounderness hundreded

William Jackson of Out Rawcliffe }
Henry Sharples of Rigbye with Wrea } *Jur* [at] sessions

Blackborne hundreded

Lancelott Boulton of Salisbury }
Peter Ormerode of Ormerode } gents

Derby hundreded

John Boulton of Newsham in Derby }
Thomas Sephton of Skelmersdale⁹² } gents *jur*
Henry Robie of Upholland }

Leyland hundreded

Raph Marsden of Chorley }
James Shardley of Farrington } gents *jur*

Salford hundreded

John Chadwicke of Taunton }
William Leigh of Westhoughton } gents *jur*

Treasurers for maymed souldgiers

Loynsdale, Amoundernes } William Knipe of Broughton in Cartmel
and Blackborne hundreds } gent⁹³

Darbye, Leyland and

Salford hundrededs } Richard Greene of Aspull gent

p. 4. [The complaint of the inhabitants of Capernwray concerning] their assessments, being that they are holden to [cou]nt a third part of the towneshipe

of Carnforth with Bo[r]wicke and are taxed to pay an equall moitye of all taxacions and assessments imposed upon the said townshipe, is by this table referred to Sir George Middleton kt and bt, high sheriff of this county, and Robert Rawlinson esq, who are desired to appoint some convenient tyme and meete together within one month now next ensueinge and to heare the said differences and make such order therein under there hands and seales as they shall find cause. Which said order soe made as afforesaid shall bee finall bindeing to both parties.

This table doth desire the Justices of peace within the countye that they will be pleased to take an account within there severall divisions of what maymed souldgiers there are that ought to have releeffe out of the moneys allowed within this County for maymed souldgiers according to the forme of the statute in that case provided and to certifye there names together with there condicion to this table at the next assyses that the said moneys may be distributed amongst them accordinge to there severall necessities.⁹⁴

This Table doth nominate and appoint William Knipe of Broughton in Cartmell gent, one of the treasurers for the maymed souldgiers and prisoners in the Marshalsea within this county for this next ensueinge yeare, who is to take care to collect the moneys allowed in that case provided; that is to say, out of the hundered of Loynsdall the some of nyne pounds, tenn shillings and eight pence; out of the hundered of Amoundernes the some of six pounds, eightene shillings and eight pence; and out of the hundered of Blackborne the some of fower pounds, six shillings and eight pence. And to disburse the same to such maymed souldgiers as this table shall at the next Assyses here holden thinke fitt and order.⁹⁵

MCL, Mosley Ms. p. 175. At the sheriffes table the 3rd of September 1661, being Tuesday.

It is ordered that the souldiers lay in everie hundred according to the book of rates shalbee distributed to the maimed souldiers in everie particular hundred according to the discrecion of the Justices of the peace of the same hundred. And that noe part of any hundred's lay shalbee disposed on to the releife of any souldier in any other hundred.

1662

LRO, QSV/11/2

p. 5. [Orders to be observed] made and agreed upon by [his Majesty's] Justices of peace [and quorum within] the County Palatine [of Lancaster] at the Sheriffes table [at and] in the assyses weeke upon [Tuesday], to witt 11 March 1662.

High Constables

Loynsdall hundered

Brian Davy of Whittington gent

George Robinson of the Fell foote in Staveley

} *Jur* 8 April 1662

Amounderness hundered

Thomas Beesley of Whittingham

Thomas Hankinson of Clifton

} gents

Blackborne hundreded

Christopher Nuttall of Newell Head }
Thomas Fish of Eccleshall } gents

Derbye hundreded

Henrye Ecclestone of Parr }
John Hoskin of Hoskine } gents *Jur* 14 April 166[2]
James Kenion of Middleton }

Leyland hundreded

William Carter of Mawdesley }
Thomas Whalley of Wrightington } gents *Jur* 14 April [1662]

Salford hundreded

Samuel Harmer of Manchester }
John Wood of Turton } gents *Jur* 17 April 1662

Treasurers for maymed souldgiers

Loynsdall, Amoundernes

and Blackborne hundrededs Richard [Ne]wsam of Forton gent

Derbye, Leyland and Salford

hundrededs Richard Greene of Aspull gent continued.

p. 6. Upon [receipt of a warrant delivered to his Majesty's] Cheefe Justice of Assyse from the Lord Treasurer concerneinge the due payment of Excise of Ale and beare, and the said Lord Cheefe Justice[s] recomendacion thereof to the table, it is resolved that the Commissioners for excise for this County be desired if they thinke fitt for the expediting and true payment of his Majesty's revenue therein forthwith to make there composicion with all persons lyable to pay excise and at the next privy Sessions to be holden in each respective hundreded of this County after Easter next to acquaint the Justices of peace there present of all such persons with whom they made composicions to the end that the Justices may proceed accordeinge to the direccion of the said letters in lycenseinge such persons with whom they have compounded. And it is further resolved by the table that the said privy Sessions shall bee appointed in each respective hundreded within one month after the Clause of Easter.⁹⁶

Mr Richard Greene of Aspull gent, treasurer for the maymed souldgiers and prisoners in the Marshallsey for the yeare last past for the hundrededs of Salford, Derbye and Leyland is by this table and by his owne consent continued tresurer for this next ensueinge year. And is ordered by this table furthwith upon receipt hereof to collect and levy and gather within the hundreded of Salford the some of tenn pounds, whereof eighteene shillings is due to the prisoners in the Marshallsey for this present yeare and the yeare last past within the hundreded of Derby the some of tenn pounds, seaventeene shillings and fower pence whereof eighteene shillings due to the said prisoners in the said Marshallsey and the rest to the maymed souldgiers; and the said Mr Greene with the said moneys due to the said maymed souldgiers is to pay them there severall and respective orders, and the said moneys due to the said prisoners in the Marshallsey to pay the same over unto Mr James Lawde, Undersheriffe of this County.⁹⁷

p. 7. It is ordered by this table that Mr Nicholas [Walker]⁹⁸ of Ashton Underlyne who was apointed purveior [for] this County of the oxen for his

Majesty's household in December 1660 shall, haveinge notice hereof, appeare at this table here holden at the next Assyses and there give an account to this table what moneys he hath received of the tax layed for the said oxen and how much he hath disposed therof and what is remaininge in his hands; whereof he is not to faile as he will answer the contrary at his perill.

Upon consideracion had of the tax of 170 li imposed upon the County for repaire of Crosford bridge at Manchester Sessions held in May last, It is ordered by this table that the Surveyors of the said worke shall forthwith soe soone as the weather will permitt finish the said worke and give and make accounts thereof unto the said Justices of peace at the next generall Sessions to be holden at Manchester who are desired by this table to take the accompt and certifie the same to this table at the next Assyses here to be holden to the end the Cuntry may be satisfyed how there moneys have beene disposed of.⁹⁹

It is ordered by this table that William Knipe of Broughton gent, treasurer for the maymed souldgiers for the yeare last past shall be discharged from the said place of Treasurer soe soone as he hath collected in the moneys due for the said maymed souldgiers within the hundereds of Amounderness and Blackborne and payd the same to the maymed souldgiers of the said hundreds accordeinge to there respective orders.

p. 8. Roberte Newsam of Forton gent, is by this table elected to be one of the treasurers for the maymed souldgiers and the prisoners in the Marshallsey for this next ensueinge yeare, accordeinge to the forme of the statute in that case made and provided, for the hundereds of Loynsdall, Amounderness and Blackborne.¹⁰⁰ It is ordered by this table that the said Mr Newsam shall send furthwith his warrants with all expedicion unto the present high Constables of the severall hundereds above mentioned for the collectinge, levyinge and gathering in of the moneys arriseinge and due out of the said hundereds for the said maymed souldgiers and prisoners in the Marshallsey in manner followeinge: to witt, out of the hundered of Loynsdall the some of tenn pounds, eight shillings eight pence whereof eightene shillings is due to the prisoners in the Marshallsey for this present yeare and the yeare last past, out of the hundered of Amoundernes the summe of seaven pounds ten shillings whereof twelve shillings is due to the prisoners in the Marshallsey for the said two yeares, and out of the hundered of Blackborne the summe fower pounds fowerteene shillings and eight pence whereof eight shillings is due unto the said prisoners in the Marshallsey for the said two yeares. And the said Mr Newsam is further ordered that soe soone as the said moneys shall come unto his hands to pay the said maymed souldgiers in the severall hundreds accordeinge to there respective orders and allowances out of the moneys arrising in the said hundreds wherein the said maymed souldgiers doe live and inhabit; and for the moneys due to the prisoners in the Marshallsey to pay the same over unto Mr James Lawde, Undersheriffe of this County.

pp. 9 and 10 are blank.

p. 11. Orders to be observed and kept, [made and agreed] upon by his Majesty's Justices of [peace] and quorum within the County Palatine of Lancaster [at

the] Sheriff's table at Lancaster in the Assises weeke upon Thursday [21 or 28] August 1662.

Upon readeinge of a late Act of parliament entituled an act made for releeffe of poore maymed officers and souldiers who have faithfully served his Majesty and his royal father in the late warrs;¹⁰¹ and upon serious consideracion there-upon had, this table doth unanimously agree and order that the Justices of peace within the severall hundereds of this County shall furthwith meete together in their severall respective hundereds and accordeinge to their discrecions tax and asseesse every parish and chappellrye therein with the largest proporcions allowed by the said Act towards the releeffe of the said maymed souldiers, widows and orphants within this County haveinge some respect unto the smallnes and greatnesse of the severall parishes and chappellryes; the said tax and assessment to comence from the feast of Easter last past and continue for one whole yeare. And that the said Justices shall retorne the said tax or assessment immediatly after the makeinge thereof unto the respective treasurers allready elected for the said Hundereds, who are hereby required furthwith upon receipt thereof to send out their warrants and collect, levy and gather the same by distresse and sale of goods or otherwise and to make payment of such part thereof for the present and untill the next Assyses unto such maymed souldiers widowes and orphants as they shall receive order from the Justices of peace at their next quarter Sessions to bee houlden for their severall divisions wherein such maymed souldiers, widowes and orphants are settled. And it is further agreed and ordered by this table that the said Justices of peace at their respective Sessions shall not allowe unto the said maymed souldiers, widows and orphants above the one halfe or moity of the said tax or assessment soe made as afforesaid within their severall respective hundreds untill the next Assyses, at which tyme the Justices of peace then present or the Major part of them will agree what yearly pencions shall be allowed to them. And it is further ordered that the said Justices of peace within this County doe not approve or allowe of any person or persons whatsoever to receive a pencion or allowance as a maymed souldier, widowe or orphan but such as shall produce certificates pursuant to the dirrecion in the said Act, the same to bee made good and approved upon oath.

p. 12. The petition of the Inhabitants of the Forest of [Pendle within] the parish of Colne within the County of Lancaster and other adjacent neighbours now exhibited to this table concerneinge the buildeinge of a bridge over a certen water called Pendle water is recomended to the Justices of peace at the next quarter Sessions to bee houlden at Preston, which bridge this table doth thinke very necessary and requisit to bee builden if the said Justices doe find the same may bee done and warranted by Lawe.¹⁰²

Upon consideracion had of an order heretofore made by this table the 11th day of Aprill 1633 for the freeinge of such persons from serveinge the office of pettye constable within there or any of their towneshippes as had served the office of High Constable within any of the hundereds of this County, This table doth rectifye and confirme the said order and that the same shall stand good and effectuall, not only to all such persons as have already served the office of High Constable within this County since the happy restoracion of his

Majesty that now is but alsoe to all those that at any tyme hereafter shall serve the said office of High Constable within this County. And as to such persons as have served the office of High Constable in the late usurpeinge tymes this table is of an opinion they nor any of them ought to have the benefitt of the said order and therefore doth order that they and every of them shall serve the office of pettye Constable as often as the same office shall fall unto them by house Rowe or otherwise.

1663

p. 13. Orders to be observed and [kept, made] and agreed upon by his Majesty's [Justices] of peace and quorum within the county Pallatine of Lancaster at the Sheriff's table at Lancaster in the assyses week upon Munday, 23 March 1663.

High Constables

Loynsdall hundred

Francis Carrington of Can[ts]feild gent }
John Benson of Mansrige gent } *Jur* 28 Apr. 16[63]

Amounderness hundred

John Farington of Elston gent }
Thurston Heddocke of Bryneing gent } *Jur* 16 July 1662 [*sic*: 1663?]

Blackborne hundred

Myles Whittaker of Simonstone }
John Tomlinson of Aighton } gents

Derby hundred

Thomas Walton of Warrington }
Hennery Lathom of Ormskirk } gents *Jur* 20 July 1662 [?1663]
John Lyon of Whiston }

Layland hundred

Roberte Allenson of Adlington }
*William Mawdesley of Leyland } gents *Jur* 20 July 1662 [?1663]
Thomas Sallom of Maudessley }

Salford hundred

James Lightbowne of Manchester }
Robert Leavar of Leaver } gents *Jur*

p. 14. The accounts of Roberte Owen, James Johnson alias Ottwell, James Harrison alias Salter and John Crowder supervisors of the bridge caled Crosford Bridge concerninge the some of 170 li allowed and taxed upon the whole county at a Sessions of the peace holden att Manchester the second day of May 1661 and now exhibited to this table is referred to John Lightbowne, Nicholas Mosley and John Hartley esqs whom this Table doth desiere to call the parties before them and to consider what is fittinge to allowe and what to disallow of the sayed accomptes and to certifie the same to this Table to the next Assyses here to be holden. And it is Resolved by this Table that noe more monyes at any tyme hereafter shall be imposed upon the county for repaire of the sayd bridge untill Sir Cicill Trafford kt have laid open the way in Stretford leadinge

from the said bridge unto the markett towne of Manchester and disowned the stoppinge thereof.

The petition of John Brathwaite of Formibie in behalfe of himselfe and the rest of the Inhabitants of Formibie and other plases now exhibited to this Table concerning the buildinge of a new bridge over the River of Alt is by this Table referred to the Justices of peace of [the] division and other Justices neare thereunto adjoyninge who are desired eyther at the Quarter Sessiones [or] to appoint some convenient tyme and meete together and view the sayd place and to consider what necessetie there is for a bridge there, at whose charge it may bee made and what will doe the same and to make there report to this Table at the next Assyses to be holdne.

p. 15. It is ordered by this Table that Raph Lawe of Lawton notwithstandinge he hath beene high constable within the hundred of Derby in these late tymes of Rebellion shall within fower dates after notice hereof come before the next Justices of peace and take his oath for execucion of the office of pettye constable within Lawton for this next ensuinge yeare under the payne of ten pounds to bee imposed and levyed upon his goodes makinge default herein. And yf he refuse soe to doe then this Table doth desiare Sir Henry Slater kt or Lawrence Roshorne esq¹⁰³ to grant suerties to appeare at the next Sessions to be holdne at Ormskirk where the Justices there present are desired further to proceed against him as shall bee consonant to Lawe and Justice.

It is ordered by this table that the high constables of the severall hundredes of this county shall not bee discharged of there office untill they and every of them have cleared there accomptes of his Majesty's Revenue concerninge harthes and Stoves within there severall hundreds and bring there certificates from the high sheriffe of this county is [*sic*: to] the next Quarter Sessions to bee holden for that division.¹⁰⁴

It is ordered by this Table that all and every the fines imposed uppon the quakers at any sessiones shall be collected and gathered for and towards the reparinge of the howse of Correcion accordinge to the late Act¹⁰⁵ and that an accompt bee thereof given to this table at the next Assises that the governor of the sayed howse of Correccion maie be payed his disbursements and the sayed howse put in good reparacion.

p. 16. It is ordered and agreed by this table that the maymed souldiers shall bee reli[e]ved in the severall hundreds wherein they live by the monyes arrisinge out of the said hundreds and that the Justices of peace at there next Quarter Sessions shall distribute the most of the tax assessed in there severall hundreds for too yeares last past unto the sayed souldiares and then or before take unto there consideracion what pencion to all or every poore maymed soldiar for his Reliffe Accordinge to the laste Act¹⁰⁶ and at the sayd Sessiones grant them ordenes for the same and levy a new assessment for one yeare next ensuinge and shuse one treasuere within each hundred of this county except the hundred of Loynsdell wherein there are to bee two treasurares, the one for the nearer side sands and the other for the further side sandes; and it is further ordered by this table that the now treasurares shall give an accompt of the mony by them reseved and disbursed and not to be discharged untill they have cleared there sayd accomptes.

This table beeing informed that the townes, villiges or plases of Cadiley, Fulwood, Toxteth, Croxteth, Bleasdell, Mearscough, Midgham and Simmonswood in this County are part of this parish of Lancaster and have not as yet contributed there proportionable sheares of the charge imposed upon the sayd parish for and towards the releefe of the poore and maymed soldieres, widowes and orphantes of this county according to the late Act of parliament in that behalfe, it is therefore ordered by this table that the inhabitants of the sayd plases of Cadiley, Fullwood, Toxteth, Croxteth, Bleasdell, Mearscough and Simmonswood shall all of them beare and pay there proportionable shares of the said tax imposed upon the sayed parish of Lancaster.

p. 17. The petition of the inhabitants of the villag of Crossins within the parish of North Meales exhibited to this Table concerninge the makinge and buildinge of a stone wall upon the sea banck there is by this table referred to the Justices of peace of that division and othare Justices neare adjoyninge who are desired by this table eyther at the Quarter Sessions or to appoint some other convenient time and meete together and view the sayd banck and consider the necessity thereof and att whose charge the same may bee made and what will doe the same and make there report to this table att next Assyses here to bee holdne.

Whereas the accounts of Mr Nicholas Walker now exhibited to this Table concerninge the moneys by him receaved for provision of Oxen for his Majesty's household was by this Table referred to Lawrence Rawstorne, Roberte Rawlinson, Nicholas Mosley and William West esqs, his Majesty's Justices of peace and quorum of this countye to state and allowe him what proporcion of his said receipts they should thincke fitt; and upon their retorne thereof to this Table the said Justices have certifyed that they have found his accounts to amount to the summe of seaventy three pounds, tenn shillings [and] sixpence and that they conceived that of the said summe of 73 li he ought to have allowance of the summe of fifty pounds and that there will remaine in his hands to be discounted to the Justices of peace of the hundereds of Salford and Blackborne the summe of eightene pounds, being the remainder of the summe of sixty eight pounds by him receaved for the uses afforesaid out of the said hundreds. It is thereupon ordered by this table that the said Mr Walker shall further pay unto the said Justices of peace of Blackborne and Salford hundreds or to such as by their order they shall appoint the said summe of eightene pounds and then all bonds given by the said Mr Walker touchinge that affaire shall bee delivered in to be cancelled.¹⁰⁷

p. 18. blank.

p. 19. Orders agreed by the J.P.s at the sheriff's table in assizes week, 7 September 1663.¹⁰⁸

It was ordered by this table that the weekly taxacion of the severall parishes within the county of Lancaster (heretofore agreed upon and sett downe at Lancaster att the generall sessions of Assyses in Lent the seacond daye of Aprill in the thirde and fortieth yeare of the Raigne of the late queen Elizabeth) for the releefe of the maymed souldiers and the prisoners in the marshallsey, in pursuance of the statute in that case made and provided, shall be for one

whole yeare collected and gathered (over and besides the late assessment made accordinge to the late Act for releeffe of the poore maymed and indigent and soldiers who have faithfully served his Majestie and his Royall father in the late warrs)¹⁰⁹ by the severall treasurers of the severall hundreds of this County out of which said taxacion the summe of fower pounds fower shillings shall bee payed unto Steven Husband gent., undersheriffe of this County for and towards the reimbursinge him of soe much moneys which he was inforced to pay into the said marshallsey on the behalfe of this County and the remainder of the said taxacion to remaine in the said treasurers' hands till further order. The proporcion of which said weekly taxacion on the North side of the Sands within the hundred of Loynsdall is as followeth, that is to say upon the parish of Dalton the weekly sum of two pence . . . the parish of Hawkshead with Coulton . . . two pence . . . the parish of Ulverston . . . three pence . . . the parish of Aldingham . . . two pence . . . the parish of Urswicke . . . two pence . . . the parish of Pennington . . . two pence . . . the parish of Kirkbye . . . two pence and . . . the parish of Cartmel . . . three pence; which said weekly summes . . . are to be collected, levyed and gathered by William Peper of Carke in Cartmel gent, Treasurer of the said maymed soldiers on the said Northside of the Sands for one whole yeare as afforesaid from the eight of May last out of which the said Treasurer is to pay unto . . . Mr Husband the summe of eight shillings nyne pence beinge his proporcion of the said fower pounds fower shillings allowed unto . . . Mr Husband as aforsaid.

The like for the Southside of the Sands; and John Bradshawe of Rampull gent, treasurer to pay Mr Husband eight shillings nyne pence.

The like order for Amounderness hundred and Mr James Hodgkinson treasurer and to pay Mr Husband xiijs.

p. 20. The like order for Blackborne hundred and Thomas Cocks of Great Harwood, gent, treasurer, and to pay Mr Husband 9s. 6d.

The like order for Leyland hundred and Mr Richard Loxam of Ulnes Walton, treasurer, and to pay Mr Husband seaven shillings and six pence.

The like order for Derby Hundred. Mr Robert Walthew of Pemberton, treasurer, and to pay to Mr Husband xixs.¹¹⁰

The like for Salford hundred. Mr Gabriel Gartside of Rochdall, treasurer, and to pay Mr Husband xvjs. vjd.

Upon readeinge of his Majestie's Justices of Assize his order¹¹¹ of reference to this table concerneinge the difference between the inhabitants of Boulton and the inhabitants of the townshippes of Turton, Rivington and Edgeworth about the releefe of their poore and upon full debate and consideracion had of the said differences, it is ordered by this table that the assessment of the whole parish now in question shall stand and bee allowed and that the said inhabitants of Turton, Rivington and Edgeworth shall be allowed their proporcionable shares thereof to bee payed to their poore and twenty shillings more shall bee payed out of the said assessment for the use of the maire which was distreyned and ridden to London and after that the remainder of the said assessment shall bee payed to the inhabitants of Boulton for the use of the poore there and that afterwards all fines to bee remitted and all goods now distreyned restored and all suites and differences relateinge thereunto to have an end.

It is ordered by the Commissioners now present appointed by the Act of Parliament for granteinge fower Subsidies to his Majestie that the Clarke of the peace doe give notice to the rest of the Commissioners of the said Subsidies now absent att this Table and in towne and desire them to bee at this Table tomorrow about fower of the Clocke in the afternoone to consider about the puttinge in execucion of the said Act.¹¹²

This Table doth desire John Lightbowne, Edward Rigbye, Mathew Richardson and John Entwisle esqs to view, consider and amend the articles whereof the high constables are to enquire and especially the eight[h] Article that it bee drawne up according to the late Act of Parliament for granting a libertie for transportacion of corne¹¹³ and that some articles be drawne concerneinge monthly and weekly absence from the Church.

p. 21. This Table doth desire John Lightbowne, Edward Rigby and John Entwisle esqs to be pleased to consider together and declare theire opinions whether the moneys claymed to bee in arreare and due to the marshallsey for the yeares in the late tyme of Rebellion ought to bee payed or not.

It is ordered by this Table that the summe of 12 li 18s. shall furthwith after receipt hereof be collected and gathered within the five hundreds of this County¹¹⁴ by the severall high constables in the same hundreds in manner and forme followeing: that is to say, upon the hundred of Loynsdall the summe of 2 li 11s. 2d., upon the hundred of Amounderness . . . 2 li 16s. 1d., upon the hundred of Blackburne . . . 2 li 13s. 2d., upon the hundred of Darby . . . 3 li 11s. 0d., and upon the hundred of Leyland . . . 1 li 6s. 7d., for and towards the repaireinge of the house of Correcion att Preston and provideinge of such workeloomes, matterialls and utensens as are wanteing therein; and the said moneys shall bee by them, the said High Constables, payed over unto such persons as the Court of Sessions att the next generall Sessions of peace to be holden att Preston shall nominate and appoint to bee Overseers of the said worke to see the said house therewith repaired and such workeloomes and other necessaryes provided for as are wantinge therein as afforesaid.¹¹⁵

Whereas by Certificate under the hands of Luke Hodgkinson and William Turner of Preston gents, and Thomas Beeseley and Thomas Hankinson gents, late high constables within the hundred of Amoundernes (who were desired to view the house of Correcion att Preston and see what defects of workeloomes and wants of reparacion were in the said house and what moneys the Governor had disbursed out of his owne purse in repaire . . . It is certified to this Table that the summe of twelve pounds eighteene shillings will be as little as will putt the same house into repaire and furnish [it] . . . with necessary workeloomes, materialls and utensens and that the summe of 35 li 10s. hath beene expended by John Hilton, Governour of the said house, out of his owne purse in repaire . . . as by his note of particulers thereunto anexed appeared unto. It is therefore ordered by this table that the summe 12 li 18s. shall be presently assessed upon the hundreds of Loynsdall, Amounderness, Blackburne, Darby and Leyland for the repaireinge of the . . . house of Correction and payed over unto such persons as the Court of Sessions att the next generall Sessions to be holden at Preston shall nominate and appoint; and an order of this Table to issue out accordingly. And this Table will att the next Assyses

here to bee holden take into consideracion how to reimburse the . . . Governor the . . . 35 li 10s. by him dispended out of his owne purse as afforesaid.

p. 22. It is agreed by this Table that the ould tax and assessment made in the raigne of queene Elizabeth for the maymed souldiers and prisoners in the marshallsey shall for this present yeare be collected and gathered through the whole County by the severall Treasurers of this County out of which moneys Mr Husband is to bee reimbursed fower pounds fower shillings which he was forced to pay into the marshallsey proporcionably by every Treasurer of the severall hundreds . . . and the Clarke of the peace to issue out orders accordingly.¹¹⁶

Whereas this table is informed that there hath been a great summe of moneys spent and disbursed by Mr Smyth of Manchester in and about the causinge of a prisoner in the gaole of Northampton to be conveyed . . . to the gaole at Lancaster, beinge suspected to bee one of the persons with Mathias Beckwith who committed late Roberies betwixt Rachdall and Manchester It is thought fitt and ordered that the same shall be borne by the hundred of Salford and the same is referred to the Justices of peace of the same hundred both to consider what is requisit to bee allowed and to give order for the assessinge and collectinge of the same within the . . . hundred.¹¹⁷

Upon readeinge the petition of Mr James Lightbowne, now exhibited to this table, concerneinge some moneys by him disbursed out of his owne purse in the takeinge upp of ammunition att the tyme of the riseinge of the Lord Delamare for the service of his Majestie which he prays may be ordered to be reimbursed out of the oxe money due unto the hundred and in the hands of Mr Nicholas Walker: It is ordered by this table that the same be referred to the Justices of peace of the said hundred who are desired to consider of a way for his satisfaccion and to releve him therein if possibly they cann.¹¹⁸

p. 23. Whereas upon the petition of the Inhabitants of Formebye exhibited to this table att the last Assyses here holden prayed for a new bridge to be erected over the river of Alt It was then desired by this table that the Justices of peace neare adjacent to the . . . place where the . . . bridge was prayed to be built would be pleased to view the . . . place and consider what necessitie there is for a bridge, what will be the charge thereof and att whose charge the same bridge ought to bee erected and to make there report thereof to this table. Now upon readeinge the said report and consideracion thereon had It is ordered by this table that the same shall bee presented to the grand Jury att the next quarter Sessions of the peace to be holden at Wigan and the Justices of peace there present . . . are desired to proceed therein accordinge to Lawe.

p. 24 blank.

1664

p. 25. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 14 March 1664.

High Constables¹¹⁹

Loynsdall hundred

Thomas North of Docker gent

9 April 1664 *Jur*

Richard Denison of Newton gent		<i>Jur</i> out of Sessions
Amounderness hundred		
Henry Sudell of Alston gent	}	<i>Jur</i> 21 April 1664
Thomas Silcock of Hardhorne gent		
Blackeborne hundred		
Robert Chew of Potter Ford gent		
Thomas Whalley of Rishton gent		
Derby hundred		
John Bryanson of Sephton gent		
Thomas Wright of Cronton gent		<i>Jur</i> att Sessions
John Sorocould the younger of Ashton gent		
Leyland hundred		
William Halliwell of Tunley gent	}	<i>Jur</i> att Sessions
Ellis Somner of Leyland gent		
Salford hundred		
Thomas Mollyneux of Kirkleys gent		
Roger Rogers of Newcroft gent		

It is ordered by this Table that Bryan Cowper of Tunstall who formerly had a yearly pencion of fower pounds allowed him for his hurts receaved beyond Seas in the service of the late Kinge James shall att the next assessment made for the poore maymed and indigent soldiers have the said yearly pencion of fower pounds payed him out of the . . . assessment ariseinge within the hundred of Loynsdall, the same to continue dureinge his life.¹²⁰

p. 26. It is ordered by this table that William Houghton of Lancaster shall furthwith collect, levy and gather in the fines imposed upon the quakers accordinge to the warrant to him directed and give an order thereof unto the Justices of peace att the next quarter Sessions to bee holden att Lancaster to the end the Governour of the house of Correccion may bee reimbursed the moneys by him dispended out of his owne purse in the repaire of the said house and provideinge of workeloomes . . . or otherwise in his default the . . . Justices are desired to proceed against him for his contempt therein.

It is ordered by this Table that the present High Constables shall not bee discharged from their offices nor any other sworne in their roomes untill they and every of them have made there accounts and payed in all such moneys as they or any of them were appointed to collect and gather or receive for any use whatsoever.

It is ordered and agreed by this Table that all the Chappelrys and Forrests within the hundred of Amounderness shall be taxed, rated and assessed to the releefe of the poore maymed Souldiers of that Hundred accordinge to the late Act of Parliament.¹²¹ And the Justices of peace of the said hundred are desired to tax them accordingly.

MCL, Mosley Ms. p. 196. Collectors for Subsidies by the hundreds.

Resolved and agreed that Thomas Barcroft of Barcroft gent bee Collector of the two last Subsidies for the hundreds of Loynsdale, Amounderness and Blackburn.

Resolved and agreed that Alexander Norres of Boulton gent bee Collector of the two last Subsidies for the hundreds of Derby, Leyland and Salford.

[Endorsed with the names of]

Thomas Preston
William Spencer

John Mollineux
Thomas Norres

Thomas Bradyll
Edward Rigby

QSV/11/2, pp. 27 & 28 are blank.

1665

p. 29. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 20 March 1665.

High Constables

Loynsdall hundred

John Cawson of Norbrecke gent
George Rig of Eynsholme gent

Amounderness hundred

Robert Walker of Claughton gent
John Nickson of Stalmyne gent

Blackborne hundred

Miles Whitaker of Simonston gent
John Haighton of Chaidgley gent

Derby hundred

Richard Hawett of Ormskirke gent
Thomas Blackborne of Orford gent
William Norman of Ditton gent

Leyland hundred

Peter Shawe of Heath Charnocke gent
Thomas Clayton of Middleforth gent

Salford hundred

John Sandford of High Ash gent
John Andrews of Little Leaver gent

Whereas by the late Act of Parliament for the retorneinge of able and sufficient Juriors¹²² yt is enacted that all Juriors who are to bee returned for the tryalls of issues joyned in any of the King's Majesties Court of King's Bench, Common Pleas or the Exchequer or before Justices of Assize or *nisi prius*, oyer and terminer, Gaole deliverie or Generall Quarter Sessions of the peace from and after the twentieth day of Aprill next in any County of this Realme of England shall everie of them then have in there owne name, or in trust for them within the same Countie, twentie poundes by the yeare at the least above reprises in there owne or of there wives right of freehold Lands or of ancient demesne or of rents in Fee simple taile or for lives, any law or statute to the contrary in any wise notwithstanding, And for the more speedie puttinge in execution of the said Act itt is ordered by this table that the present high constables within the severall hundreds of this Countie shall forthwith upon receipt hereof send out there precepts to all and every the pettie Constables and other officers within there respective hundreds requireing them forthwith to present unto them, the said high constables, a true list of all such r[esidents] (p.30) within

there severall townships as have any such estates as aforesaid, which said liste the said high constables shall immediately thereupon cause the same to be made in to a freehold booke and deliver the same unto the under sheriffe of this County at least one day before the next Quarter Sessions to bee houlden for the said hundred as they and every of them will answer the Contrary at there perills.

[Endorsed with names of:]

William Spencer esq sheriffe	Henry Bannester esq Alexander Rigby esq	William Fyffe esq Christopher Parker esq
Robert Binlosse bt	Edward Rigby esq	John Hartley esq
John Mollineux esq	William Kirkbye esq	John Entwisle esq

p. 31. Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 29 August 1665.

Upon takeinge of the accompte of Hugh Anderton of Euxton esq concerninge the moneys by him received for Ribble bridge and Walton Cop it is agreed by this table that the Clerke of the peace shall have allowed him out of the said moneys the somme of xiiij s. ivd. a role demanded as his fee for the six roles by him made forth for Colleccion of the said moneys within the severall hundreds of this Countie to be paied him by the said treasurer.

It is ordered by this Table that the late high constables within the hundred of Derby that were Collectors of the moneys allowed for Ribble bridge and Walton Cop shall forthwith upon notice hereof pay in all there moneys that they were to collecte for the said bridge and Cop unto Hugh Anderton of Euxton esq appointed treasurer thereof, in regard this table is not satisfied there is any Fee or allowance due unto them; or otherwise in there defaulte upon Complaint made to any Justice of peace within this Countie a warrant shall bee awarded against them to take them bound to answer there contempt att the next sessions to be houlden at Wigan.

It is agreed by this table that the Overseers of Walton Cop and Ribble bridge shall have allowed them out of the said moneys collected for the . . bridge and Cop for there paines and expenses taken in performance of the worke vjd. per diem more to make there former allowance eighteene pence per diem for every day they have beene imployed aboute the . . worke, the same to bee paied them by Hugh Anderton of Euxton esq., treasurer thereof.¹²³

This Table beeing informed that there is tenn pounds or there aboutes in the hands of William Boulton of Ribbleton gent of the Countries money which was formerly allowed for Walton Copp yt is ordered by this table that . . . Boulton shall att or before the next sessions of peace to be houlden at Preston paye in all the said moneys remaininge in his hands, accordinge to the accompt given to Edward Rigby esq, one of his Majestie's Justices of peace and Quorum of this Countie, unto William Farrington esq who is desired to receive the same that the same moneys may bee imployed in the repaire of the . . Cop as . . . Mr Farrington shall see cause and necessitie required And if . . . Boulton shall neglect to pay in the same as hee is hereby ordered then this table doth desire . . . Mr Farrington and Mr Rigby to be pleased to send out there warrants and

take him bound to the next Assizes here to bee holden to answer his contempte and further to bee proceeded against according to Lawe and Justice.

p. 32. Upon serious Consideracion had by this table as well of the duty of the Justices of peace to Endeavour by god's blessinge to preserve this Countie from the infeccion of the Plaigue as alsoe that there may bee accomodacion for passengers and travellers on there journey in this Countie suspected to have come from London, Westminster or other infectious places or suspected to bee infected, and for such persons as shall have come hence to reside into any part of this Countie as much as may consist with the safety of the people hereof Yt is ordered by this table that the Inhabitants of every Towneshipp aswell Alehouse keepers as others shall forbear to entertaine and receive into there houses any persons suspected to have come from any such infectious place untill they have acquainted the Constable of there Towneshipp who is thereupon required forthwith to provide for them fittinge and Convenient lodginge in some barne or other outhousinge furnished with Cleane straw and to allowe them releefe and mayntenance sutable for there condicion upon the Cost of the said Travellers there friends or Alliances, if they bee able, or otherwise upon the charge of the towneshipp; which the said travellers and passengers soe received shall at the tyme of Leaveinge there said lodgeing take and carry out the said strawe and burne the same as is used in other Counties and places of this Kingdome;¹²⁴ and if any inhabitant shall receive in to his house any travellers or other persons cominge from London, Westminster or other infected or suspected to bee infected places of this Kingdome before hee hath acquainted the Constable of the place therewith havinge not beene confyned for the space of one monthe and upwards since there cominge from such places that then and in such case the said inhabitant or housekeeper shall confyne himselfe and his familie together with the said person or persons soe received within his owne house for the space of one moneth at the least dureinge which time the said constable shall see the said familey soe confined have strict guard upon them night and day and to take care that they may have fittinge accomodacion for there releefe and manteynance upon there owne charge or upon the charge of the Towneshippe in case of poverty. And it is further ordered by this table that the said constables shall from day to day make diligent enquirey and informe themselves of what Inhabitants or other alehouse keepers shall offend contrarie to this order and forthwith give notice thereof unto two of the next Justices of peace that they may bee bound over to the next Quarter sessions of the peace for the said County to bee proceeded against for there contempts accordinge to there demeritts. And that none may plead ignorance of this order it is required that the severall high constables of this County shall forthwith upon receipt hereof send out particuler and entire coppies hereof to every particular constable within there severall divisions who are upon receipt thereof straitly required and comanded to give notice thereof unto all and every the Inhabitants of there Towneshipp and take to there assistance two or more of the ablest Inhabitants and consider together how this order may the best way bee forthwith putt into execucion both as for providing of places for habitacion as alsoe for accomodacion for the said travellers and others on there Journey or other abroad as aforesaid.

p. 33. [Endorsed with the names of:]¹²⁵

William Spencer esq sheriffe	William Farrington esq	John Warren esq William Fyfe esq
Robert Bindlosse bt	[Lawrence] Rawstorne esq	Henry Porter esq William Kirkbye esq
Richard Kirkbye esq	Thomas Braddyll esq	William West esq
John Mollineux esq	Edward Rigby esq	
Nathaniel West esq		

p. 34. Yt is Resolved and agreed upon by this table that the Justices of peace at the Sheriffes table to bee the next Assyses will take into Consideracion how to put into execucion the Statute for laborers and servant wages soe as the same may bee unanimously done at Easter Sessions followeing thorow the whole county.

1666

p. 35. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 2 April 1666.

High Constables appoynted for

Loynsdall hundred

Robert Satterthwaite of Satterthwaite gent for North Side of Sands
Samuell Hulton of Poulton gent for South side of Sands

Amounderness hundred

Richard Raby of Tarniker gent
Richard Bamber of Stayninge gent } *Jur* 25 April

Blackburne hundred

James Bulcocke of Rough Lee gent
Robert Osbaldeston of Mellor gent } *Jur* 25 April¹²⁶

Derby hundred

James Starky of Martin gent
Edward Houghton of Arbury gent
Hugh Rydeinge of West Derby gent

Leyland hundred

Edward Sheardley of Farrington gent
Thomas Walton of Much Hoole gent

Salford hundred

Edmund Whiteheade of Birchenlee gent
George Shawe of Anglezarke gent

p. 36. It is ordered by this Table that Roberte Satterthwaite of Satterthwaite gent now nominated and appoynted by this Table to bee one of the high Constables within the hundred of Loynsdall for the North Side of the Sands for this next ensueinge yeare shall personally appeare at the next Generall Sessions of the peace to bee holden at Lancaster after Easter next and then take his oath for Execucion of the said office for the yeare ensueinge within . . . Loynsdall under payne of twenty pounds to be Imposed and levyed upon him makeinge default herein, hee the said Roberte Satterthwaite haveinge notice hereof or a Copy left at his house.¹²⁷

It is resolved and agreed upon by this Table that at Easter Sessions next the Clerke of the peace shall minde the Justices of peace at their severall Sessions held for this County to put in Execucion the Statute for Laborers and servants wages who doe now unanimously agree to see the same performed accordingly¹²⁸

It is Resolved and agreed by this Table that the Justices of peace of this County shall keepe their privy sessions monthly accordinge to Lawe within their severall devidions and at such tymes shall take care that the weights and measures within their divisions bee Regulated accordinge to the Standart at Lancaster.¹²⁹

The Petition of the Inhabitants of Cowpe Lenches, Duerden clough, New Hall Hey and Musbury, parcell of the Forest of Rossendale, is by this Table referred to Sir Roger Bradshawe kt, Thomas Greenehalgh and Thomas Braddell esqs, who are desired to Appoynt some convenient tyme and meete together and consider of the Complaint, and to make such order therein as they shall see cause.

It is ordered by this Table that the Accompts of William Boulton now alledged to bee mistaken shall be referred to Edward Rigby esq and Alexander Johnson esq who are desired to Inspect the same and to Certifye this Table at the next Assizes how they finde the same.

pp. 37 and 38 blank.

p. 39. Orders agreed by the J.P.s at the sheriff's table in the assizes week, Monday 10 September 1666.

Whereas Myles Whittaker and John Haighton gents were by order of the Judges of Assizes of the last Assizes continued in their office untill they had collected and payd in the summe of fower hundred pounds for the new bridge of Pendle, now for that the said high constables are at this present Assizes discharged of the said Order And have prayed this Table to bee discharged of their office, which this Table doth think to bee reasonable, and thereupon this Table doth nominate and Appoynt James Bulcock of Rugh Lee and John Singleton of Ribchester with Dilworth gent to bee high constables within the hundred of Blackburne for the Remaynder of this present yeare And doth order the said Bulcocke and Singleton within two dayes after notice hereof to come before Thomas Braddell and Richard Haworth esqs and take their oathes for Execucion of the said office under the penalty of forty pounds to bee Imposed and Levyed upon either of them makeinge default herein.

Whereas at the last Assizes here holden this table did desire Edward Rigby esq and Allexander Johnson esq to bee pleased to Inspect the Accompts of Mr William Boulton of Ribleton concerneinge some moneyes layed upon the repaire of Walton Cop and Rible bridge, who have accordingly inspected the said Accompts And doe finde the summe of three pounds and five shillings to bee in arrere and oweinge unto him and which hee did disburse on the Cuntries behalfe It is therefore ordered by this Table that Mr Hugh Anderton of Euxton shall out of the Cuntries moneys remayneinge in his hands pay unto the said Mr Boulton the . . summe of three pounds and five shillings and the said Mr Boulton acquittance for the same shall bee to the said Mr Anderton a full discharge for the same.

p. 40. Whereas there are too sad Apprehencions of diverse mischeeueous persons in this kingdome desperatly designeing the destruccion thereof, And for that this Table thinkes fitt for the safety of the Cuntry they should furthwith bee Acquainted if any forraigner or persons unknowne doe at all come in this juncture of tyme the high Constables within the severall hundreds of this County shall furthwith upon receipt hereof send out their warrants to all Mayors, bailives and petty constables within their respective divisions strictly commandinge them and every of them that they furthwith doe Apprehend all forraigners, strangers and wander[er]s resideinge and comeinge within their Liberties and who doe upon their Jorney reside above one night within their towne and them bringe before some of the next Justice of peace to give an Accompt of the occacion of ther comeinge and resideinge in this Cuntry.¹³⁰

1667

p. 41. Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 26 March 1667.

High Constables for

Loynsdall hundred

John Thornton of Oxcliffe gent

Amounderness hundred

Thomas White of Eccleston Magna

Blackborne hundred

Richard Marsden of Pale

Ellis Nutter of Reedley

} gents *Jur*

Derby hundred

Edmund Hayhurst of Tildsley¹³¹

Robert Bickerstaffe of Aughton

William Plumb of Much Woolton

} gents *Jur*

Leyland hundred

Lawrence Garstang of Heapey

Thurston Heskin of Wrightington

} gents *Jur*

Salford hundred

John Moxen of Manchester

Roger Holt of Bridge

} gents *Jur*

p. 42. Whereas by his Majesties proclamacion of the Tenth of November last,¹³² All Judges, Barons of the Exchequer, Justices of peace and ministers of justice in their severall places were comanded speedily to put the Lawes in due Execucion against all Popish Recusants and such as are suspected to bee soe, And in order to their speedy Conviccion at and in their respective Courts and Quarter Sessions publickly to give the Lawes in charge against them And to take Order that they bee speedily presented, Indicted and Convicted according to Lawe. In obedience and observance of the said proclamacion the Justices of peace at the last Generall Sessions of the peace here for this County did not only cause the said proclamacion to bee openly read and proclaymed but also gave the Lawes in Charge against them All which have taken

little effect in regard the Constables and Churchwardens of the severall parishes of this hundred did not appeare to make their presentments. Now for prevention of the like neglect for the future and that due and formal presentments against all Recusants within this Hundred of Loynsdall may bee made at the next Generall Quarter Sessions to bee houlden at Lancaster in order to their speedy conviccion, this Table doth straitly require and Comand the Constables of the severall Townships and places of this hundred of Loynsdall together with the Churchwardens of their parish forthwith to meet together and make presentments faire ingrossed in paper as well of all Recusants within their severall Townships being above the age of sixteene yeares, in which presentments the said Constables and Churchwardens are to sett downe the Christen name and Surname of every Recusant in their Townshipp together with their severall Addicions and the names of their Children above sixteene yeares of age And the names and surnames of their servants as all others within their Townships who shall absent themselves from the Church any Sunday haveing noe lawfull excuse for the same to the end the penalty of twelve pence a Sunday may bee Levied upon them for each Sunday absence for the use of the poore; and that they present the said Recusants in one Colum of their presentments by themselves and the Sundayes absence of all others in another Collum. And the said Constables and Churchwardens doe personally appeare at the said next Sessions to deliver in the said presentments and to give evidence unto the same and that noe Constable or other officer may plead Ignorance hereof, this Table doth require the high Constables of this hundred of Loynsdall forthwith to send true Copyes hereof unto all and every the Respective petty Constables, Baylifes of Corporacions and other officers within their severall devidions that the Execucion hereof may bee att the said Sessions fully Answered.¹³³

The like Order for the remainder of all the hundreds *mutatis mutandis*.

p. 43. It is ordered by this table that the Clerk of peace shall at the next severall quarter Sessions to bee held for the County mynd the Justices of peace there present of the Statute for Jurors¹³⁴ who are desired by this table then to put the said Act in execucion and [this] table doth require the Mr Under Sheriffe of this County to attend the said Justices with the Freehold booke to the end the said Justices may select a competent number to serve as Jurors for the yeare ensuing.

It is ordered by this table that the Clerke of the peace Att the next severall quarter Sessions to bee held for this County doe mynd the Justices of peace there present to put in execucion the Statutes made for Laborers And servantes wages, it beeing the onely Sessions At which the same by Lawe is Appointed to be done.

It is ordered by this table that Edmund Parkinson of Skirton gent. who together with the Maior of Lancaster for the tyme being have beene Collectors and distributors of the moneyes allowed within this County for the releefe of the poore prisoners in the Gaole And Castle of Lancaster shall at the next generall Sessions of the peace to bee holden at Lancaster make and then presente an Account of what moneyes have beene received of the Country for six yeares last past for and on behalf of the said prisoners and how the same have beene disbursed and disposed of. And the Court of Sessions is desired to consider

and apoint another able And fitt person to conjoyne with the maior of Lancaster for the tyme beeing to bee Collectors And distributors of the said moneyes allowed for the said prisoners And further that the said Court of Sessions will certifie the Accompts of the said Mr Parkinson to this table att the next Assyses to the end the Country may bee satisfied how the moneyes are disposed of.¹³⁵

p. 44. For as much as this table hath beene Informed that severall Cattell have of Late beene transported out of Ireland into severall places of this Kingdome where they have beene pretendedly and fradelently seised on by the Church wardens and Overseers of the poore there and afterwarde sould unto and Compounded for by the owneres of the said Cattell at very lowe rates to elude the late Act of parliament in that Case made and provided:¹³⁶ for A redress therein and prevencion of the like practices And Contrivances for the future This table doth order and require the Churchwardens and Overseers of the poore of every towne and place of this County wherein any Irish Cattell shall bee landed contrary to the same Late Act furthwith to seise the said Cattell and not to dispose of them without the Order of some one Justice of peace of this County. And that if any master of Shipes or other person shall Import any Irish Cattell or sell or compound for them¹³⁷ soe as to elude the said Act the Attorney generall of this County is desired to exhibite An Infor-macion At the Assisses or Quarter Sessions against every such offender and the Justices of peace of this County Are also desired that complaint made to them of any such offender they will take care within there severall divisions to bind them over to the next generall Sessions or Assisses that they may bee proceeded against according to law and the high Constables of the severall hundreds of Derby, Amoundernes and Loynsdall are required furthwith to send Copies hereof to the Churchwardens and overseers of the poore in every port towne or other place where any such Cattell may be Imported and Landed.

1668

p. 45. Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 17 March 1668.¹³⁸

Names of the high Constables

Loynsdall hundred

Thomas Sherson of Ellel gent

Robert Brigs of Cartmell gent

Amounderness hundred

Robert Newsam of Hardhorne with Newton gent

Thomas Walmisley of Elston gent

Blackborne hundred

James Wilson of Blackley gent

Richard Mercer of Mellor gent

Derby hundred

Thomas Gillibrand of Astley gent

James Guest of Ecclestone gent

Richard Kid of Aughton gent

Leyland hundred

Hugh Wremall of Chorley

Alexander Breares of Whitle gent

Salford hundred

Thomas Percivall of Crompsall gent

Raph Browne of Westhoughton gent

p. 46. This Board was reminded by William West esq¹³⁹ that hee together with Mr Toulson deceased and Mr Edmund Parkinson of Skirton were about the yeare 1656 appointed Supervisors of Lancaster bridg then in great decay for reparacion whereof the summe of 150 li was assessed and collected through the County and paid to the said Mr Toulson, Mr West and Mr Parkinson viz to each of them 50 li; and that upon finishing of those repaires . . Mr Toulson being dead, . . Mr West and Mr Parkinson did offer their accompt to this table and praied to bee discharged but this table apprehending a necessitie of continueing a Supervision of the said bridg did thinke fitt to continue . . Mr West and Mr Parkinson and desired their further care therein and did desire Henry Porter esq to assist them therein in the place of Mr Toulson then dead; since which time severall great and dangerous breaches have bin in the said bridge and particularly in the yeares [16]60 and [16]65 but timely repaired by the said Supervisors And . . Mr West did further acquaint this table that hee had yet a remaine of the said bridg moneys in his hands, about the some of twenty pounds of their severall somes of 50 li apeece paid to Mr Toulson and himselfe as aforesaid and that hee did beleve there was alsoe some remainder in the hands of . . Mr Parkinson and praied that two Justices of peace of the hundred might take their accompts before the next lent assizes and cause them to bee entered with the Clerke of the peace to bee inspected by this table when they shall require the same And did alsoe pray that . . Mr Porter beeing alsoe dead some other fit person or persons might bee appointed by this board to assist in the supervision of the . . bridge: whereupon it is ordered that Coll[onel] Girlington, Major Carus and Mathew Richardson esq, three of his Majesties Justices of peace in the hundred of Loynsdall bee desired to take the said Accounts and cause them to bee entered as aforesaid And that the Maior of Lancaster for the time beeing by reason of his proximity bee and is hereby desired to assist . . Mr West and Mr Parkinson in the Supervision of the . . bridg until further order.

p. 47. Forasmuch as this table is informed that An Order issued out the last Sessions for the pettie Constables to present unto the high Constables the name of every person within their several townships haveing estates of the yearly value of 20 li and above and that the pettie Constables have all or the most of them omitted severall and very many persons and made noe presentment of them at all yet; it is therefore ordered by this table that the present high Constables shall againe send out their warrants to the said pettie Constables therein requiring them to make new presentments at the next generall Quarter Sessions of the peace to be houlden for that division of the names, Surnames and Addicions of every person within their severall townes haveing Estates of the yearly value of 20 li or above within the said township or elsewhere in the County of Lancaster without any favour or affection to any person under the

penalty of 40s. to bee imposed and levied upon the said pettie Constable for every person by him omitted and inhabiteing within his township.¹⁴⁰

The petition of the Inhabitants of the Mannor of Wimmerley and Kirkland within the Township of Garstang now exhibited to this table is referred to the Justices of peace within the hundred of Amoundernes who are desired to Examin the truth of the said petition and to informe themselves whether there have been any alteration of late time for selfe interest upon them as is suggested and to report the same to this table at the next Assizes and their opinion what they conceive fitting to bee done as to redresse their agravances in those assessments wherein the Justices of peace have power to regulate.

p. 48. Whereas John Lomax of Ainsworth was by this table at the last Assizes here held elected and nominated to bee one of the high Constables within the hundred of Salford within this County for the yeare ensueing¹⁴¹ and ordered to appeare at the then next generall quarter Sessions of the peace to bee holden at Manchester and take his oath for execucion of the . . office of high Constable under paine of 20 li to bee imposed upon him makeing default therein. Now for that this table is informed as well by the petition of the said John Lomax as by the certificate of severall Justices of peace within the said hundred who are well knowing unto the said Lomax that hee beeing a person very unfitt for the said office and besides a tradesman and sometimes at home but more abroad in other Cuntries could not doe that service for his Cuntry as would have beene expected from him in the Execucion of that office hee therefore submitted himselfe to the said fine and hath sinc[e] satisfied the same and now hath prayed this table to bee freed from the service of the said office of high Constable for the time to come and other inferiall offices which other persons that have served the said office of high Constable are freed from, all which this table taking into consideration doth think it very fitt and reasonable that the said Lomax in submitting himselfe to the said fine which beeing as great a charg unto him as if hee had served the said office hee ought to bee freed from all other inferiall offices and therefore this table doth agree and order that . . . John Lomax shall hereafter bee freed and discharged from all other inferiall offices as if hee had Actually served the . . office of high Constable.

p. 49. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 17 August 1668.

Upon the motion of Mr Arthur Burrton informing this table that the Comon and publique bridg called Boardmans bridg lying within Sutton and Windle on the kings highway betwixt the market townes of Warrington and Ormskirke is fallen downe soe that travellers cannot passe over the said bridg it is ordered by the table that the high Constable for Prescott division together with the overseers of the highwayes of Windle and Sutton shall furthwith upon notice hereof cause good and substantiall planckes to bee laid over the said bridg soe that passengers may for the present passe over the said bridg untill that Order bee taken for the rebuilding thereof and the high Constable and overseers of the said high wayes shall be reimbursed their charges thereof out of the moneyes to be assessed for repaire of the said bridg and this table doth desire Sir Gilbert Ireland kt, Lawrance Rawstorne esq Peers Lee esq William Banckes esq James

Duckenfeild esq or any two or more of them will bee pleased to appoint some convenient time and take with them workmen of skill and view the said bridg and certifie the Court of Sessions at the next Sessions to bee houlden at Wigan what they conceive will bee sufficient for repaire of the said bridg.

p. 50. Forasmuch as it appeareth to this Table that Mr Roberte Grymsworth Late Under-sherife of this County was enforced to pay on behalfe of this County the summe of twentie one pounds beeing soe much Exhibicion money in arreare and due to the poore prisoners of the King's Bench and Marshallseas at Mid-somer 1667 and for his acquittance 21s., twelve pounds whereof . . . Mr Grymsworth had formerly received soe that there is due to him the summe of ten pounds and one shilling which is to bee reimbursed him out of the moneyes yearly collected within the severall hundreds of this County for the releefe of the maymed Souldiers and the prisoners in the Marshalsea according to the forme of the Statute in that case provided, this Table doth therefore mutually agree and order that the severall treasurers of the maymed Souldiers within the severall and respective hundreds of this County shall furthwith reimburse and pay unto . . . Robert Grymsworth . . . tenn pounds out of the moneyes collected within the . . . hundreds for the . . . maymed souldiers for this present yeare in manner and forme followeing: that is to say, by the treasurer of the hundred of Loynsdall forty two shillings and sixpence; by the treasurer of . . . Amounderness . . . thirty three shillings; by the treasurer of . . . Blackborne . . . twenty shillings; by the treasurer of . . . Leyland . . . Eightene shillings; by the treasurer of . . . Derby . . . forty six shillings; by the treasurer of . . . Salford . . . forty one shillings and sixpence. And to prevent for the future the further runing in arreare of the said moneyes due to the . . . poore prisoners of the Kings Bench and Marshallsea, beeing fortie shillings per annum, this table doth further order that the said severall treasurers for the time beeing of the said severall hundreds of this County not onely for the present yeare ending 24 June last and every yeare hereafter pay unto the Under-sheriffe of the County for the tyme being their proporcionable shares of the said forty shillings in manner and forme following: that is to say, by the treasurer of . . . Loynsdall the yearly somme of eight shillings and six pence; . . . of Amounderness . . . six shillings six pence; . . . of Blackborne . . . fower shillings; (p.51) . . . of Leyland . . . three shillings and Eight pence; . . . of Derby . . . Nine shillings and fower pence; and . . . of Salford . . . Eight shillings. And the said undersheriff to pay the same yearly unto the said Marshallsea and bring acquittance for discharg thereof.

p. 52 blank.

1669

p. 53. Orders agreed by the J.P.s at the sheriff's table in assizes week, Wednesday 31 March 1669.

Names of the High Constables

Loynsdall hundred

John Wilson of Slanke gent

John Wilkinson of Overton gent

Amounderness hundred

John France of Eccleston parva gent

William Loctus of Catterall gent

Blackborne hundred

John Cockshutt of Simonstone gent

Guilbert Holland of Walton in le Dale gent

Derby hundred

Edward Deane of Raigne hill gent

Richard Hulton of Westleigh gent

Robert Goare of Alker gent

Leyland hundred

Thomas Abbott of Heaypey gent

John Heskin of Walsh Whitle gent

Salford hundred

Samuell Dickonson of Manchester gent

Thomas Marsden of Boulton gent

p. 54. Forasmuch as this Table is informed that his Majestie hath received intelligence from many parts of This Kingdome that there are and have beene of Late severall unlawfull assemblies and meetings upon pretence of Religious worship by persons of Stobborne and differing persuasions who do not conforme to the Litturgy of the Church of England, which meetings if suffered may bee of dangerous consequence to this his Majesties Royall government, to this Kingdome and peace of this Nation and that his Majestie hath Layed his commands not onely upon his loyall subjects but more especially upon his Justices of peace of the severall countyes within this Kingdome of England and Weales that they doe use their utmost endeavours to suppress all such unlawfull meetings and assemblies and to put the Lawes in execution against all such as shall therein offend as Likewise against such as doe not give obedience to the Late act¹⁴² prohibiting nonconformists to inhabite in incorporacions This Table doth therefore in obedience to his Majesties command unanimously agree and resolve that to the utmost of their powers they will hinder and suppress all such meetings¹⁴³ and conventicles and put the Laws in strict execution against the persons occasioneing, coming to or frequenting such unlawfull assemblies and meetings. And bring the offenders to condigne punishment. And compell an obedience to the said act. And duly punish all such as shall offend against that Lawe. And this table doth require the Clarke of the peace that hee publish and read or cause to bee published or read this order at every quarter Sessions of the peace to bee holden for this County immediately after the charge given to the Grand Jury, to the end that the County may take notice thereof.

p. 55. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 30 August 1669.

Yt is resolved and agreed by this table that the meeting of the Justices of peace of this County at the Sheriffes table in the Assyses weeke shall hereafter bee held the third night of every respective Assyses And that the Clerk of the

peace shall give notice hereof to the Justices of peace at the next generall quarter Sessions of the peace to bee holden for this County.¹⁴⁴
p. 56 blank.

1670

p. 57. Orders agreed by the J.P.s at the sheriff's table in assizes week, Thursday 24 March 1670.¹⁴⁵

High Constables

Loynsdall hundred

John Godsave of Borwick gent

William Bowers of Bleasley in Broughton gent

Amounderness hundred

Charles Fishwick of Goosenargh gent

John Browne of Newton with Scales gent

Blackborne hundred

Robert Brearecliffe of Brearecliffe gent

Thomas Oker of Samlesbury gent

Derby hundred

Lawrence Heaton of Upholland gent

Robert Carter of Roby gent

Thomas Mollyneux of Netherton gent

Leyland hundred

Andrew Stones of Mawdesley gent

William Crooke of Chorley gent

Salford hundred

Richard Fox of Manchester gent

John Kenyon of Ratchdall gent

pp. 58-60 blank.

1671

p. 61. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 7 April 1671.

This Table beeing informed that the two great bridges called Lancaster bridg and Rible bridg which are to bee repaired by the Inhabitants of the whole County are in great decay and that if . . . Lancaster bridg bee not speedily repaired the same will cost the Cuntry a great some of money and that . . . Rible bridg only wanteth paveing and that thirtie shillings will doe the same. All which this table takeing into Consideracion doe think and agree that a foureth part of a Fifteene shall bee allowed thorowe the whole County and payed unto the hand of Roger Kenyon gent, Clerk of the peace, who shall pay out of the same soe much moneyes as will sufficiently repaire . . . Lancaster bridge unto Thomas Cole esq and Josuah Partington gent, who are to bee Overseers of the said bridge and like to pay out of the same 30s. for the repaireing of Rible bridg; and the remainder to keepe in his hands until there bee a further necessity of

disburseing the same upon the bridges Chargeable upon the whole County and that at the next Sessions to bee holden at Lancaster the said bridges to bee presented and the Roles to issue out for the Collecion of the said moneyes.

Forasmuch as this table is informed that in several places of this County the late Act of parliament for ascertening the measures of Corne and salt¹⁴⁶ is not put in due execucion as by the said Act is required And that the Constables of the severall townes within this County have not taken Care to doe their duty and to informe the Inhabitants of there severall townships what is required by the said Act. Therefore for a redresse herein this table doth order the high constables of the severall hundreds of this County furthwith to send out their warrants unto all and every the pettie Constables within their severall divisions requiring them to give notice unto all the Inhabitants within their townships who keepe or use any measure to sell or buy by any sort of Graine and salt that they doe keepe in their houses and use noe other bu[shel] (p.62) then that which is agreeable to the Standart marked in his Majesties exchequer Comonly called the Winchester measure conteyneing eight Gallons to the bushell and noe more or lesse under the penalty of 40s. apeece to bee levied by distresse and sale of Goods; and that after such notice given the said pettie Constables are hereby required to search and examyne within their severall limitts and liberties if any person or persons shall or doe keepe or use another measure then according to the proporcions aforesaid or shall stocke the same in any other manner then the said Act direct or shall order, sell or buy by any measure unsealed or unlawfull measure or measures hee or they shall sieze and break the same and present the offender or offenders att the next Quarter Sessions to bee held for the division where such offence shall bee committed.

p. 63. Whereas Nicholas Walker of Ashton Under Lyne gent heretofore appointed provider for this County of the oxen for his Majesties household was by order of this table at the last Assyses required to give an account to this board of what money he received of the tax layed for the said oxen and how the same was disposed of which he neglected to doe alledginge he had gotten a fall and not able to travell and this table findeinge the Cuntry much abused in not haveinge an account of the said tax. This Table doth therefore peremptorily order and require . . . Mr Walker to appeare at Wigan before Sir Edward Mosley bt, John Mollyneux esq, John Lightbowne esq, and John Entwisle esq, whom the table hath desired to appoint some convenient tyme and meet together at Wigan afforesaid and take and state the accounts of . . . Mr Walker of the money received . . . as also of the high Constables that received the same from the Cuntry who are hereby likewise peremptorily required to attend the said gentlemen at the said day and place by them appointed haveinge notice thereof and then give a perfect and exact account of the said tax, what they have thereof received, how much thereof paid and unto whom and what townes and persons are in arreare and after the said accounts taken as afforesaid the said gentlemen are desired to report the same to this table at the next Assyses here to bee houlden.¹⁴⁷

pp. 64-66 blank.¹⁴⁸

1672

p. 67. Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 10 September 1672.

Yt is resolved and agreed upon by this table that a Forth part of a Fifteene shall bee Collected and gathered within the hundreds of Loynsdall, Amounderness, Blackborne, Leyland and Derby and furthwith payed to Roger Kenyon gent., clerk of the peace, for and towards the repaireing of the house of Correccion at Preston and provideing of such implements there for setting of poore prisoners on work that shall bee sent to the said house of Correccion as two of the Justices of peace next resideing to the said house shall think fitt And what is remaineing to bee kept in the hands of . . . Mr Kenyon for the use of the said hundreds.¹⁴⁹

	li	s.	d.
Loynsdall hundred to pay	11	7	3qr.
Amounderness hundred to pay	14	12	3ob.
Blackborne hundred	11	15	4ob.qr.
Leyland hundred	07	13	2ob.
Derby hundred	26	12	4ob.
	72	00	6ob.

Salford hundred payes none 10 li 8s. 7d.

p. 68 blank.¹⁵⁰

1673

p. 69. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 18 August 1673.

This table doth require Roger Kenyon gent clerke of the peace furthwith to call to the high constables that are in arreare and unpaid theire proporcionable parte of a fowerth parte of a fifteene allowed for the repaire of the house of Correccion out of the hundreds of Loynsdale, Amounderness, Blackborne, Derby and Leyland and furthwith to pay the said moneys and such other moneys by him received into the hands of Mr Thomas Hodgkinson, Mayor of Preston whom this Table hath appointed Treasurer thereof And this Table doth desire Edward Rigby And Christopher Parker esqs to nominate and appointe two persons within the said towne of Preston to see unto the repaire of the . . . house of Correccion and to give an account thereof unto the said Mr Rigby and Mr Parker from tyme to tyme that they may give order to the treasurer for the payment of such moneys as shall bee employed in the repaire of the . . . house and satisfaccion to the said persons for their paines taken therein, as by . . . Mr Rigby and Mr Parker shall bee thought fitt.

It is ordered by this table that Bryan Burton, Governor of the house of Correccion at Preston, shall at the next Generall quarter sessions to bee held at Lancaster, Preston and Wigan satisfie the Justices of peace . . . whether or noe he . . . had received the sacrament of the Lords supper and taken the Oaths

of Supremacy and Allegiance and subscribed the declaracion mentioned in an (p.70) Act of Parliament entituled an Act to prevent Dangers that may Grow by popish Recusants.¹⁵¹ And likewise to give Assurance to the said Justices that . . . [he] will come and live at the said house of Correccion and in case of faler then Thomas Anderton, Deputy Governor, shall officiate in the said place untill the next Assizes hereto bee holden and . . . Burton shall bee discharged thereof.

It is ordered by this table that Robert Heaton gent, Treasurer for the Maymed soldiers within the hundred of Derby shall prepare his Accounts against the next Generall quarter sessions to bee holden at Wigan and there deliver them to the Justices of peace . . . and be discharged from his said Imployment and this table doth nominate and appoynt George Charles of Halsall gent to bee Treasurer for the said Souldiers in his roome and sted for the ensuing yeare.

p. 71. Whereas this table is informed that George Cowper, his wife and Child was by order of the Justices of peace at Preston Sessions last sent to Lancaster, the last place of their legall settlement, there to bee settled according to Lawe And that they weare by the said Order conveyed to Lancaster and afterwards William Parkinson gent, Mayor of Lancaster, and John Greenwood, Justices of Peace of the said Borrow, tooke upon them by their warrants to retorne the . . . wife and child into Cloughton which this Court is of an opinion is more than they can justifie. And that the wife and child ought to continue in Lancaster and if the said Inhabitants doe find themselves agreed with the said settlement then they are to appeale to the next Generall quarter sessions to bee holden at Lancaster and there to bee heard and the differences to bee determined, the Inhabitants of Lancaster givinge a fortnight notice of their . . . appeale; and this table doth require conformity hereunto.

p. 72 blank.

1674

p. 73. Orders agreed by the J.P.s at the sheriff's table in assizes week, Wednesday 8 April 1674.¹⁵²

High Constables

Loynsdall hundred

Thomas Clayton of Lentworth gent¹⁵³

Thomas Barwick of Bigland gent

Amounderness hundred

Richard Hoghton of Lea gent

Edward Gerviss of Wyresdall gent

Blackborne hundred

Henry Walmesley of Mellor

Barnard Hartley of Wycoller

Leyland hundred

John Blackledg of Whittle in le wood

Henry Jackson of Longton gent

Derby hundred

Thomas Topping of Skelmersdale gent

Henry Whalley of Upholland gent
 John Smarley of Derby gent
 Salford hundred
 John Browne of Salford gent
 William Langley of Whitle gent.

p. 74. Whereas this table att the last Assyses did require Roger Kenyon gent, Clerk of the peace, forthwith to call to the high constables that were in arreare and unpaid there proporcionable part of a fowerth of a fiteene allowed for the repare of the house of Correccion and to pay the said moneys and such other moneys by him received of the said fowerth part of a fiteene into the hands of Mr Thomas Hodgkinson of Preston whom this table did appoint treasurer thereof and to dispose of the same unto such overseers of the work as should bee nominated and appointed by Edward Rigby and Christopher Parker esqs Now for that this table is informed that William Penny of Penny bridg and Thomas Lawrence of Ellell, late high Constables within . . . Loynsdall have not payed there proporcionable part of the . . fowerth of a fiteene amounting to eleven pounds seaven shillings three pence and that there remains in the hands of the . . . clerk of the peace . . twelve pounds ten shillings or thereabouts unpaid in whereby the house of Correccion remains still unrepaired This table doth therefore order and require Henry Rowe, deputy clerk of the peace, to cause a bill of indytment drawne and presented to the grand jury at this Assyses tomorrow morning against the said high Constables for there neglect in paying the said moneys and give evidence there that they may be indyted and proceeded against according to lawe for there contempts therein And this table doth likewise require and comand the Clerk of the peace to pay in all the other moneys in areare and as yet unpaid of the said fowerth part . . . according to the order of this table the last Assyses and to give a particuler account thereof unto . . Mr Rigby and Thomas Butler esq at or before the next generall quarter sessions of the peace to bee holden at Preston.

Resolved and agreed upon by this table that the Collecting of the moneys for Sollom Mosse bee pursued according to the orders of the Sessions and what high constables have not payed in there proporcionable parts thereof this table doth agree and order they shall pay the same according to the role to them directed before they bee discharged from their office of high constable or another sworne in their sted.

The petitions of Ann Dewhurst, spinster, Will Worden, gresier [? grazier], and Thomas Dale, Innkeeper, now exhibited to this table to bee releevd for their great losses susteyned by haveing part of there tenements digged up and the earth and gravell taken and Carried away for and towards the repaire of Walton Cop by the Overseers of the said Cop as alsoe part of there tenements much damnified by Carts and Carriages Carrying of the said earth and gravell over the same to the . . Cop are by this table refer[red] to Sir Peter Brooke, kt, high Sheriffe of this County, Christopher Bannester esq, Edward Rigby esq, and Christopher Parker esq, or any three of them. [They] are desired to meet together and view the damages done to the said petitioners or to any other in the like nature and to order them such Reasonable satisfaccion out of moneyes allowed for repare of the said Cop as they shall see cause.

	li
Sir Richard Hoghton	3 - 0 - 0 ¹⁵⁴
Will Werden	2 - 0 - 0
Ann Dewhurst	2 - 10 - 0
Thomas Dale	1 - 10 - 0
John Lowegh	0 - 15 - 0

p. 75. Upon Consultacion had by this table of the decayes of Walton Cop which are as yet not finished it is conceived that so much thereof as remaines undone must bee made good by Ashler stone which will be very Chargable and that the same repaire must bee had to the publike bridg called Ribble bridg which is in decay and whereas this table is informed by Certificate under the hands of Thomas Cole, esq, one of his Majesties Justices of peace of this County, and Josuha Partington, gent, that the great common and publike bridg Called Lancaster bridg is verie ruinous and in great decay and that if tymly care bee not taken for repaire of the defects thereof it will verie much endanger the whole or the greatest part of the said bridg to the great Charg of this County and that they have diligently vewed the decayes of the said bridg All which this table taking into Consideracion doe conceive that lesse then one Fifteene thorrowe the whole County amounting to 329 li 6s. 6d. together with thirty two pounds nineteene shillings and one penny now remaineing in the hands of Roger Kenyon gent, Clerk of the peace of the said County, which was part of a former tax layed for repaire of . . . Lancaster bridg will not perfect all the defects before mencioned, satisfy the losses and damages that severall persons have susteyned by haveing there grounds diged and much earth taken away for the repaire of . . . Walton Cop And therefore this table doth unanimously agree that one whole Fifteene shall bee gathered within this County for the uses aforesaid and forthwith payed unto Sir Peter Brooke kt, high Sheriffe of this County and Henry Hoghton, esq, formerly appointed treasurers of the two Fifteenes allowed within this County for repaire of the said Cop together with the said moneys remaineing in the hands of the Clerk of the peace who are to disburse the same as well unto the overseers formerly appointed for Walton Cop as unto the Overseers of . . . Lancaster bridg who are to bee nominated and appointed by the Justices of peace at the next quarter Sessions to bee holden at Lancaster as occason shall require for the uses aforesaid and lastly this table doth agree and order that the Receipt or acquittance of any two of the before mencioned Supervisors shall bee a full discharge unto the said treasurers for what they doe or shall pay unto them.

p. 76 blank.

p. 77. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 7 September 1674.

Whereas at the last quarter Sessions holden at Manchester the Justices of peace there present were by there order pleased to refer to this table to consider of and declare whether a vill or township overcharged with multitude of poore people might not have the assistance from other townes of the same parish notwithstanding the Act of the xiiijth of this King for each vill to main-

teyne its owne poore or the whole parish or the hundred if need bee This table upon Consideracion thereof and upon reading as well the ould lawes made for the releeffe of the poore as the said late Act of the xiiijth of this King is of opinion that they may Charge particuler townes to the releeffe of the poore by the said Act of the xiiijth of this King as well as they have power to charg parishes by the statute of the 43rd of Elizabeth.¹⁵⁵

This table doth intreat Henry Hoghton, esq, to make his application to Sir Richard Hoghton bt on behalfe of the Cuntry and desire him to bee pleased to suffer the overseers of Walton Cop to take soe much earth in some Convenient place neare unto the said Cop as will serve for finishing and making good the . . Cop they paying some reasonable rates for the same.¹⁵⁶

This table doth desire the Justices of peace of the next generall quarter Sessions to bee holden at Preston to bee pleased at there said Sessions to view the house of Correccion at Preston and see what further repaires are requisite to bee done . . . and then to call before them the Supervisors of the said house and take an account of the moneys lately allowed for the repaire thereof have beene disbursed and imployed and to make such further order for the better repaire of the . . house as they shall see Cause.¹⁵⁷

p. 78 blank.

1675

p. 79. Orders agreed by the J.P.s at the sheriff's table in assizes week, Wednesday 24 March 1675.

High Constables

Loynsdall hundred

Thomas Thornton of Deepe Clough gent

Adam Rowlinson of Boweth gent

Amounderness hundred

James Bradley of Bryneing gent

Nicholas White of Goosenargh gent

Blackborne hundred

Thomas Aynsworth of Knusden gent

John Loynsdall of Oken Eves within Havershaw gent

Derby hundred

Thomas Hey of Ashton in Makerfield gent

Lawrence Holme of Maghull gent

Thomas Rughley of Sutton gent

Leyland hundred

John Clayton of Penwortham gent

William Boardman senior of Withnell gent

Salford hundred

John Allen of Reddevalls gent

John Sandford of Manchester gent

In pursuance of his Majesties Command signified to us by letter from the Councell board dated the fifth of February last¹⁵⁸ requiring that the convictions of popish Recusants bee encouraged, quickned and made effective

These are to will and require yow that furthwith upon receipt hereof you send out your warrants to all and every the pettie Constables and Churchwardens within every parish of your hundred of Loynsdall that they bee at the next quarter Sessions to bee held at Lancaster in there owne persons then and there to present as well all nonconformists as all popish Recusants or suspected to bee popish Recusants above the age of sixteene yeares that inhabite within there liberties and doe not resort to the next parish Church or some other place where devine service is Red within one month last past in which presentment yow are to sett downe faire writt in paper the names and surnames of every such popish recusant and nonconformist together with there addicion And hereof see that yow nor the pettie [constables] nor Churchwardens faile herein at your perills.

For the high constables of Loynsdall hundred these.

[The like] for rest of hundreds.

p. 80. The whole matter concerneinge the Account of the moneys which have beene allowed for the repaire of Walton Cop and the repaires thereof is referred to Sir Peter Brooke kt, Thomas Braddell, esq, Edward Rigby, esq, and Christopher Parker, esq, who are desired to meete together and take an account thereof and settle all matters concerneinge the same As alsoe what is fitt to the petitioners for there losses mencioned in there petitions And likewise what is fitt to bee allowed to the Gentlemen that are Overseers of the said Cop for there paines and Charges aboute the same and to report there proceedings therein to this table at the next Assyses.

Whereas this table is informed that Rible bridg is very much in decay and that if not speedily repaired will endanger the whole bridg This table doth therefore desire Sir Peter Brooke kt, Thomas Braddill esq, Edward Rigby esq, and Christopher Parker, esq, to view the decayes of the same bridg att the next quarter Sessions of the peace to bee holden at Preston that Roles may then issue out for what moneys the said Gentlemen shall think fitt to bee allowed for repaire of the said bridg and to name and appoint Overseers thereof.

Yt is now ordered that in regard the last Sheriffes board was against the building of a bridg at Salisbury Ford in the Majority of voates and that it is at this board contrary in the majority of voates the Matter bee finally determined by the Majority of voates as they shall happen at the next Sheriffes table and in the meane tyme all proceedings aboute this matter to stay.¹⁵⁹

p. 81. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 30 August 1675.

Upon reading the petition of Jeremia Bouskell, Administrator of the goods and Chattells of Bryan Burton, Deceased, Late Governor of the house of Correccion wherein hee prays that he may have the arreares of the sallary of twenty six pounds eight shillings a yeare Due to the Governor from January Sessions last untill the eighteenth Day of Aprill following at which tyme . . . Burton Died, this table Doth thinke it very Reasonable hee should have the said arreares And doth order that [they] . . . shall be paid him accordingly by the present Governor of the house of Correccion out of the next sallary hee receives.

This table doth nominate and appoint Thomas Anderton of Walton in le Dale master and Governor of the house of Correccion at Preston and doth order and require [him] . . . to come to and live in the said house of Correccion to the end he may the better manage the affaires of the . . . house and performe the trust in him reposed And that he doe lay aside all other Employment and enter into Articles with three of the next Justices of peace as former Governors of the . . . house . . . have done for the due performance of his place.

Upon the voat of Building of New bridges within this County, it is unanimously resolved and agreed upon by this table that all New bridges built or to be built according to the late Act of parliament in that use provided at the charg of the County shall after they bee soe built manteyned and repaired by the particuler hundred or hundreds wherein they lye or shall bee built.¹⁶⁰

p. 82. Upon Complaint to this table that there are fower yeares in arreare of the yearly some of Forty shillings due out of this County unto the poore prisoners in the Marshalsey This Court doth require the severall and respective treasurers of the maymed soldiers of the severall hundreds of this County to pay unto the undersheriffe of this County their severall proporcions of the said moneys for fower yeares last past that the . . . undersheriffe may see the same payed into the Marshalsey and bring a sufficient acquittance for his discharg thereof.

1676

p. 83. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 21 August 1676.

Whereas at the generall quarter Sessions holden at Preston the sixt day of Aprill last upon informacion then given to the Court that the publike bridg called Werden bridg over the River of Douglas in the township of Croston within the hundred of Leyland in the kings highway betweene the marcat townes of Preston and Ormskirke which was presented to bee in great decay and that the same cold not bee repaired where now it standeth but that the same might bee taken downe and more conveniently sett in another place neare unto the place where now it standeth but would bee too great a charg to the hundred of Leyland to rebuild the same The court was then pleased upon consideracion thereof to give their consent that the said bridg shold bee rebuilt at the charg of the whole County Soe as it bee thereafter kept in repare at the Charge of the said hundred of Leyland and referred the same to Sir Peter Brooke, kt, Sir Edward Chisanhall kt, Thomas Wilson of Tunley and Richard Durneing of Bispham gent to view the same bridg and the place where the same may bee more conveniently rebuilt and to consider with workmen of skill and certifie to this table what they conceave fitt to bee granted for rebuilding thereof if the major part of the Justices now present doe give their consents that the same should be rebuilt at the Counties Charg. Now upon a reading of the certificate of the said gentlemen certifying that the same bridg is of a great concerne to the Cuntry and lyeth in a great roade and that the same cannot bee rebuilt under three hundred pounds This table upon consideracion thereof and of the great charg it would bee to the hundred of Leyland

to rebuild the same doe freely consent that the some of 300 li shall bee collected and gathered within the whole county according to the usuall rates for bridges And that the Justices of peace at the next quarter Sessions to bee holden for the hundred of Derby and Leyland doe issue out Roles for colleccion of the said moneys and name and appoint Supervisors of the said worke such as they shall thinke fitt Provided alwayes that the same bridg shall alwayes after the rebuilding thereof bee kept in repare at the Charg of the hundred of Leyland wherein it doth lye.

p. 84 blank.

1677

p. 85. Orders agreed by the J.P.s at the sheriff's table in assizes week, Thursday 5 April 1677.

Names of the High Constables

Loynsdall hundred

Robert Atkinson of Cark within Cartmell gent *Jur*

Richard Westmore of Midleton gent *Jur*

Amounderness hundred

John Welchman of Brockhall gent *Jur*

Thomas Hull of Thornewton gent *Jur*

Blackborne hundred

James Marsden of Tockholes gent *Jur*

Henry Hargreaves of Nabb gent *Jur*

Derby hundred

Lawrence Halliwell of Holland gent *Jur*

Peter Rigby of Latham gent *Jur*

John Sutton of Sutton gent *Jur*

Leyland hundred

Richard Smyth of Heskeine gent *Jur*

Thomas Sharrock of Brindle gent *Jur*

Salford hundred

John Crompton of Hackinge gent *Jur*

Thomas Vallentine of Bentley gent *Jur*

p. 86. Upon applicacion to this Table by John Garner, Christopher Clarkson and Thomas Baitson, masons, to be reimbursed and payed all such moneys as they have expended in defence of a suite brought against them by Mr Garforth, vicar of Lancaster, for getting of Stone (towards the repaire of Lancaster bridg) in a place belonging to the said Mr Garforth It is ordered that . . . Garner, . . . Clarkson and . . . Baitson shall give a particular account unto his Majesties Justices of peace at the next quarter Sessions of the peace to be holden at Lancaster of the cost and charges they have beene put unto in defence of the said suite And the said Justices are hereby desired to give their order for soe much money as upon their accounts shall appeare they have justly expended as afforesaid.

Whereas at the Sheriffs Table at Lancaster 21 August 1676 upon the petition of Ann Dewhurst it was ordered that Mr Daniell Chadock should pay unto

the said Ann the summe of ten pounds if soe much moneys were remaineing in his hands in satisfaccion of the earth, stones and gravell gotten in a tenement of the said Dewhurst for the repaire of Walton Copp And it being now showed that . . Mr Chadock hath fifty shillings in his hands, he is hereby ordered to pay the said fifty shillings to . . . Ann Dewhurst in parte of the said tenn pounds And whereas alsoe by a former order made at this table the summe of thirty two pounds nineteene shillings and one penny was deposited into the hands of Roger Kenyon, gent, Clerk of the peace for this County, which was parte of a tax layed for the repaire of Lancaster bridg It is hereby ordered that . . . Mr Kenyon shall at the next generall quarter Sessions of the peace to be houlden att (p.87) Preston give an account to his Majesties Justices of peace there how the . . moneys . . . is disbursed And . . Mr Kenyon is likewise ordered to pay unto . . . Ann Dewhurst . . . seaven pounds ten shillings, the remainder of the . . . ten pounds if upon the said account it appeare soe much to be in his hands.

It is ordered that the bridg called the hangeing bridg within the hundred of Leyland betwixt the Townships of Rufford and Croston be by consent of this board taken downe and rebuilt by the undertakers for Werden bridg at the charge of the said undertakers and not of the hundred and may be sett at the same or some more convenient neare place at the discretion and appointment of Sir Peter Brook and to be made broader and more convenient for the Cuntry; and the said undertakers to uphold it for seaven yeares because the workmen will have advantage of the stones to the use of the other new bridge to compensate their worke.

The moneys heretofore ordered at this table for erecting a bridg in Leyland hundred at Werden It is hereby ordered to be paid according to the said former order throughout the said County.

pp. 88-90 blank.

p. 91. [Memorandum]. To prepare a Roll for the bridge betwixt the 2 hundreds of Loynsdall and Amounderness, add to yt 10 li for Hornby bridge and nominate for it Adam Stores of Storrs gent and William Turner of Melling gent.

p. 92 blank.

1678

p. 93. Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 19 March 1678.

Names of the High Constables

Loynsdall hundred

Thomas Hulme of Parkhall within Quernmore South side of sands	<i>Jur</i>
*John Fox of Ellel gent	<i>mort.</i>
Robert Bursell of Roose gent North side of sands	<i>Jur</i>

Amounderness hundred

Henry Bewsley of Broughton gent	<i>Jur</i> 10 Oct 1678
*John Welchman	Continued
Thomas Anyon of Warbreck gent	<i>Jur</i>

Blackburne hundred

Evan Wilkinson of Blackburne gent *Jur*Richard Duerden of Hudhey gent *Jur*

Derby hundred

Thomas Fipp of Burtonwood gent Warrington division *Jur*

*William Hill of Burscough gent Ormskirk division

Mathew Gleave of West Derby gent Prescott division *Jur*William Barton of Tarlescove within Barscove gent *Jur*

Leyland hundred

Henry Garstang of Heapey gent *Jur*Robert Halliwell of Wrightington gent *Jur*

Salford hundred

Robert Illingworth of Manchester gent

Thomas Baskerville of Hollace in Spotland gent

p. 94. It is ordered by this table that the Common Gaole and Court in the Castle at Lancaster for the County of Lancashire bee repaired at the County's Charge and it referred to all the Justices of the peace within the hundred of Loynsdall or any three or more of them to compute and consider with workemen and report their opinions what the charge of the repair thereof may bee to the Justices of peace at the next Generall quarter Sessions through this County. And to this end the Justices of peace within . . . Loynsdall are desired to meete to view the . . . Castle on or before Monday the eight of Aprill next. And that thereupon the said Justices at their severall next Sessions through the County give such direccions for raising of moneys and for furthering of the . . . repaire as they shall thinke meete.¹⁶¹

p. 95. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 23 August 1678.

Two Fifteenes allowed thorow the County for repaire of Lancaster Gaole, Courts etc and Rolls to issue out accordingly.

Referred to the Justices of peace within the hundred of Loynsdale or any three of them to appoint such supervisors to see to the repaire of the . . . Gaole as they shall allow.¹⁶²

This table being informed that Edmund Hulme of Bolton (who was for severall misdemeanours turned out for [*sic*: from] executeing any office belonging to the quarter sessions) doth execute County arrests to the prejudice of the Baylies of the hundreds unto whom belongs properly the execution of such precepts this table thereupon doth recommend this matter of this Complaint to the High Sheriffe to regulate the execution of such precepts.

The Rolls and order concerning a new Bridg to be built at Ardwick is respited untill the next Sessions and further if the Justices then present shall thinke fitt.

Justices present.

Sir John Otway
Mr Christopher Parker
Mr Lightbowne
Sir Thomas Stringer

Mr Thomas Parker
Mr Wilkinson
Mr Serjeant Rigby
Mr Marsden

Mr Cole
Mr [Thomas] Greenehalgh
Mr Dodding
Mr [John] Risley

Mr Farrington
Mr Dobson
Mr Hulme of Davy Hulme
Mr Rigby of Layton

p. 96 blank.

1679

p. 97. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 25 August 1679.

Present

Sir Roger Bradshaigh Sheriff
Sir Jeffrey Shakerley kt
Sir John Otway kt
Edward Rigby Serjeant at Lawe
Thomas Preston esq
Alexander Rigby of Layton esq
Henry Farrington esq
Lawrence Rawstorne esq
Daniell Fleemeing esq
John Warren esq
William Kirkby esq
Thomas Bradill esq

Thomas Parker esq
Raph Livesay esq
Miles Dodding esq
Edward Wilson yonger esq
Edward Dobson esq
James Lightbowne esq
Thomas Cole esq
Thomas Butler esq
Christopher Wilkinson esq
Henry Marsden esq
William Hulme of Devy Hulme
Thomas Holden esq

Resolved by the table (*nemine contradicente*) that the Statute for puting the penall lawe against all manner of dissenters or loyterers for paying twelve pence a Sunday for there absence from the Church¹⁶³ shall bee put in effectual execucion and that it bee recommended to every Justice of peace of this County to signe his Resolucion to put the said Law (*quantum in se*) in execucion. And that the Justices in generall bee desired to certifie to every quarter Sessions their proceedings in that particuler from tyme to tyme. And it is alsoe the opinion and resolucion of all the Justices at this table that the Acts for suppressing unlawfull Conventicles upon pretence of Religion by what sort of dissenters soever, presbiterian or other, bee put in due and impartiall execucion.

[Signed by:]

John Risley
Edward Rigby
John Warren
Henry Farrington
Thomas Preston
Thomas Stringer
Lawrence Rawstorne
John Otway
Daniel Fleming

William Hilton
John Entwisle
Edward Dobson
James Lightbowne
William Kirkby
Alexander Rigby
Thomas Cole
Thomas Butler

Miles Dodding
Christopher Wilkinson
Thomas Holden
Thomas Braddyll
Henry Marsden
Ralph Livesay
Thomas Le[ver]
Christopher Parker

p. 98 blank.

p. 99. Ordered That the Churchwardens of every parish Church or parochial

Chappell shall once every month present to the next Justices of the peace a particular account and informacion of the weekly absence of every dissenter or Loyerers absence from the Church or Chappell. And it is by this Table humbly recomended to the Reverend Father in God, John Lord Bishop of Chester, to entreat his Lordship that the Minister of each parish Church and parochiall Chappell within this County may publish this order in their respective Churches and Chappells.¹⁶⁴

Ordered That the Justices at their next severall quarter Sessions be desired to order that all and every the high Constables, Treasurers, trustees, overseers and others in any way concerned in and about the erecting, building or repaireing County bridges or hundred bridges throughout the County be required as they have been intrusted with or about the Countyes money shall at the then next Sessions exhibit and give to the Justices at their respective next quarter Sessions of the peace a Just and perfect account of all the money paid to them or any of them wherein they have been entrusted at any time within seven yeares last such and in such manner as they will owne upon their oathes. And that every person soe intrusted, their Executors or Administrators, shall make payment of all such moneyes as is not and hath not been duely answered to the ends for which the same was raised to such person or persons as shall be ordered to receive the same by the Justices at the Sessions to whom they are ordered to Account. And that the Clerke of the peace shall inspect the Rolls and orders heretofore within the time of seaven yeares and Certify to the Justices What Bridges have been ordered to be built or repaired, what summes granted for the same, what persons, treasurers, trustees or receivers of such moneys, and soe methodize such his Certificate that charges may be given to each Receiver of the Cuntries money by order from the Quarter Sessions for building or repaireing bridges in this County for seaven yeares last.

p. 100 blank.

1680

p. 101. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 26 March 1680.¹⁶⁵

Ordered that the moneys first ordered to be paid for repaire of the Gaole, Castle and offices therein be according to the former order of this table in August 1678 paid into the hands of Mr Henry Johnes of Lancaster for the perfect repaire of the Castle, the gentlemen intrusted to give an account of the repaires at the next Assizes, the charge for drawing the lease to be out of the moneys allowed.¹⁶⁶

p. 102.

Names of the High Constables

Loynsdall hundred

Richard Fox continued

John Robinson of Newbybridg end gent

Amounderness hundred¹⁶⁷

William Townsend

Robert Midgall of Goosnargh gent [Endorsed: spared [at] quarter sessions.]

William Townsend of Weeton gent *Jur*

Leyland hundred

William Euxton of Leyland *Jur*Richard Withnell of Euxton *Jur*

Blackburne hundred

Emor Rishton of Accrington gent *Jur*William Cross of Over Darwen gent *Jur*

Salford hundred

Mathew Hollowes of Ratchdale gent *Jur*Henry Goulborne of Pilkington gent *Jur*

Derby hundred

William Dickinson of Allerton gent *Jur*Henry Moore of Hoskyne gent *Jur*Thomas Naylor of Deane gent *Jur*

p. 103. Forasmuch as Complaint is made to this table that the money payable out of this County unto the Marshallsey for the releefe of the poore prisoners there According to the Statute of the three and fortith yeare of Queen Elizabeth, being forty shillings a yeare, is for fower yeares in arreare and another yeare growing due.¹⁶⁸ It is therefore ordered by this Table that the somme of nyneteene shillings and Eleven pence shall be forthwith by the present high Constables Collected and gathered within the hundred of Blackborne being their porcionable shares of the said somme of 40s. per annum for five yeares And make payment thereof att the next quarter Sessions to Mr Thomas Hodgkinson of Preston late Under Sheriffe who is to see the same paid into the said Marshallsey and to receive acquittance for the same. The same order for the rest of the hundreds, *mutatis mutandis*.

li

Salford hundred 2 - 2 - 3

Leyland hundred 0 - 19 - 4

Amounderness hundred 1 - 13 - 1

Loynsdall hundred 2 - 4 - 8

Derby hundred 2 - 6 - 8

p. 104 blank.

p. 105. Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 24 August 1680.¹⁶⁹

Yt is the opinion and agreement of this table that the estreats of all forfeited Recognizances of popish Recusants be signed by all the Justices of peace that were at the severall Sessions before whom the said Recognizances were defaulted and that the Clerk of the peace doth tender or Cause to be tendred to the said Justices that were at the said severall Sessions to signe them accordingly.¹⁷⁰

p. 106 blank.

1681

p. 107. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 18 March 1681.

High Constables

Loynsdall hundred

William Asburner of Great Erswick gent *Jur*Edward Harrison of Ellel gent *Jur*

Amounderness hundred

Thomas Smith of Stalmyne gent

John Mercer of Goosnargh gent

Blackborne hundred

Andrew Dandy of Walton in le Dale gent *Jur*Ambrose Barcroft of Foulderidg gent¹⁷¹ *Jur*

Leyland hundred

John Woodcock of Cuerden gent

John Foster of Charnock Richard gent

Derby hundred

Richard Morres of Newton gent

*James Lawe of Lawton gent

John Mullineux of the Copie gent

James Plumptre of Widnes with Appleton gent

Salford hundred

Robert Hopkin of Asheton parish gent

John Johnson of West Haughton gent

It is agreed and ordered by this table that the high Constables of the severall hundreds of this County who have not payed in the moneys for repaire of Lancaster Castle beeing the County Gaole shall at the next Quarter Sessions pay in all the money they have received for the repaire of the said Castle, in the mean tyme [they] shall Collect and gather in the remander according to former orders.¹⁷² and if any person or place refuse or neglect to pay their proporcionable part thereof then the . . high Constables are to give account of the refusers at the . . Sessions that order may be taken for the levying of the same; and it is further ordered that the . . present high Constables shall not be discharged of their office till they have fully performed this order.

p. 108. This table beeing given to understand that the kings highway called Walton Cop adjoyneing to Ribble bridge beeing within the township of Walton in the hundred of Blackborne in the said County as alsoe the said bridge are greatly decayed and in want of repaire And that the . . Cop and bridg have beene usually repaired at the Charg of the whole County yt is by this board thought fitt and reasonable that the . . bridg and Cop bee as usually they have beene repaired at the charg of the whole County of Lancaster And it is recommended to the Justices of peace at the next quarter Sessions to bee holden at Preston for the said County to order that the decayes of . . bridg and Cop bee presented And that there upon such reasonable summe for the repaire thereof be allowed as the said Court shall thinke necessary and fitt and Such supervisors and treasurers for the same bee appointed as the . . Justices shall nominate And that the . . Justices will please to issue Rolls into every hundred of this County for the same accordingly.¹⁷³

p. 109. An order agreed by the J.P.s at the sheriff's table in assizes week, Saturday 13 August 1681.¹⁷⁴

Yt is the desire of this table that Baron Gregorie bee desired to give his opinion what to doe with those that have not payed to Lancaster Castle and his authority to reinforce the payment thereof.

Present

Lawrence Rawstorne high Sheriffe
Sir Thomas Stringer kt
Thomas Preston esq
Miles Dodding esq
William Hulme esq
Thomas Lever esq

Sir Roger Bradshaigh kt and bt
Thomas Greenhalgh esq
Henry Farrington esq
William Kirkby esq
James Lightbowne esq

p. 110 blank.

1682

p. 111. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 27 March 1682.

High Constables

Loynsdall hundred

Richard Johnes of Caiton gent
Josias Hird of Park gent

Amounderness hundred

James Taylor of Goosenargh gent *Jur* 27 April 1682

*John Bonny of Warbreck gent

William Carter of Presall with Hackensall gent *Jur*

Blackborne hundred

Nicholas Duxbury of Hayhouses gent¹⁷⁵ *Jur*

Joseph Sharples of Blackborne gent *Jur*

Leyland hundred

Edward Brettargh of Duxbury gent

John Whittle of Longton gent

Derby hundred

Peter Worthington of Hindley gent

William Woods of Sutton gent

Lawrence Lea of Maghull gent

Salford hundred

James Ratcliffe of Manchester gent

Richard Lomax of Bury gent

Ordered by this table that the high constables take out copies of the Judges warrant for Lancaster Castle and to levy the moneys according to the said warrant and to make payment thereof before the next Sessions or then to continue and Indytments to bee preferred against them.

p. 112. The Overseers of Lancaster bridg to give an account next Sessions and Mr Henry Johnes, maior of Lancaster, and Mr Thomas Simpson of Torrisholme, Mr William Penny of Lancaster and Mr John Cawson of Cockeram to view and Certefie next Sessions and the Court to allowe what they conceive.

Ytt is ordered by this table that the persons that were last nominated and appointed Supervisors of Lancaster bridg shall, haveing notice hereof, make there accounts of what moneys they received for repaire of the said bridg and to whom and how disbursed, unto the Justices of peace at the next quarter Sessions to bee holden at Lancaster and this Court doth desire Mr Henry Johnes, Maior of Lancaster, Mr Thomas Simpson of Torrisholme, Mr William Penny of Lancaster and Mr John Cawson of Cockeram to appoint some convenient tyme and take with them workemen of skill and view the same bridg and certifie the said Justices what they conceave will be sufficient for the repaire of the . . bridg that an assessment may then bee made for repaire thereof.

This table doth recommend the petition of Margaret Williamson, widow, on the behalf of John Williamson her son unto the Justices of peace at the next quarter Sessions to bee held at Preston, Ormskirke and Manchester to grant her theire order of Recomendacion to receive the Charity of all well disposed Cristians within their severall hundreds.

1683

p. 113. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 23 March 1683.¹⁷⁶

High Constables appointed for

Loynsdall hundred

John Roskell of Welton howe gent }
Richard Thornton of Litledale gent } *Jur* 17 April 1683

Amounderness hundred

John Corles of Forton gent *Jur*

John Bonny of Warbrecke *Jur*

*William Whalley of Broughton gent

Blackborne hundred

Robert Read of Aighton Bayley and Chiderley gent *Jur*

*William Rishton of Jack houses gent

John Sager of Coulte clough gent

Leyland hundred

John Sharples of Eccleston gent }
John Atherton of Leyland gent } *Jur*
*John Rigby of Atherton gent }

Derby hundred

Richard Norres of West Derby gent

Raph Tyrer of Scarisbrick gent

John Rigby of Atherton gent

Salford hundred

Alexander Davie of Salford gent

William Wilson of Popithorne gent

p. 114. Ordered that fower hundred pounds bee allowed and collected within the County for repaire of Rible bridg and finishing of Walton Cop and to bee

paid to Richard Ashton esq, Mr Thomas Hodgkinson, Mr Thomas Winckley and Mr William Leaman who are appointed treasurers of the said money who are to disburse the same according to the direccion of Henry Farington esq, Christopher Parker esq, and Raph Livesay esq, and that the Clerke of the peace shall issue out Roules for the colleccion of the said moneys.¹⁷⁷

Agreed that William Tomlinson is a fitt person to succeed and bee master and governor of the house of Correccion at Preston upon the next avoydance And forasmuch as severall Complaints have beene made against the present governor, Thomas Anderton, and that he is represented as an unfitt and falty person in severall respects and particuler by his non residence Yt is agreed and ordered that at the next meeting of the Justices at the Sheriffes table at the next Assyses the Matter of his failtyr¹⁷⁸ and unfitness shall bee reported and considered and if he bee found falty to remove him And from this tyme his non residence shall bee a fault sufficient if there bee noe other.

p. 115. Agreed and ordered that Lancaster Castle ought to bee repaired for the Countys use as the kings prison, shirehall and at the Charg of the whole County And that what remaynes in arreare in any hundred of the summe of six hundred pounds and upwards vitz two Fifteens thorow this County heretofore allowed and as yet uncollected or unpaid after the next quarter Sessions bee furthwith levyed and payed to the treasurer Mr Henry Johnes by the present high Constables And that the said high constables at the next Sessions have the Justices warrant each in their particuler hundred where such arreares bee for Levying the same accordingly.

[Signed by:]

Thomas Legh	Ralph Livesay	Miles Dodding
high sheriff	Richard Legh	Christopher Parker
William Hilton	Thomas Butler	Edward Dobson
James Lightbowne	Henry Farington	Thomas Lever
Richard Standish	Edward Rigby	John Entwisle
Thomas Cole	Thomas Preston	Thomas Holden
Daniel Fleming		

p. 116. Resolved by this table that the Statutes for putting the penall lawes against all mannor of dissenters or absentors from the Church for paying xijd. a Sunday for their absence from the Church and that the Acts for suppressinge unlawfull and sedicious conventicles upon pretence of religion by every sort of dissenter from the Church of England And the Oxford Act for restraining non conformist ministers for [*sic*: from] comeing into Corporacions or Burrowes or within five miles of the place where they were removed for their non conformity shall bee put in effectual execucion by us and recommended to every other Justice of the peace of this County to bee impartially presented in all places And that to this purpose the said Justices doe agree each within their particuler divisions to meete once every three weeks to keepe a privy sessions or meeting to bee attended by the parish officers and pettie Constables who shall bee strictly enjoyned to Attend the said Justices and to present every offendor against each of the said Lawes.¹⁷⁹

And alsoe whereas the shire halls prisons and other places in the Castle of

Lancaster are still out of Repaire and that besides the Arreares before mentioned which are in some parts not yet payed in of the last allowance for repaire thereof there will need the further summe of two hundred pounds it is Agreed and ordered that the other two hundred pounds bee furthwith Collected and gathered and paied to the hands of Mr Henry Johnes of Lancaster, treasurer formerly appointed for the money for the repaire of the said Castle by him to bee paid and disbursed according to the direccion of the Justices of the peace of the hundred of Loynsdall or any three of them who are desired to consider of and agree for the repaires thereof and appoint such as they thinke fitt to bee employed in the said worke.¹⁸⁰

p. 117. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 27 August 1683.

Upon Mr Hodgkinson informeinge of this Table that as to the Repaire of Ribble Bridge hee and the persons intrusted to see Ribble Bridg repaired do find that the great stress of the water Lyes upon one Arch more then all the rest and doth and will endanger the same unlesse cavles [*sic*: canals] bee made in the Lord Mollyneux land to avert the excesse of the streame from that Arch and that an order at the last Sheriffes table was only for repaire of the bridg and Cop and not extensive enough for the Supervisors to lay out the Counties moneys to doe without their more particuler warrant for that thing or more generall order to doe all things tending to the well doing of this worke And further there is six or seaven yards of a wing wall wanting in the north side of the said bridg and likewise that a considerall part of the said Cop already repaired within the supervisors Judgment shold be taken up and new layed This bord in all the respects before specified think fitt that all the matters before mencioned be referred to the discrecion of the said supervisors on whom this bord doth repose confidence to see the Cuntries moneys best employed to the purposes intended.

pp. 118 and 119 blank.

p. 120. Ordered that the order made at the Sheriffes table at the last Assyses for puting the Statutes in execucion for punishing absentors from the Church, unlawfull conventiclors, non conformist ministers from comeing into Corporacions or Burrows or within five miles of the place or place where they were removed for their non conformity as alsoe from popish or [non] conformeing schoolemasters or schoole mistresses or tablers bee renewed and in Apt words at larg ordered that every parochiall officer doe his dutie and give constant accounts to the Justices at their [three] week meeteinge for this purpose according to the said order.

Ordered by this table that warrants issue out against the high Constables that have not payed in the moneys first allowed for repair of Lancaster Castle to give an account at the next Sessions who are in arrear of that money and the Justices at the said Sessions in their severall divisions are desired to issue out their warrants for colleccion of the said arreares and payment thereof unto Mr Henry Johnes of Lancaster who is appointed treasurer of the said moneys.

pp. 121 and 122 blank.

1684

p. 123. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 15 March 1684.

High Constables

Loynsdall hundred

George Taylor of Lendin gent *Jur* 8 April 1684

John Berry [the] younger of Caton gent *Jur* 8 April 1684

Amounderness hundred

William Worthington of Weeton gent *Jur*

John Duddall of Woodplumpton gent

Blackburne hundred

James Hey of Wainegate gent *Jur*

Thomas Clayton of Walton gent *Jur*

Darby hundred

John Shaw of Scaresbrick gent *Jur* 15 April 1684

Thomas Broughton of Woolton gent *Jur* 15 April 1684

James Leyland of Ince in Makerfield gent *Jur* 15 April 1684

Leyland hundred

Hugh Ashton of Bispham gent *Jur* 15 April 1684

John Hodgson of Euxton gent *Jur* 15 April 1684

Salford hundred

Thomas Shaw of Manchester gent *Jur* 17 April

Jonathan Pickford of Ashton under Lyne gent *Jur* 17 April

p. 124. Ordered by this table that such of the high Constables within this County as doe not pay at or before the severall and respective Sessions after Easter next the moneys allowed for repaire of Lancaster Castle shall continue in their offices till they make payment thereof.

It is ordered by this table that the accounts now delivered in by Mr Thomas Winckley of the moneys disbursed about the repaire of Ribble bridg and Cop be certified and shown to the Justices of peace at the respective Sessions after Easter next.

Resolved by this table that the Statutes against dissenters from the Church upon 12d. a Sunday as alsoe upon 20 li a month shall be put in Execucion.¹⁸¹ And that the Justices of peace within this County doe bind over Quakers to the then next Sessions and to be of good behaviour and to be proceeded against as Ryoters.

Upon reading a letter directed to Mr high Sheriffe from the right honorable the Lords Cardigan, Morley and Mouteagle and Brudenell to informe the Sheriffe and all the Justices of the peace at their meeting at this table of the fall of the great woodbridge called Horneby bridg and of the great necessity of the new erecting of a stone bridge in that place which in regard of the greatnes of the charge their Lordships doe desire the whole County may be assessed to it On consideracion whereof it is desired by the Justices of peace here present that the Justices resident within the hundred of Loynsdall will before or at the next Quarter Sessions to be held at Lancaster please to informe themselves of the charge and necessity of erecting such a new bridg there (p.125) and communicate their opinions therein to the Justices of peace at their other Quarter

Sessions thorow the whole County that thereupon the severall results of all the Justices at the severall Sessions may be imparted to one another and agree what order may fitly be made in that behalfe.¹⁸²

p. 126 blank.

p. 127. [Fragment of page only] At a generall meeteing of the high Sheriff and of his Majesties Justices of the peace of the County pallatine of Lancaster at the Sheriffes table in the assizes weeke upon Monday the 10th August 1684.

Present:

Thomas Legh esq, High Sheriffe
Sir Raph Ashton bt
Sir William Pennington bt
Sir Roger Bradshaigh kt and bt
Sir Thomas Stringer kt
Sir Daniel Fleemeing kt
Richard Legh esq
Thomas Preston esq
Roger Kirkby esq

Henry Farrington esq
Edward Downe esq
William Kirkby esq
Christopher Parker esq
William Hulme esq
James Lightbowne esq
Henry Marsden esq
Roger Moore esq

p. 128 blank.

1685

p. 129. Orders agreed by the J.P.s at the sheriff's table in assizes week, Saturday 29 August 1685.

Question

Whether any Ovens in Inns or Alehouses that only bake bread for their famelies and guests and take noe payment for their baking bee Chargable with the dutye of Harth money as publicke ovens.

The opinion of this table is they are not Chargable with the said duty of harth money, not beeing publick ovens.

Question

Whether Chimnies in Lancaster Castle aswell the Gaole as offices bee Chargable with the said duty of Harth money and who to bee Charged with the duty.

The opinion of this table is that all the harths in the said Castle are lyable to pay And the parties severally possessed thereof to pay for such as they respectively possessed of.

Present

Mr High Sheriffe [Peter Shakerley, esq]
Lord Morley
Sir Roger Bradshaigh kt and bt
Sir William Penington kt
Thomas Preston esq
Henry Farrington esq

Roger Kirkby esq
Edward Osbaldeston esq
Lawrence Rawstorne esq
Alexander Rigby of Layton esq
Alexander Butterworth esq
Curwen Rawlinson esq
Thomas Holden esq

Roger Moore esq
Mr John Kellet, Mayor of Preston

Raph Longworth esq

p. 130. This table being informed that Thomas Anderton, governor of the house of Correccion is very infirme and not likely to live a long [time], upon readeing of a former order made at a generall meeteing [of] his Majesties Justices of the peace and Quorum within the . . County [of] Lancaster in the assize week, on Friday the 23 March 1683 made by Thomas Legh esq, high sheriffe [and the seventeen J.P.s listed on p. 115 of QSV/11/2] whereby it was agreed that Mr [William] Tomlinson is a fitt person to succeed and be master and Governor [of] the house of Correccion at Preston upon the next avoyda[nce] And that if Anderton were not resident or misbehaved, Mr Tom[linson] to come in the place upon consideracion of the said order [and] agreement this table aggreeing that Mr William Tomlinson is [a] fitt person to succeed in the said place if the said Thomas And[erton] happen to dye, the said order of the 23th March 1682[-3] is [in] all things confirmed by this table And the said . . Tomlinson to succeed Thomas Anderton in the said place upon Andertons avoydance by death or otherwise And to bee upon such avoydance forthwith placed there by some 2 or more neighbouring Justices of the peace who are desired to see t[hat] . . . Tomlinson seale such articles and Covenants as his predecessors, Governors of the said house of correccion, have usually done for their good government there.

1686

p. 131. An order agreed by the J.P.s at the sheriff's table in assizes week, Monday 22 March 1686.

High Constables

Loynsdale hundred

Thomas Fletcher of Highfeild gent }
Thomas England of Bigland gent } *Jur* 13 April

Amounderness hundred

Richard Crosse of Barton gent }
Richard Faile of Singleton gent } *Jur* 15 April 1686

Blackburne hundred

Henry Ramsbotham of Laneside gent }
Thomas Haworth of Lawerden gent } *Jur* 15 April 1686

Derby hundred

James Scott of Dalton gent }
Raph Taylor of Darby gent } *Jur* 19 April 1686
Henry Aspinwall of Lideat gent }

Leyland hundred

Thomas Walch of Farrington gent }
William Rigby of Great Adlington gent } *Jur* 19 April 1686

Salford hundred

John Ouldfield of Manchester gent }
John Brearley of Ratchdall gent } *Jur* 22 April 1686

p. 132 blank.

p. 133. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 21 August 1686.

Upon retorne to this table of the Freehold booke made by the Clerk of the peace upon the presentments of the severall pettie Constables within the severall hundreds in this County it did appeare to this table upon examinacion of the same that in severall townes of this County the pettie Constables had omitted severall Freeholders that were under the yearly value of five pounds whereas it was and now is the opinion of this table that the pettie Constables of the severall townes of this County ought to have returned every man that hath any freehold estate of the yearly value of Fortie shillings or above And therefore this table doth againe order the present high constables of the severall hundreds of this County furthwith upon receipt hereof to send out their precepts to all and every the pettie Constables and other sworne officers within their severall divisions to make presentment faire written in paper of all the names and surnames and places of aboad of every Freeholder within his division of the yearly value of Fortie shillings or above and the same to deliver to the Justices of the peace at their next quarter Sessions of the peace to bee holden after Christmas next that a true freehold booke may bee made thorow this County.

p. 134. Whereas different opinions are given aboute the first paragraph that revives the late Act of the 14th of Charles II chapter 12 entituled an Act for the better releeffe of the poore of this Kingdom that every poore person within this County of Lancaster bee provided, mainteyned and set on work within the townshipp or villag wherein he, she or they shall inhabit etc.¹⁸³

By the late Act that Revives this lawe it is provided that the 40 dayes continuance of such poore persons in a parish intended by the Act to make a settlement shall bee accounted from the tyme of notice in writing of the house of his or her aboade and the number of his or her famely (if he or she have any) to one of the Churchwardens or Overseers of the poore of the said parish to which the[y] shall soe remove.

Now this giveing of Notice seemes only to concerne the house houlders and whether the sojourner, the servant or apprentice bee to give notice or may gaine a settlement without such notice is contraverted by the Justices And Mr High Sheriffe is intreated to Ask their Lordshipps direccion therein which will bee a Rule to all the Justices.¹⁸⁴

Ordered that Mr Johnes give an account to the Justices of peace at their next quarter Sessions held for this County of what moneys are in arreare in every hundred of this County which was granted for repaire of Lancaster Castle.

Justices present at this table¹⁸⁵

Peter Shakerley esq, high Sheriffe
Sir Richard Atherton kt
Thomas Preston esq
Roger Kirkby esq
Henry Farington esq

Christopher Parker esq
John Hartley esq
Roger Moore esq
Raph Longworth esq

1687

p. 135. Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 22 March 1687.

High Constables appointed for

Loynsdall hundred

Richard Jackson of Warton gent
Thomas Bancks of North end gent } *Jur* 5 April 1687

Amounderness hundred

John Bradshawe of Preesall gent
James Raby of Tarniker gent } *Jur* 7 April 1687

Blackborne hundred

William Emmett of Emmett gent
Lawrence Osbaldeston of Osbaldeston gent } *Jur* 7 April 1687

Leyland hundred

James Walton of Hoghwick gent
Thomas Taylor junior of Standish } *Jur* 11 April 1687

Derby hundred

John Davidson of Hyton gent
George Sorocold of Croft gent
James Worthington of Scaresbrick gent } *Jur ut supra*

Salford hundred¹⁸⁶

Mathew Bootle of Manchester gent *Jur*
Robert Roscoe of Bolton *Jur*

p. 136 blank.

p. 137. Orders agreed by the J.P.s at the sheriff's table in assizes week, Saturday 13 August 1687.¹⁸⁷

Present:

William Spencer esq, high Sheriffe	Robert Dalton esq
The right Honorable Thomas Lord	Alexander Rigby esq
Morley and Mounteagle	William Walmesley esq
Sir William Gerard bt	Christopher Carus esq
Sir Thomas Clifton bt	George Leyburne esq
Sir Charles Anderton bt	Thomas Parker esq
Sir Daniel Fleemeing kt	Henry Butler esq
William Molineux esq	Thomas Stanley esq
Richard Townely esq	Edward Ogle esq
William Standish esq	Stephen Husbands esq
Thomas Tildesley esq	

nineteen of his Majesties Justices of the peace for this County.

Forasmuch as some of the Justices of the peace of this County at the Court of Quarter Sessions holden by adjournment at severall times and places in and for this County have sometimes been divided in opinions about the words reviving the late law of the 14th yeare of King Charles the second about Settlements of the poor and particularly whether servants without giving notice in writing to the overseers of the poor or Churchwardens shall gaine a settle-

ment by 40 dayes residence undisturbed by Complaint of overseers made to some Justice of the peace pursuant to [the] said Act Upon consideracion thereof It is the declared opinion of the Justices present that a servant to any person [of] an estate of 10 li per annum or above after 40 dayes n[ot] complained of residence, though he or she give no notice in writeing, gaines a good settlement according to that law.¹⁸⁸

p. 138. His Majesties Justices of the peace here present on consideracion [of] the Loyaltie and good services of Captaine Jonathan Kitchen, now aged, [and] minded to shew him kindness by conferring upon him any advantagouse office or place in their power fitt for his management if any such now voyd could be proposed, but none being thought on, some of the said Justices namely Sir Thomas Clifton, Sir Charles Anderton, Sir Daniel Fleeming, Richard Townley esq, Thomas Tildesley esq, Robert Dalton esq, Alexander Rigby esq, William Walmesley esq, Thomas Carus esq, George Leyburne esq, Thomas Parker esq, Thomas Stanley esq, Henry Butler esq, and Stephen Husbands esq, do freely bestow and give to the said Captain Kitchin full power to demand and receive as their gift to dispose of to his use all the wages due accordeing to the statutes to them and each of them respectively as Justices of the peace of the County of Lancaster for this next ensuing yeare.¹⁸⁹

Upon the petition of Captain Jonathan Kitchin shewing that he is an active loyall man serviceable to the King and all his leige people, that he formerly had the votes of severall discreet worthy persons for placeing him in the office of Master of the house of correccion and it being overvoted but by one It was decreed by the bench that after the death of Thomas Anderton then elected Master that the petitioner should succeed but the decree and order was not accordeingly pursued for the place was after Mr Andertons death ordered to William Tomlinson the present Governor The petitioner prayes the Justices further consideracion of it, and petitions to have the place or a moyetie thereof as a Sharer with Governor Tomlinson whereupon the Justices demanding of Mr Kitchin to produce such pretended decree or order But none such being shewd or remembred, the Justices demanded to see the late orders Thereupon made which being produced and read for conferring the place upon Mr Tomlinson made by all the Justices of the peace at the Sheriffes table in Mr Leghs (p.139) Sherifalty and againe confirmed by all the Justices of the peace at the Sheriffes table in Mr Shakerley Shrievaltie the Justices of peace at this table present do in all things confirme the said former orders for Mr Tomlinson to be continued without any deduction or diminution of his sallary, he behaving himselfe according to the duty of his place.¹⁹⁰

p. 140 blank.

1688

p. 141. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 23 March 1688.¹⁹¹

High Constables

Loynsdall hundred

Thomas Chapman of Boweth gent

John Cawson of Norbrecke gent¹⁹²

Amounderness hundred	
Lawrence Cottam of Claughton gent	} <i>Jur</i> 26 April 1688
William Faile of Thornton gent	
Blackborne hundred	
Raph Marsden of Over Darwen gent	} <i>Jur</i> 26 April 1688
Edmund Cockshut of Simonston gent	
Leyland hundred	
John Sumner of Leyland gent	} [<i>Jur</i>] 30 April
John Halliwell of Wrightington gent	
Derby hundred	
Hugh Holme of Upholland gent	} [<i>Jur</i>] 30 April
William Barrowe of Halewood gent	
William Baron of the Edg gent	
Salford hundred	
Henry Dicconson of Salford gent	} <i>Jur</i> 3 May
*Samuell Bamford of Bamford gent	
James Crompton of Brightmett gent	

p. 142. [Present:]

William Spencer esq, high Sheriffe	Edward Osbaldeston esq
The right honorable Thomas Lord	Thomas Bradyll esq
Morley and Mounteagle	Christopher Carus esq
William Molineux esq	George Leyburne esq
Sir Thomas Clifton bt	Gabriel Croft esq
Roger Kirkby esq	Thomas Brabin esq
Richard Townley esq	Edward Ogle esq
William Standish esq	Stephen Alcock esq
Thomas Tildesley esq	Stephen Husband esq
Robert Dalton esq	William Anderton esq

eighteen of his Majesties Justices of the peace of the . . county.

Whereas at the generall meeteing of the Justices of the peace at the sheriffes table 13th of August last It was the declared opinion of the said Justices then there present that a servant to any person (of an estate of 10 li per annum or above) after 40 dayes uncomplained of residence though he or she give no notice in writeing gaines a good settlement accordeing to the act of 14 Charles II notwithstanding any words in the late act for reviving that lawe.¹⁹³ Since which time the Justices of the peace at their Courts of Quarter Sessions upon further consideration of that and other matters relateing to settlements of the poor did rerefer the same to the generall meeteing of the Justices at this board who have thought fitt to crave the Judges opinion whether the words in the act for revivall of the late lawe about settlements of the poor, that notice in writeing shall be given to an overseer of the poor, do extend to servant, sojourner or apprentice or but to such as come in with families or farmers which take not 10 li per annum And whether such notice shall be given by servants, apprentices or sojourners that come to live with such as have not 10 li per annum, And Sir Edward Luttag¹⁹⁴ and Sir Thomas Powell now Judges of Assize at Lancaster, being accordeingly consulted by severall of the said Justices upon these questions do direct (p.143) That the notice appointed by the reviving act

relates not to servants or apprentices but cheefely if not onely to farmers and such as come in with families, that there may be some more reason for sojourners to be held to it, if thereby it appears they had a secret intent to gaine a settlement but in their and all other cases a fraud appeareing and a combinacion betwixt such as so come in and such as so receive them the fraud shall avoid the deceitfull practices; otherwise Whether the coming to be a man that hath 10 li per annum or under makes no difference for a poor man may take ann apprentice and may keepe a servant very lawfully and such by residence for 40 dayes will be legally settled if the circumspection and timely complaints of the overseers doe not prevent.¹⁹⁵

His Majesties Justices of the peace at this board observing by Mr Justice Luttage his charge that the statute of the 43rd of the Queen¹⁹⁶ which directs the bindeing out of poor children apprentices by the care and consideracion of the overseers of the poor and allowance of the Justices doth (notwithstanding some Judges have been of contrary opinion) undoubtedly by implicacion give a power to the Justices to compell persons thought fitt to take such poor children apprentices under a penalty to be imposed by discretion of the Justices upon such maisters or mistresses as are as aforesaid appointed and refuse to take them And upon further consideracion of this matter with the said Edward Luttage and Sir Thomas Powell, the present Judges, by some of the Justices of the peace on behalfe of themselves and the rest of the Justices being confirmed that they have such authority to bind out apprentices and compell fitt maisters or mistresses to take them and fully satisfied that it will much tend to lessen the numbers of the poor and conduce greatly to the ease and benefitt of the Country It is therefore the unanimouse agreement of all the Justices present and by them recommended to all other Justices throughout this County to observe the same accordeingly And it was earnestly recomended by Mr Justice Luttage to all the Justices of the peace that their care should be to have the poor provided for that they should not need nor be permitted to wander and beg abroad as they now doe to the great reproach of the Country which the said Justices do resolve to reforme or punish as well the remiss overseers as the vagabond that will not be reclaimed.¹⁹⁷

p. 144. Forasmuch as the summe of Forty shillings a yeare is payable out of this County to the Marshalsey at London for the releeffe of the poore prisoners there And that there is eight pounds run in arreare for fower yeares last past for which the high sheriffe hath (as this table [has] beene informed) beene taken into Custody and hath only gotten tyme till the first day of the next tearme for payment thereof Yt is therefore ordered by this table that the summe of thirtie eight shillings two pence be furthwith collected and gathered within the hundred of Salford by the now high Constables of the same hundred and by them payed over to Mr High Sheriffe or his under Sheriffe towards the discharging of the said summe of eight pounds . . . and of two shillings eight pence which the Sheriff must pay for each years acquittance and 2s. the Fee for this order.

	li
for Leyland hundred	0 - 16 - 6
for Derby hundred	2 - 2 - 0

for Amounderness hundred	1 - 8 - 6
for Blackburne hundred	0 - 18 - 4
for Loynsdall hundred	2 - 0 - 1
	<hr/>
	9 - 3 - 7

p. 145. Orders agreed by the J.P.s at the sheriff's table in assizes week, Friday 31 August 1688.

Whereas at the last quarter Sessions holden at Manchester the 19th day of July last past the Common and publick bridg comonly called Clayton Mill bridg lying over the River Medlock betweene the marcat townes of Ratchdall in the County of Lancaster and Stepford¹⁹⁸ in the County of Chester was presented to bee verie ruinous and in great decay Whereupon the said Court of quarter Sessions, for repaire thereof, granted and allowed the sume of xxv li to be Collected within the hundred of Salford and ordered that a Role shold issue out to the high constables of the same hundred for colleccion and payment thereof to Oswald Mosley esq, William Stopford and Raph Stopford gents whom the said Court appointed Overseers of the said bridg and accordingly a Role did issue out under the hands and seales of fower of his Majesties Justices of the peace of this County to the . . high Constables for Colleccion and payment . . . Now upon heareing of Reginald Britland esq, Councillor at Lawe, informeing this table that upon some pretence the said high constables refuse to pay the said moneys (though they have Collected the most part of it) to the said supervisors who have layd out much money of their owne in buying of timber and other necessaries towards the rebuilding of the same bridg which is now fallen downe and wold have finished the same this summer if the said moneys had beene payed unto them And thereupon prayed that the high constables might be ordered furthwith to pay the . . moneys to the . . supervisors that the . . bridg may bee furthwith rebuilt: whereupon this table takinge the same into consideracion doth order and strictly require the . . high constables furthwith upon sight hereof to pay unto the . . supervisors all the moneys by them collected and furthwith to collect levy and gather the remainder according to the said Role and make speedy payment thereof to the . . supervisors that they may furthwith rebuild the . . bridg therewith if possibly they can.

1689

p. 146. Orders agreed by the J.P.s at the sheriff's table in assizes week, Saturday 24 August 1689.¹⁹⁹

Upon heareinge of Christopher Greenfield esq Councillor at law on behalfe of William Tomlinson, late actuall Governor of the house of Correccion at Preston, shewing on the said Tomlinsons behalfe that whereas upon an order made the 4th of June last²⁰⁰ . . Tomlinson was ousted of his . . place and that for the faults which he stood charged with for which he was ousted an indictment had been at this assizes preferred against him to the grand Jury upon which inditment after examinacion of his charges and what the witnesses said

to it the . . . Jury had brought in an Ignoramus And the said Councell moveing that therefore . . . Tomlinson might be restored and resettled in his . . . place this board thereupon and upon reading of severall former orders heretofore made at the Sheriffes table at Lancaster for settleing . . . Tomlinson in that place in the Shrevaltie of 2 or 3 former Sheriffes at a great appearance of the then Justices As also upon readeing the last mencioned order of the 4th of June subscribed by 16 of their Majesties Justices of the peace of which number the Major part now present the said order declareing that . . . Tomlinson for the reasons therein mencioned was at the makeing thereof in custody and then actually removed from the said place and that John Willacy of Preston was elected (p.147) and appointed to be governor in the roome of Tomlinson till further order on consideracion of the whole matter The question being putt whether William Tomlinson be a fitt person to be and continue governor of the . . . house of correccion the Noes were John Birch esq, High sheriffe, Thomas Rigby, Thomas Patten, Roger Moore, John Fenwick, Ralph Longworth and Thomas Lever esquires; the yeas Sir Richard Standish bt, James Holt, Roger Kirkby, Thomas Preston, Henry Farrington, Alexander Rigby, Christopher Parker, Thomas Bretherton, Christopher Wilkinson and Anthony Parker esqs. Upon numbring whereof it appeared the Majority of the said Justices were for continuing . . . Tomlinson in the said place and agreeing to the said Mr Greenfeilds . . . motion and it [was] by this board accordingly agreed and resolved.²⁰¹

It is ordered that the shire hall in the Castle of Lancaster shall bee very well new Furnished and fitted with convenient seates, handsome easie and comodious for the Judges as also very good easie and convenient seates for all the Councell with hansom and easie seates for the Justices of peace and gentlemen who may have occasion to attend that Court with seates also about the hall for other Attendants to repose and sit on, that the seates especially for Councell and the Clerkes and Attorneys of the Court bee accomodated with apt space and roome for Solicitors and clyents to have accesse to their Councell etc respectively that there bee good and Apt stands and Roome galleryd for the Jury and witnesses And that the windowes bee soe ordered that none can sit or stand to interpose or stop the Lights by Crowdinge betwixt them and the Court. And it is ordered that the contriving, managery, settinge forth, direccion and appointment of this worke be referred to Thomas Patten and Charles Rigby esqs, John Roberts and William Shaw gents. And it is Further ordered that what moneyes Remaines in the hands of Mr Henry Jones (if any bee) or whatever is in arrear, which by a former order should have beene paid to him towards the Repaire of Lancaster Castle, bee applyed to the doeing of this worke, and whatever the said Referrees report will (over that) bee further [ordered], necessary to defray the charge of Completeinge the (p.148) whole worke to bee made every way as good as the room already built is capable discrecionarily to bee made, bee recommended by the report of the said referrees to the Justices of the peace at the then next Quarter Sessions and Rolls ordered to each hundred proporcionably for so much as the said Justices at the sessions shall thinke fit And if the Referrees in the meane tyme doe Disburse money or bespeake provisions to set persons to this worke that the moneyes raised by such Rolls bee paid to the said Referrees and applyed to the discharges of such

disbursements, worke and provisions and further to the perfecting and Finishinge of the same worke.

1690

p. 149. Orders agreed by the J.P.s at the sheriff's table in assizes week, Wednesday 2 April 1690.

High Constables elected

Loynsdall hundred

John Killmore of Sunbrick gent def[aulter]

Richard Jones of Caiton gent

Amounderness hundred

John Grimbaldeston of Treales gent

*John Hornby of Newton with Scales gent

Henry Parker of Whittingham gent

Blackborne hundred

John Singleton of Dillworth gent

Richard Heaton junior of Dedwell Clough within Rossendale

Derby hundred

John Berry of Ormskirke gent

Henry Lathom of Whiston gent

Jeoffry Hawk of Leigh gent

Leyland hundred

Thomas Crooke of Leyland gent

Richard Crooke of Coppull gent

Salford hundred

Joshua Browne of Manchester gent

John Grundy of Rakes in Great Lever gent

p. 150. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 25 August 1690.²⁰²

Present:

The right honorable the Lord

Morley and Mounteagle

Peter Bold esq, High sheriffe²⁰³

The honorable Hugh Willoughby

Sir Ralph Asheton bt

James Lightbowne esq,

vice chancellor and Attorney

generall of the County Pallatine
of Lancaster

James Holt

Roger Kirkby

Thomas Preston

Alexander Rigby

Thomas Braddyll

Christopher Wilkinson,

Thomas Rigby

William Hulme of Davy hulme

Joseph Yates

Thomas Brotherton

Edward Eilson

Ralph Longworth

Anthony Parker

Nicholas Starky

John Fenwick

Miles Sands

Thomas Shierson

John Hodgson

Joshua Horton

Thomas Dicconson

On heareing Mr Dolben, Mr Greenfeild and Mr Entwisle Councillors at law on behalfe of the reverend father in God Nicholas Lord Bishop of Chester and Rector of Wygan in the Diocese of Chester and County of Lancaster and in behalfe of diverse of the parishioners of Wygan and particularly the Inhabitants of Hindley against John Greene his tendring a Certificate to the Clerk of the peace to record the chappell of Hindley in the parish of Wygan as a place appointed to dissenting protestants for their religiose worshipp: It was shewed that in the year 1641 the said chappell of Hindley was erected for the worship and service of God to ease the Inhabitants that were above 2 miles distant from the parish Church. That it was built by the approbacion of the then Bishop of Chester. The first sermon therein preached was by a minister sent by the Bishop, and that the first minister settled there was conformable to the Church of England; that it was supplied with conformable ministers till conformable ministers (p.151) were generally turned out of their livings. And that a Non-conformist who in the times had gott in was at Bartholomewtide 1662 put out by the Act²⁰⁴ and a Conformist restored, and ever since till now hath been possessed by Conformists. That at Communicating times the Inhabitants to receive the Sacrament repair to Wygan owneing thereby their dependance on and subjection to the mother Church. That the generality of the Inhabitants of Hindley are very Conformable. That this chappell is endowed with 22 li per annum and upwards, besides the benevolent contribucions of the Chappellrie. That the donatives of the endowment have been by persons of the Church of England; that one summe of 6 li per annum which had been for some time withheld was anno 1669 by the Duchy Court decreed to be yearly paid to the Minister of Hindley Chappell; that a very pious orthodox minister is about a month ago dead who had been long possessed of the place, and that another conformable good Minister hath offered to come into the place but kept out and discouraged by the said Green in pretence that he and some few other dissenters are feofees for the ground which the chappell stands on, which in truth was granted for no other use but to build a chappell on and they are not feofees to any intent but to settle the land for that pious purpose. Upon this the Question was put whether the Justices did think fitt Mr Greenes Certificate for this chappell should be recorded, the said Councell insisting that the last paragraph in the Act for exempting their Majesties protestant subjects dissenting from the Church of England from the penalty of certaine lawes concerning Certificates to be recorded is discretionary in the Bishopp, Archdeacon and Justices and not to be recorded or registred by the Register or Clerk of the peace without order. And the whole Court, every of the Justices (the honorable Hugh Willoughby excepted), were of that opinion and ordered that the Clerk of the peace shall not record Mr John Greens certificate nor Hindley chappell be by the allowance of the Justices ever used by dissenters for their pretended religiose worship.²⁰⁵

p. 152. Upon hearing of Councell on behalfe of William Tomlinson, late Governor of the house of correccion at Preston in Lancashire shewing that the said Tomlinson (by an order from his Majestie signified by the right honorable the Earle of Shrewsbury, the Principle Secretary of State beareing date the 24th day of Aprill last) had been turned out of his said place and one William

Higginson put therein the said Tomlinson haveing been represented to his Majestie (not knowing by whom) as one obnoxious to the government, a favourer of dangerouse and seditiouse persons and no waies qualified for the said imployment and likewise shewing that . . Tomlinson had petitioned his Majestie that his charge might be examined and that if innocent he might be restored: whereupon the right honorable the Lord Nottingham, Principle Secretary of State, haveing received the Kings pleasure in that matter did by letter dated Whitehall June 12 1690 signify to the Justices of Lancashire that his Lordshipp was comanded to tell them that his Majestie would have them examine the allegations of Tomlinson's petition and if they found that he had faithfully and carefully discharged the duty of his place formerly and that his behaviour and principles agree with what becomes a loyall subject to their Majesties, the King would have the Justices to restore him to his place. Upon which reference the said Justices haveing now proceeded to examine severall witnesses against . . Tomlinson, it did appeare that . . . Tomlinson upon an informacion given against him about a yeare and a half agoe by most of the same witnesses that were now produced had been by some few Justices of the peace put out of the said place wherein he had been placed by a generall consent and that these few gentlemen had placed in his stead there one Willacy till further order and that . . . Tomlinson had been allso prosecuted at the Assizes here held a twelve month agoe, an indictment being then preferred against him and sworne to by the said witnesses; but the said Indictment by the then Grand Jury at the said assizes, being gentlemen of quallity and integrity, was brought in Ignoramus. Whereupon at the meeting of all the Justices at the Sheriffs Table (p.153) afterwards at that assizes vizt, the major part of them adjudged . . Tomlinson a very fitt person for the said place and accordingly ordered him . . to be restored to and resettled in his place. Wherefore as to that part of the evidence being now a third or fourth time the same evidence given and before disapproved, some of the said Justices did insist that if no new matter were proved against him they thought him fitt for the place and to be restored; after which some other charges were brought against him to which . . Tomlinson gave such answers and such testimony as were to the major part of the Justices satisfactory. On consideration of the whole matter the question being putt whether William Tomlinson be a fitt person and shall be restored to his place of Governor of the said house of correccion the yeas were Peter Bold esq., High sheriffe, James Lightbowne, esq., Vice chancellor and Attorney generall, Thomas Preston, Alexander Rigby of Layton, William Hulme of Davy hulme, Thomas Brotherton, Edward Willson, Anthony Parker, Nicholas Starky, Miles Sands, Thomas Sheirson, John Hodgson and Thomas Dicconson esqs, the noes were Hugh Willoughby, Roger Kirkby, Lawrence Rawstorne, Edward Rigby, Christopher Wilkinson, Thomas Rigby, Ralph Longworth, John Fenwick and Joshua Horton esqs. The rest that were there either withdrew before the question or thought not fitt to answer either way. Upon numbring whereof, it appeared that the Majority of the said Justices did adjudge . . Tomlinson a fitt man to be governor of the house of correccion. And it appearing that he had diverse times taken oaths to their present Majesties and that his principles do agree with what becomes a loyall subject to their present Majesties King William and Queen Mary, whereupon

it is ordered that the said William (p.154) Higginson be removed and . . Tomlinson restored to the said place and the . . Justices do nominate, request [and] desire Sir Richard Standish, bt, Alexander Rigby of Layton, Henry Farrington and Christopher Parker esqs or any two or more of them to put . . . Tomlinson into possession of the . . house of Correccion and do enjoyn . . . Higginson to yeild obedience to this order and to admitt . . Tomlinson quickly to enjoye the said place.²⁰⁸

1691

p. 155. Orders agreed by the J.P.s at the sheriff's table in assizes week, Monday 30 March 1691.

[High Constables]

Loynsdall hundred

Thomas Jackson of Browse in [Middleton]

James Penny of Penny bridge

Amounderness hundred

Barton Parkinson of Goosenargh

Henry Sharples of Freckleton

Blackburn hundred

Richard Eccles of Thornley

John Blakey of Colne

Derby hundred

John Prescott of Hindley gent

*Adam Shaw of Culcheth in Winwick parish

Robert Bootle of Maghull

Thomas Gill of Rainforth gent

Leyland hundred

William Woodcock of Leyland

Nicholas Heskin of Welsh Whittle

Salford hundred

Joseph Hooper of Manchester

Edmund Taylor of Middleton

Att a generall meeteing of their Majesties Justices of peace of the County Pallatine of Lancaster at an adjournment of the Quarter Sessions to the Sheriffs board at Lancaster in the assize weeke the 30th March 1691.

Present

Alexander Rigby esq

High Sheriffe

Sir Richard Standish bt

James Lightbowne esq, vice chancellor and Attorney generall

Thomas Norres

Roger Kirkby

Henry Farrington

Edward Rigby

Thomas Rigby

Thomas Ashurst

Roger Moore

Ralph Longworth

Anthony Parker

John Fenwick

Miles Sands esqs

p. 156. Forasmuch as diverse Informacions have been taken upon the oaths

of sundry persons against William Tomlinson, Governor of the house of Correccion at Preston, to shew him to be a person notoriously ill affected to their present Majesties and their government and as such a very unfitt person to be Governor of the said house:²⁰⁷ The question being thereupon put whether William Tomlinson shall bee removed from the Government of the . . . house and William Higginson placed in his stead, it was carried in the affirmative *nemine contradicente* except Anthony Parker esq., who proposed one Wilding for the place. The Court therefore doth think fitt forthwith to discharge, displace and remove the said William Tomlinson from the government of the said house and doth appoint William Higginson governor thereof in the roome and stead of . . . Tomlinson; and doth hereby order . . . Tomlinson furthwith upon sight hereof to give possession of the said place to . . . Higginson; and in case he shall not this Court doth desire Lawrence Rawstorne, Edward Rigby, Thomas Rigby and Ralph Longworth esqs or any 2 or more of them to give . . . Higginson ful[l] possession of the said house.

p. 157. Upon a petition delivered into Court on behalf of the undertakers for repair of Walton Copp suggesting that severall nuisances are in the said river likely in all probability wholly to ruine the said copp and by that meanes it will bring an intollerable charge upon the County as also to ruine the said undertakers now forasmuch as the thing is fitting to be considered and the most proper way is to have the thing before us by matter of record: This Court therefore doth referr the consideracion thereof to the next generall quarter sessions of the peace to be holden at Preston that a presentment may be made thereof if necessary and order thereupon as shall be adjudged fitting.

1692

Justices at Lancaster 21th of March 1692

Francis Lindley esq, high Sheriffe	William Hulme of Davyhulme esq
Sir Richard Standish bt	Raph Longworth esq
James Lightbowne esq, Vice	Roger Moore esq
Chancellor ²⁰⁸	John Fenwick esq
Thomas Preston esq	Nicholas Starky esq
Alexander Rigby of Layton esq	Anthony Parker esq
William Kirkby esq	Joseph Yates esq
Thomas Rigby esq	Thomas Sheirson esq
John Entwisle esq	John Hodgson esq

p. 158. Orders agreed by the J.P.s [above named] at the sheriff's table in assizes week, Monday 21 March 1692.²⁰⁹

[High Constables]

Loynsdale hundred
 Richard Escrigge of Halton gent
 William Burnes of Broughton in Cartmell
 Amoundernes hundred
 William Whalley of Broughton gent

Thomas Benson of Ribby gent
 Blackborne hundred
 George Entwistle of Clayton in le Dale gent
 Oliver Ormerod of Woolfenden gent
 Derby hundred
 Charles Davenport of Bicursteth
 William Carter of Roby gent
 *William Hill of Burscough gent
 Richard Greene of Culcheth gent
 Leyland hundred
 Richard Forrest of Hulton gent
 James Charnock of Charnock Richard junior gent
 Salford hundred
 Alexander Davies of Salford gent
 Thomas Nuttall of Tottington gent

p. 159. Upon the Petition of James Melling gent, Keeper of there Majesties Goale att Lancaster, att the Sheriffes Table att Lancaster shewing that he hath laid out the summe of thirteene pounce twelve shillings sixpence in the necessary repaire of the said Goale And that yet the . . . Goale is so much out of Repaire that the Farther summe of Forty three pounds will but sufficiently repaire the same This board doth reffer the Consideracion of the . . . Peticion to there Justices att the next generall Quarter Sessions of the peace to bee holden att Lancaster.

Orders agreed by the J.P.s at the sheriff's table in assizes week, Tuesday 16 August 1692.

Present:

Francis Lindley esq, High sheriffe	John Entwisle
The right honorable the Lord	Thomas Bretherton
Willoughby	William Kirkby esqs
Thomas Norres	Roger Moor, serjeant at law
Thomas Preston	Anthony Parker
Lawrence Rawstorne	John Fenwick
Edward Rigby	Christopher Greenfeild
John Byron	Thomas Sheirson
Thomas Braddyll	Joshua Horton esqs
Christopher Parker	

their Majesties Justices of the peace for the said County.

Upon readeing the petition of William Gerrard, Thomas Sharrock, Thomas Holland and Jane Seed on behalfe of themselves and bondsmen concerneing Walton Cop it appeareing to this board that they, in pursuance of their articles of agreement for the repair of the said Cop, have brought a great quantity of materialls for the repair of the breach lately made . . . and have been for some time and now are daily at worke upon repair of the same and it further appeareing that there is one George Sturzaker, Roger Dewhurst, John Sturzaker (p.160) and Thurston Leyland and others equally concerned by the above

mentioned articles of agreement and bonds for performance thereof to contribute in the repair of the . . . cop notwithstanding which they neglect so to do and leave the whole burden upon the petitioners before mentioned and whereas Mr John Cockshutt Attorney at law by direction from this board hath sued the bonds of performance against all the above named persons and hath obtained severall Judgements against . . . [them] This board takeing the said matter into consideracion do hereby order and direct . . . Mr Cockshutt to stay all execucion against the petitioners and their bondsmen untill the next quarter Sessions to be holden at Preston and further order made touching the same, provideing that they continue in the mean [time] to work upon and finish the same as they have now undertaken before the said Sessions And this board doth further direct . . . Mr Cockshut to take out execucion against George Sturzaker and the rest of the defaulters unless they will agree before 2 of their Majesties Justices of peace next to the said work to contribute their proporcions to the charges allready expended upon the . . . work and continue so to do till the same be finisht in which case by order of the said Justices he may stay execucion against them allso; and further this [board] takeing into consideracion the great unexpected charge of this work, which appeares will amount to an 100 li or upwards, that the persons concerned were poor and in danger to be ruined thereby, that most of them were onely bondsmen to the principall undertakers and had no benefitt in the work, that the costs of suit are likely to be greate and added to this summe would much endanger their ruine [and] that there is summe of the moneys levyed upon account of the said work [which] remains undisburst: upon the whole this board doth recomend to the Justices of peace to ease them by payment of in lieu of suit out of the said remaineing summe when they shall [consider] in their Judgement the work to be sufficiently repaired.

p. 161. Whereas by direccion of the Sheriffes table at the assizes in August 1689 a new Court with severall alteracions in the Shire hall in the Castle of Lancaster was appointed to be made for the conveniency of the Judges, Counsell, Attorneys, Jury, witnesses and others who have occasion to attend that Court; and upon experience it being found that it has no waies answered the designe, that the Counsell are straightned for roome and the Attorneys cannot attend them to give them instruccions, that the witnesses are placed at such distance from the Bench and Jury they cannot be heard, that there are no fitt places for persons concerned in the tryalls, that they cannot see hear nor learne when their causes are to come on, that the seates in the Court are so placed that the windowes do not give light to . . . [them]; and Sir John Powell kt, Judge of the Court and the Lawyers being generally dissatisfyed with it have recommended it to the consideracion of the Justices of peace at this Board:²¹⁰ who thereupon do order and referr the matter to Christopher Greenfeild, Thomas Sheirson and Charles Rigby esqs who are requested to be overseers of the work to remove the Court to the place where it formerly stood to avoid the inconveniencies expresst to provide fitting seates and conveniencies for all persons necessary to be there attendant; and Mr Greenfeild in particular is desired to take a modell of the Court in the Shirehall at Chester, and that as much as may be pursued here, and for the charge of this worke the Justices of this Board do

referr it to the next generall quarter Sessions of the peace to be holden for this County to order rolls to issue out for the summe of 50 li upon the whole County to be paid into the hands of Mr Henry Jones, the present Mayor of Lancaster, who is desired and appointed to receive and disburse the same upon account of the same work by the direccion and appointment of the said overseers or any two of them.

This Board doth order William Shaw of Preston gent Treasurer for the moneys formerly allowed for the altering the Court in the Shirehall at Lancaster to deliver his accounts to Thomas Preston, William Kirkby, John Hodgson esqs and Mr Penny who or any two of them are desired and appointed to examine the same and make report thereon to the next generall quarter Sessions to be holden at Lancaster and wh[atever] (p.162) moneys (if any) is remaineing in his hands shall bee paid unto Mr Jones, the present Mayor of Lancaster, who is appointed Treasurer for the moneys ordered for the further alteration of the said Court and that the same be employed in that worke.²¹¹

Whereas the keeper of their Majesties gaole at Lancaster²¹² hath complained to this Board that the Castle of Lancaster hath been very much out of repair and and that thereby there hath been great dangers of felons and other malefactors escapeing that he hath disbursed severall summes of money out of his own pockett in the necessary repaire of the . . . Castle for the secureing thereof and of the prisoners there, [and] that there more remains necessary to be done; and this Board takeing into Consideracion the danger and inconvenience to their Majesties peace if such escapes happen, [and] the hardship and unreasonableness that the charge should lye upon a private man, doth referr the accounts of the said Gaoler unto Thomas Preston, William Kirkby, John Hodgson esqs and Mr Penny to be by them or any two of them examined and what moneys shall be made to appear to them the said Gaoler to be out of pockett upon that account and what farther summe they conceive to be necessary for the entire secureing of the . . . gaol and they to report to the next generall quarter sessions to be holden at Lancaster and order thereupon issue for the levying thereof.

1693

p. 163. Orders agreed by the J.P.s at the sheriff's table on the third night in assizes week, Tuesday 4 April 1693.²¹³

Present:

Thomas Rigby esq, High sheriffe
Sir Richard Standish bt
Thomas Preston
Thomas Rigby
Edward Rigby
Thomas Braddyll
William Kirkby

John Byrom
Robert Mawdesley
Anthony Parker
Thomas Lever
John Fenwick
Thomas Shierson
William Clayton²¹⁴ esqs

Justices of peace.

High Constables

Loynsdale hundred

James Bordrigge of Whittington gent }
 Richard Dodgson of Nibthwaite gent } *Jur*

Amounderness hundred

John Sollom of Claughton gent }
 Augustine Wickins of Treales gent } *Jur*

Derby hundred

James Burton of Aughton
 *Thomas Smallshaw of Lathom gent
 William Wainwright of Halebanke gent *Jur*
 William Patten of Warrington gent *Jur*

Blackburne hundred

John Ward of Ribchester gent *Jur*
 John Bulcocke of Downham gent *Jur*

Leyland hundred

William Robinson of Wrightington gent *Jur*
 Thomas Walton of Howicke gent *Jur*

Salford hundred

John Lightbowne of Manchester gent
 Ralph Sandiford of Ashton under Lyne gent

p. 164. Upon readeing the petition of Thomas Sharpe, Clerk, Rector of Tatham and other the parishioners of Tatham parish concerneing Tatham chappell, it appeareing to this Board that the said chappell is an endowed ancient chappell wherein the Sacraments and prayers of the Church of England have been duly administred and used time out of mind as in all other Churches, till about 2 yeares now last past some of the Dissenters liveing near the said chappell certifyed the said chappell for a meeteing place for dissenters from the Church of England for the exercise of their religious worshipp in, and surreptitiously obtained the same to be recorded; by colour whereof they have entred into the aforesaid chappell and used the same as a place recorded and allowed by an Act of Parliament entituled An Act for exempting their Majesties protestant subjects dissenting from the Church of England from the penalties of certain lawes.²¹⁵ Upon consideration whereof for preventing as well the said Dissenters from encroaching upon the rights and priviledges of the . . . Rector of Tatham in particular as allso upon the Church of England in generall, The Justices present att this board do think fitt to declare this to be their opinion and they do hereby *Nemine contradicente* declare this to be their opinion: that no consecrated Church or chappell or other such place where the Service of the Church of England hath been used are places certifiyable within the said Act of Parliament, nor ought to be recorded for meeteing places for dissenters to exercise their religious worshipp in, and Notwithstanding such recordering and Certificate the said Justices are of opinion that dissenters ought not by any colour thereof to meet in any place heretofore used and employed for the service of the Church of England; and accordingly do hereby recomend it to the Justices of peace att their next quarter Sessions to be holden at Lancaster to order that the said Dissenters for the future shall not presume to meet and exercise their

religious worship in the said chappell of Tatham on any pretence whatsoever.²¹⁶

p. 165. The accounts of William Higginson gent., Governor of the house of Correccion, touching his expenses [over] the Irish prisoners are referred by this board to Sir Christopher Greenfeild kt, Lawrence Rawstorne and Edward Rigby esqs who or any two of them are desired to examine the same and make report thereof to the Justices at their severall quarter Sessions at Lancaster, Preston and Ormskirke next after Easter what moneys they find requisite to be allowed to . . Higginson upon these accounts; and the . . moneys to be levied by order of the Justices at the severall Sessions pursuant to their report and paid to . . Higginson accordingly.

p. 166. Orders agreed by the J.P.s at the sheriff's table on the third night in assizes week, Saturday 2 September 1693.

Present:

Thomas Rigby esq, High sheriffe
Sir Christopher Greenfeild kt
Roger Kirkby
Edward Warren
Thomas Preston
Thomas Rigby
Edward Rigby
Thomas Braddyll

Thomas Bretherton
William Hulme
Robert Mawdesley
Thomas Lever
John Fenwick
Thomas Sheirson
Jonathan Blackburne esqs

Justices of peace.

Upon heareing of the matter about Rapley lane in Woodplumpton (pursuant to an order made at Preston Sessions last whereby it was ordered that the report of Sir Christopher Greenfeild and Edward Rigby esq touching the view of the said lane should be adjorned to this table and, if matters concerneing it were not decided, that a traverse should be entred to the Indictment against the said lane as at the said Sessions that it may be tryed the next Sessions at Preston): It is now resolved that Mr Shaw shall dureing the time of this assizes on behalfe of the Inhabitants of Woodplumpton enter a traverse to the said Indictment [or] else an order of the said last Sessions to issue out against the . . Inhabitants for repair of the said lane before the now next Sessions, if matters touching the same be not before that time comprimizd.

p. 167. The matter comeing into consideracion touching the great charge that severall townes in this County are frequently putt to by very many persons that doe gett passes onely for liberty quietly to pass through the same, yet under colour of such passes do insist to be likewise releevd: The Justices here present doe think it very burthensome upon the Country and do therefore unanimously declare it their opinion that no Constable ought to give any moneys nor pay for any lodgeing or dyett for any such persons under colour of any such passes.

Sir Christopher Greenfeild, Lawrence Rawstorne, Thomas Rigby and Edward Rigby esqs or any 3 of them are desired to appoint some convenient time and

wait upon Sir Charles Hoghton upon the account of his mill fleame at the end of Walton cop which is very prejudiciall to the King's high way there and desire him to prevent any further prejudice that may ensue from the same fleame to the . . highway and the new work there; and that they will make known his answer to the Justices of the peace at the next quarter Sessions at Preston.²¹⁷

The decay of Ribble bridge being now had in consideracion, which if speedy care be taken will be repaired with a very little charge, and that there remains some publick moneys of the Country in the hands of Mr Winckley which will answer the charge: therefore Sir Christopher Greenfeild, Lawrence Rawstorne, Thomas Rigby and Edward Rigby esqs or any 3 of them together with the said Mr Winckley are desired to appoint some convenient time and meet with workmen of skill and view the . . bridge and with all speed employ workmen to repair it and Mr Winckley (provided he hath so much moneys in his hands) (p.168) is to pay all such charges as the Justices shall thinke requisite in and about the . . worke; and the same gentlemen or any 3 of them are likewise requested to meet upon Walton Cop and view the new work there and send for the undertakers thereof to look after the same and if any of them shall neglect to doe their proporcion that Execucion shall be taken out against him or them so neglecting.²¹⁸

The accounts of the workmen concerned and employed in the alteration of the Court in the Shirehall in the castle of Lancaster which were carefully examined by Sir Christopher Greenfeild kt and Thomas Sheirson esq, being delivered into this board by which it appeares that the moneys formerly allowed for the said alteration will fall short of perfecting the same. Therefore the Justices of this board doe referr it to the Justices at the next quarter Sessions at Lancaster to order rolls to issue out for the further summe of 25 li upon the whole County, which will plaister the said hall and absolutely finish the said work.

1694

p. 169. Orders agreed by the J.P.s at the sheriff's table on the fourth night in assizes week, Saturday 31 March 1694.²¹⁹

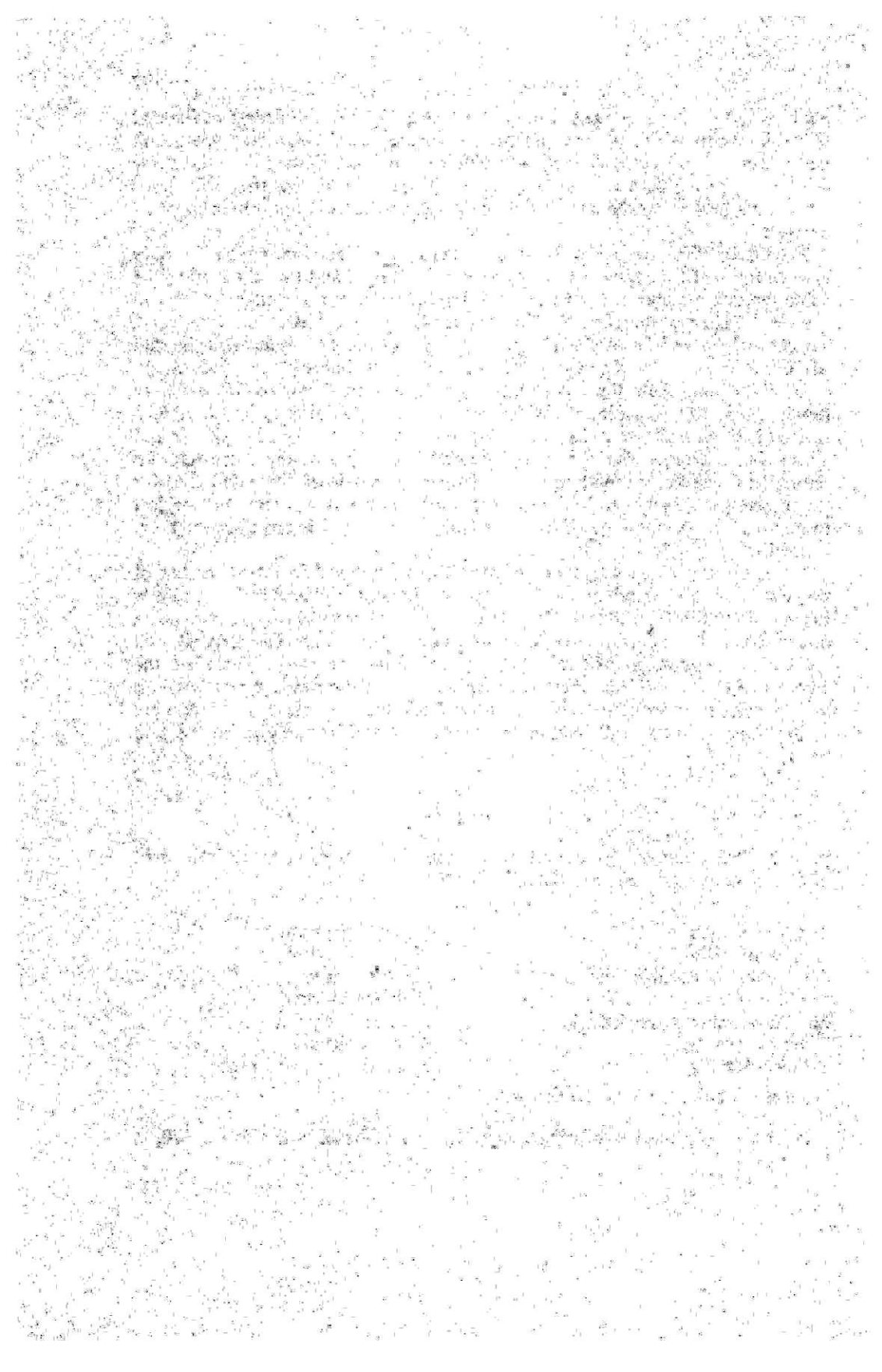
Present:

Thomas Ashurst esq
High Sheriffe
The right honorable the Lord
Willoughby
Sir Christopher Greenfield kt
Thomas Braddyll
William Kirkby

Robert Mawdesley
William Clayton
Thomas Rigby
Nicholas Starkye
Thomas Shearson
John Hodgson
Richard Fleetwood esqs

Justices of the peace for the said county.

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APPENDICES

- I The sheriff and the JPs' entertainment, February 1578.
- II Articles supplied by the judges for the high constables' use, August 1618.
- III Articles for the better enforcement of certain statutes, August 1618.
- IV The judges's articles for the JPs, *c.* November 1618.
- V Assize court orders, 1618, 1620 and 1621.
- VI The exemption of trained bandsmen from parish office, August 1626.
- VII Order in court of Exchequer on behalf of the lord treasurer's remembrancer, February 1633.

1975

The first part of the report is devoted to a description of the experimental setup and the results of the measurements. The second part is devoted to a discussion of the results and a comparison with the theoretical predictions. The third part is devoted to a discussion of the results and a comparison with the theoretical predictions. The fourth part is devoted to a discussion of the results and a comparison with the theoretical predictions. The fifth part is devoted to a discussion of the results and a comparison with the theoretical predictions. The sixth part is devoted to a discussion of the results and a comparison with the theoretical predictions. The seventh part is devoted to a discussion of the results and a comparison with the theoretical predictions. The eighth part is devoted to a discussion of the results and a comparison with the theoretical predictions. The ninth part is devoted to a discussion of the results and a comparison with the theoretical predictions. The tenth part is devoted to a discussion of the results and a comparison with the theoretical predictions.

I THE SHERIFF AND THE JPs' ENTERTAINMENT, 1578

Minute of a Privy Council letter to the judges on all six English circuits, c. 10 February 1578.²²⁰

After our heartie commendationes. Whereas the Queen's majestie heretofor being informed that the Sheriffs of the sondry contyes within hir Realme did complayne that they were greatly burdened with the charges of the Justices Dietts and their trayne and followers at the Assises held within their contyes did most gratuslye thereuppon take ordre to deliver suche as should yerelie supplie the office of sheriffs from thees former charges, appointing convenient allowances to the Justices of Assises out of her Coffers to beare their Dietts without trouble or any charge to the Sheriefes. We are gevene to understand that notwithstandinge her Majesties most gracious and honorable consideration towards suche gentlemen as might be called to that Service in easing them of that charge whereof theie did so often complaine, yet some of late as it is to be interpreted for a little vain reputation to the evill example and burthen of other that maie Succeede them who wold be loth to be noted to be more sparyng then such as did precede them have charged themselves in keeping of Tables of great charges, sumpts²²¹ and other superfluous porte more then is convenient either for themselves or for any Service of hir Majesty or their Countreye, which may be some occasion hereafter to make the burden as great as it hath bene by drawing the superfluous charges into an Example vainl[i]e to be given. Theis are therefore to require you that in everie place of your sitting thes next Assises, you doe imparte thes our lettres unto the present Sheriefs and unto the Justices of the Peax, charginge and commandinge them that in the Service of that place theie do not at the Assises keape any Table in such sorte aparte, therbye to gyve a president or example to any such superfluous and extraordinarie chardge, but that the Sherief accompanye himself with the rest of the Justices of the Peax, and in equall contribution, or at the le[a]st not much excessyve, with them for his own Diett and his Servants, geve his attendaunce ther and not otherwise sever hymself from ther Companyes, whyche being an ordre well begunn and used in many shires as we understand by men of good consideration and to the contentation also of the Countrey, wee thinke it meete to be putt in exequution in all places by your advice also to them gyven for avoidinge of the like inconveniences that heartofore have bene seen. And thus not doubting of your good discretions in the opening of the matier to them, being meant hollye for their owne benefitt and to avoyde occasion of burden to such as being mete for that place shal not be mete to be overcharged. Wee bid you hartelie well to fare.

II ARTICLES SUPPLIED BY THE JUDGES FOR USE BY THE HIGH CONSTABLES, AUGUST 1618

Articles whearof the Highe Constables are to enquire.²²²

[1.] What Fellon[i]e[s] have been done within your hundred since the Assises last before, against whome and at what tyme and whearof; and what pursuite

hath beene made for the fellons, and in whome default of pursuite of the fellons hath beene made.

[2.] What ydle and suspected persons have beene aprehended within that tyme within your said hundred and what hath beene done with them and in whose default any such persons have escaped from aprehencions and how the watches hath beene kept within your said hundred betweene the Assension and Michaelmas.

[3.] What recusants remaine within your said hundred that doe not come to the Church accordinge to the lawes. What bee their names and whome they bee or whose servants.

[4.] What decay of howses of husbandrie have beene since the late queene of famous memorie her raigne, within your said hundred, which have 20 acres of land, meadow or pasture to it, when decayed or by whom.

[5.] What ground within your said hundred that hath beene used to bee tilled ordinarily anie 12 yeares have since the late queene of famous memorie beene turned from tillage to pasture, by whom and when.²²³

[6.] How many Alehowses bee in your hundred and in what places thearof, how many bee by lycence and who they bee, and whether punishment hath beene done to the offendor accordinge to the statute.²²⁴

[7.] Whether such Alehowses as are lycenced doe observe the Articles prescribed unto them.

[8.] Who have made anie ingrossinge, forestallinge or regratinge within your hundred and whearof and when putt in ure.

[9.] Who they bee that make malt to sell of corne not beeinge of their owne toyle and tyth or Rent corne, not beeinge lycenced thearunto accordinge to the statute lately made.²²⁵

[10.] What Rogues, vagabonds have beene taken up and punished within your hundred and whether are the impotent poore provided for without beeinge suffred to wander abroad for releife without their parish.

III ARTICLES FOR THE BETTER ENFORCEMENT OF CERTAIN STATUTES, AUGUST 1618

Articles and orders to be observed for the due execution of the statutes Concerninge Recusants, Alehowses, Drunkennes, Rouges, the howse of Correction and the poore.²²⁶

FOR RECUSANTS

1. That the Clarke of the Assise and the Clarke of the peace conferr their Records with the ordinaries presentments and from thence to Drawe a perfect note to bee entred and remaine with the Clarke of the peace of the surnames, Christian names and additions of dwellinge and conditions of everie partie convicted of Recusancie, with the tymes of their severall conviction[s] and who bee now Recusants.

2. Whether the wives or children of such recusants above nyne yeares of age, sojourners in the howses, their servants in their howses in Fee and liverie

or tenants, Doe resorte to the church or noe; and such of them as doe not to bee presented if they bee not allreadie convicted.

3. Whether the wives have conformed themselves within three monthes after conviction. Whether anie Recusants have conformed, and when and howe.

4. Whether such as have conformed doe continue in their conformitie and doe receive the sacrament once by the yeare or noe and if they doe not, then to present as well their not receiuinge the sacrament as their not comminge to church.

5. What Recusants convicted are confined, and whether within 40 dayes after conviction anie of them have gone out of their limitts of 5 miles without lycence or noe. Whether anie popish Recusante convicted, not havinge lands to the yearly value of 20 marks or goods to the value of 40 li, have not conformed [*sic: recte* confined] himselfe to his owne dwellinge howse or to the howse of his father or mother or to the place of his birthe and not remooove above 5 miles from thence without leave and cause, his resortinge thither to bee entred by the ministers and the same certified and rejestred as aforesaid.

6. Whether anie of these have refused to abjure or to bee abjured and not gone or gone and not returned.

7. Whether anie that have confined themselves have made submission and whether such submission bee certified by the minister to the Ordinarie and whether the said submission weare before or after conviction. Whether they ever submitted themselves before or noe.

8. Whether anie recusants have beene presented at the quarter Sessions by the Constable or churchwardens and not entred by the Clarke of the peace. Whether the Constable or Churchwardens have made defaulte, to present anie that weare recusants when they made their presentments; whether anie bee comers or runners to and from Recusant to recusant and from place to place, which are to bee thought dangerous in Corruptings.

9. Whether anie Justice of peace have given to anie the oath of Alegiance and whether the[y] certified the same at the next quarter Sessions.

[10.] Whether they have committed anie that have refused the oath, beeing tendred. What Jesuites and priests or other persons suspected of Popish Recusancie doe harbor, lurck or runne to and fro in the Cuntre and who receives them.

ALEHOUSES

Presentments to bee made; vew to be taken; and things to be observed.

11. Whoe keepes Alehowse without lycence.

12. How manie have been put downe since the last Assises.

13. How manie stand lycenced in everie village and Towne.

14. Whether all that stand lycenced bee registred and recognused and the same certified with the Clarke of the peace.

15. Whether anie that keepe Alehowse without lycence, having beene therefore fyned and imprisoned, bee lycenced [again] otherwaies then in open quarter sessions; and [whether] anie that is or shalbee put downe at anie assemblie of the Justices [be licenced again without the condition that of] their surties one [is] to bee a subsidie man of 3 li goods. No servant or retaynor to anie lord, knight, or principal gentleman of the Cuntre or to anie High Constable nor

to anie bailiffe, Petticonstable, Pariter or summoner to bee lycenced to keepe any Alehowse nor none to bee lycenced in anie severall village that is not a through faire towne nor above one or twoe in anie towne not corporate and therin to respect the number of the inhabitants of the towne.

[16.] That the assise bee carefully looked unto that it bee kept both in Innes and Alehowses, namely of the best a quart for a pennie and the next a quart for a half penny.

[17.] That they never sell nor use any potts or mesures to sell by but such as are marked and sised, and the rest to be defaced.

[18.] The Clarke of the peace to have a condition of Recognizance of such as shalbee lycenced, which shalbee used throughout the Cuntrie; and the same Condition to bee vewed and agreed upon by the Justices of the Assises.

[19.] Presentments to bee made for the breach of everie of theise Articles. And thearupon proces to bee made against the offenders, beinge bound upon their Recognusance.

[DRUNKENNESS]

[20.] What Alehowsekeepers have offended by suffringe anie to sitt drinkinge in their howses and who they bee that doe sitt soe drinkinge.

[21.] Whether the penalties of xs. against Alehowsekeepers and iij s. iiij d. against the partie be levied as it ought to bee for the offences presented; if not, in whose default.

[22.] Whether anie Brue to sell anie Ale or Beere to such as are not lycenced and do sell againe.

[23.] All that have offended in Drunkennes since the last assises to bee presented by everie pettie Constable unto the highe Constable and by them at the Assises.

[24.] To Inquire whether they have beene punished accordinge to the lawe or whear the default is if they bee not punished.

[ROGUES]

[25.] Whether Constables doe their duties in apprehendinge and punishinge of Rogues etc., by whippinge them and sendinge them to their dwellinge place of byrth or to the Towne from whence they came last, with their testimoniall.

[26.] Whether the Towne sent them to the howse of Correction.

[27.] Whether they and others sent bee duly delivered from thence: the default of the Constable to bee presented and [of] the minister.

[28.] Whether dangerous and incorrigible Rogues bee delt withall by markinge on the left shoulder with a Roman R.

[29.] The default of everie other (besides the Constables) that make default are likewise to bee presented.

[30.] Whether the House of Correction was finished by Michaelmas 1611 and a governor and things necessarie for it provided.

[31.] Whether the Justices mett for the due execution of statutes.

[32.] Whether Justices sent forth precepts for privie watches and whether those waches weare kept.

[33.] Whether the parties taken in privie watches bee dealt withall as the statute appointeth.

[34.] Whether the Constables give their Attendance at the meetinge of the Justices to present the number of Rogues and how manie have beene apprehended and have beene punished since the last assisses and who have escaped unpunished and in whose default.

[35.] What proceedings have beene had against the Constables or anie others for their default.

[HOUSE OF CORRECTION]

[36.] To make it knowne how the Justices have dealt in Charging the Cuntrie and how the money collected of them hath beene imployde.

[37.] Whether the governors default hath beene looked to and reformed accordinge to the statute.

[38.] Whether their Treasurer for the poore doe pay the governor quarterly all such sommes of money as the Justices shall apointe and whether his default hath beene presented.

[39.] Whether lewd women, havinge bastards whearwith the parish is or shalbee charged, have beene comitted to the house of Correction; and allsoe such as runne or threaten to run from their children, the one beeinge an incorrigible rogue, the other to bee committed to the howse of Correction.

[40.] Whether anie bee delivered out of the house of Correction otherwise then in open Sessions or the Justices meetinge for that busines.

[THE POOR]

[41.] What overseers in everie parish bee made by the Justices of Peace within one monthe after easterweeke as they ought.

[42.] Whether they doe raise money by tax of the parishoners aswell for settinge the poor in worke and releivinge the impotent and byndinge children apprentice.

[43.] Whether the Justices have made anie orders for better execution of the [duties of] overseers and [other] officers.

[44.] Whether the overseers mett everie month or have beene negligent in their places and have not accompted, and the penalty lost theareby levied.

[45.] Whether the Justices have taxed the parishoners in the Cuntrie at the Assise after Easter as they ought to bee.

[46.] Whether anie refuse or neglect to pay his tax laied upon him by the parish or by the Justices.

[47.] Whether the Justices have sett downe the rates of Marshalsey and kings bench.

[48.] Whether the Churchwardens pay the Threasurer and hee pay the same over, and whether hee make any accompte: his default [and] the Churchwardens and the parishoners default that do not pay are to bee presented.

[49.] What is become of the surplus of anie money collected, in whose hands it is, and how it is bestowed.

IV THE JUDGES' ARTICLES FOR THE JPs, c. NOVEMBER 1618

Dirrections for the Justices, whearof wee expecte an accompte at the next Assise because wee are to give our accompte to the Kinge of our proceedinge in this and other things.²²⁷

1. To levye the xijd. upon absentees from Church accordinge [to] the statutes of 1 Elizabeth c. 2 and 3 James [c. 4].
2. Inquire of such as attribute anie Jurisdiction or preheminence to the Pope or see of Rome within the kings Dominions.
3. They are to bee Carefull that the Constables and Churchwardens of everie parishe once everie yeare present to them at their quarter Sessions the names of all recusants within their severall parishes, with the names of all their children above nine yeares old and the names of all their servants, retainors or sojourners in their howses and for how manie monethes they have kept such servants, sojourners and retainors that are recusants.
4. To urge the oathe of Allegance to all recusants in their severall Divisions, to summon them by warrant to appeare before them at a fitt tyme and place, to returne the names of such as make default to appeare before you at the next comminge of the Judges of assise.
5. It is required that they bee carefull and diligent to execute the statutes of raisinge money to the releife of the poore which cannot worke for buyinge hempe, Flaxe, Wooll and other necessities to sett them to worke which are able, and to bynd children apprentices whose parents are not able to breed them wooll [*sic.* ?well] and to take yearelie accompte of Churchwardens and overseers.
6. For suppressinge of all wanderers and rouges a stricke accompte to bee taken by them of the severall constables and officers how rouges bee punnished and that watches bee stretlie sett for that purposse.
7. The howse of Correction to bee established with all things fittinge and once a yeare a stricke accompte to bee taken of the maintaininge the stocke.
8. That the statute for Laborers bee duellie observed for servants and daie laborers. Dissolute or ydle servants to bee sent to the howse of Correction.
9. That noe Alehowse bee suffred without lycense.
10. The lycenced to bee bound accordinge to Lawe.
11. That Alehousekeepers and their suerties bee sufficient.
12. All recognusances to bee returned to the Clarke of the peace.
13. Prosecution to bee made upon presentments against Alehowsekeepers.
14. Not to lycence Retainors, officers, recusants, or Bayliffs of hundreds to keepe Alehowse: or anie Dwellinge in anie unfittinge places but in the harte of the towne, not in corners.
15. In Townes that are not throughfares [there are to be] few or none Alehowses.
16. That Innes, Tavernes and Alehowses keepe the Assise for sellinge Drinke accordinge to the statute.
17. Noe Alehowsekeepers to suffer the people of that Towne to typple in their howses nor to beare with Alehowshaunters but to execute the Lawe upon them both.

18. To bee carefull for repaire of Bridges and highwaies accordinge to the lawes.
19. Alowe whoe you thincke fitt to brue and bake for poore Artificers and howskeepers.
20. Alehowsekeepers to bee allowed by Justices of the same hundred wheare they dwell and to bee certified to the Clarke of the peace; and noe other Justices to meddle thearwith unlesse it bee in open Sessions.

V ASSIZE COURT ORDERS, 1618, 1620, 1621

a. 18 August 1618²²⁸

It is ordered by the court that each justice of the peace within the county of Lancashire (except in the hundreds of Derby and Leyland) shall be fined xx li for his neglect in not building a house of correction; and if they [*sic*] default hereafter and they do not set up a house of correction before next Christmas then each justice of the peace living within that hundred where no such house is erected shall be fined xl li.

b. 27 March 1620²²⁹

1. It is ordered by the court that every sub-constable, in English petty constable, who refuses to serve in the office of constable and who ought to serve according to the house-row, shall be bound to appear at assizes and to be of good behaviour etc.

2. It is further ordered that each constable who takes on his office for a salary, namely in English hire, he shall be bound to appear at the next assizes and to be of good behaviour etc.

3. It is ordered by the court that if any bridge within the county of Lancashire needs building or repairing it is lawful to dig on and take stone from land adjacent to it, providing it is done without prejudice to the owner of the land, for building and repairing the same.

4. It is ordered by Baron Denham with the assent of the court that any justice of the peace within the county palatine of Lancashire who returns any recognizance to prosecute or to appear [written] on paper and not on parchment then that justice so offending shall be fined one hundred shillings etc.

[5.] It is ordered by the court that every justice of the peace within the county of Lancashire shall be fined xl li and every high constable x li and every petty constable or churchwarden within the said county v li for his and their neglect in executing the statutes 1 Elizabeth [c. 2] and 3 James [c. 4], which statutes impose a fine of xijd. on any person who wilfully absents himself from the celebration of divine worship in his parish church on the Lord's day or holiday: and that such fines are to be levied and paid for the use of the poor of the parish where the absence occurred according to the statutes in that case made and provided. Provided nevertheless that estreat and levy of the said fines be suspended until the next assizes; and if in the meantime, the said justices of the peace and high constables and petty constables and churchwardens respectively apply themselves diligently to executing the said statutes and in levying

and causing to be levied the said penalty or fine of xijd. on the goods and chattels of each person who wilfully absents himself from his church contrary to the form of the said statutes, and at the next assizes certify the king's judges what they have done in the aforesaid matter, so that they do not overlook the said [recusancy] fines, then the [above] penalties will not by that token be levied on such justices of the peace, petty constables and churchwardens who have acted diligently together in executing the said statutes and will be levied only on those negligent in that respect.

c. 19 March 1621²³⁰

[1.] It is ordered by the courte that justices of peace within their severall jurisdictions upon paine of 100 li shall goe to the howse of everie recusant or send for them in Easter weeke next or before, and to take the oath of allegiance of everie such recusant; and those that refuse, to bind them over to appeare at the next assizes; and if they refuse to be bound to send them to the gaole.

[2.] And that the constables within their severall constabularies shall give the names of the recusants within their constabularies to the minister and churchwardens to certifie their names to the justices of peace, or else at the assizes, together with their quallities and estates; and that the justices shall bynd those that refuse to paie xijd. for everie sundaies absence from the church to appeare at the assizes, or in default of bonnd to send them to the gaole.

[3.] And for the wives of recusants: if their husbands bee not bound for their appearance at the assizes then to send them to the howse of correction or else to the gaole according to the quallitie of the person.

VI THE EXEMPTION OF TRAINED BANDSMEN FROM PARISH OFFICE, AUGUST 1626

Att a meeting of the Deputy Leuietenants of the County of Lancashire the 23th of August 1626 it is ordered as followeth:²³¹

Forasmuch as the personnes selected to bee of the trayned bands within the said County of Lancashire, called the trayned soldiours, are not onely putt unto great paines and chardges in attending musters, trayning, exercising and disciplyning at Diverse and sundrie times in the yeare as occason shall happen to bee directed by his Majestie or the Lords of his Majesties most honorable privie Counsell but also to bee at all times in a readines to attend at their Rendizvous or in anie service appointed as aforesaid upon an houres warneing upon paine of Death. And forasmuch also as by daiely experience it appeareth, that diverse of the said soldiours beeing chosen for constables, churchwardens, overseers for the poore or to keep watch and ward do ether neglect their duties in their places, wherein they bee chosen as officers, or els Doe make default in Due attendance and exercises in their soldiry affaires, which latter his Majestie Doth especially inhibit and forbidd in these times of daunger, there beeing soe great cause to provide against war and invasion. It is therefore ordered that the said trayned soldiours for the time beeing be dischargd and freed from beeing hereafter chosen, elected, named or appointed constables, churchwardens, or

overseers for the poore or charged to keepe watch and ward within the County aforesaid: and for the better establishing hereof, the said Deputy Leuietenants have desired the opinion, approbation and order of his Majesties Justices of Assisses at Lancaster who doe approve thereof, And doe order the same accordingly to stand and continue till order be taken to the Contrary.

[Endorsed with the names of:]

Francis Harvey
Richard Hoghton
Cecill Trafforde

Henry Yellarton
Raphe Assheton
Roger Kirby

Richard Molineux
Gilbert Hoghton
Ed[ward] Holland

VII ORDER IN COURT OF EXCHEQUER ON BEHALF OF
LORD TREASURER'S REMEMBRANCER,
7 FEBRUARY 1633²³²

Wheras Mr Noye, his Majesties Attorney generall, informed this Courte that from the time of kinge Edward the seacond untill the xxth yeare of the raigne of the late Queene Elizabeth the Sheriffs of the countie Pallatine of Lancaster did passe accompts especiallye the forreigne Accompts in this Court as other Sheriffs of other Counties did and doe and hadd a prefixon day to appeare in this Court and to bee sworne to their Accompts as other Sheriffs have been and are; And there have beene heretofore upon processe out of this Court divers seisesures made by former Sheriffs of that Countie of the goods and Lands of diverse debtors to the king's Majestie and his noble progenitors; and albeit these seisesures have beene and are yearely Written forth to the said Sheriffs to be Levied and answered to the use of the Crowne, which seisesures amount unto 1600 li or 1700 li per Annum; And albeit alsoe there have issued and doe issue yerely in the processe of this Courte to bee levied for the Kinge by the said Sheriffs debts to a great value: yett neverthesse by the neglect of the said Sheriffs accomptinge it doth not appeare that there hath beene answered to the Crowne in any yeare for many yeares together for the said debts and seisesures above 20 li per Annum or thereabout. And forasmuch as Mr Attorney conceived that the not accomptinge of the said Sheriffs in this Court as they anciently did is the occasion and hath beene of greate losse and damage to the Crowne in his Majesties due debts and seisesures and alsoe of greate inconvenience to the subject not knoweing upon record how or when their debts bee paied or satisfied, althoughe they have beene levied by the said Sheriffs, Therefore for the preventinge of the said losses and inconveniences for time to come hee humbly prayed for the kings service [that] the said Sheriffes of Lancashire May have a day prefixed unto them to appeare here in this Court and bee sworn [for th]eir accompts and make their forreigene accompts wherein the[eir] seisesures maie bee conveyed and answered [accordin]gly as anciently they have donne and as other Sheriffs doe and that they maie attend their apposalls he[re in this] Court to make answer to the debts and seisesures written unto them to bee levied as they ought t[o do. And that] the Sheriffs of the said Countie for the Tenn last [years] maie bee ordered to come into this [court and take] their

Chardges of all the seisures made d[uring each of] their yeares and [make their foreign accounts and] pass [the same] and answer [and pay all such] money as they have levied either for t[heir accounts] or for any debts written unto them in processe [to be] Levied as anciently they have donne and o[ught to do] a]nd as other Sheriffs have donne and doe. And if the said Sheriffs, haveinge notice hereof, shall not c[ome here] and receive their chardge by the end of the next t[erm] that then such Coertion may [be] used to compell them thereunto either by the serjeant att armes or otherwise as this Court shall thinke fitt. Whearupon [this] Court, Consideringe that the losses and inconveniences mentioned by Mr Attorney are very greate, doth hold it very fitt that remedie bee provided for it in time and hath therefore this day ordered that the now Sheriffe of the Countie Pallatine of Lancaster and all future Sheriffs there shall from time to time attend there appossalls in this Courte to make answere to the debts and seisures written to them in the processe of this Courte to bee levied and that they shall alsoe keepe their certaine daies of prefixion to bee assigned unto them and appeare heare in this Courte and bee sworne to render their accompts and to take their seisures and make their forreigne accompts and passe the same in this Courte as the Sheriffs of that countie antiently have donne and as other Sheriffs doe and ought to doe. And it is also ordered that the late Sheriffs of the said countie for the Tenn last yeares shal before the end of the next tearme come into this Court and take their chardge of all seisures Chardgeable in their yeares and make their forreigne accompts and passe the same in this courte and answere and paie all such money as is due and answereable by them respectively if noe cause bee shewed to the Contrary the first Tuesdaie of the next tearme, this order beinge notified accordingly. And to the end that the said late Sheriffs and the now Sheriffe may take notice of this order it is alsoe ordered that the Copie of this order shalbee sent unto the now Sheriffe upon the King's file of writts which issue out of this Courte this tearme whoe is enioyned to notifie the same to the said late Sheriffes in Convenient time. And moreover it is ordered that Mr Attorney of the Dutchie shalbee made acquainted with this order that hee maie consider thereof and bee aydinge to the execution thereof if it shalbee needfull.

NOTES

- 1 Written by a later hand.
- 2 See appendix I for this letter.
- 3 Members of Derby's council among this group included Richard Sherburne, Edward Scarisbrick, Alexander Rigby, William Farington and Edward Tyldesley: Cotton, Titus BII, f. 239r. Among the firmest protestants: John Fleetwood, Thomas Hesketh, Richard Holland and John Atherton; see SP 12/235/4, *Salisbury V*, 241 and 'Collection of original letters' ed. Bateson, 77-8.
- 4 This repetition of Preston's name looks like a copyist's error; Christopher Anderton or John Preston may have been intended: Lans. 53, f. 179r; SP 12/104/63.
- 5 Holt's name is struck out, presumably as entered twice.
- 6 This meeting was probably held on Wednesday, 12 March. The tax below was replaced by the table with a county rate at its meeting on 24 August 1637.
- 7 Mounson and Meade were the assize judges. Three reputed Roman Catholics were John Braddill, Richard Molyneux and Thomas Walmisley: SP 12/235/4, *Salisbury V*, 241.
- 8 Clench and Rodes were the assize judges.
- 9 The 1586 harvest was exceptionally poor: C. J. Harrison, 'Grain Price Analysis and Harvest Qualities, 1465-1634' *Agricultural History Review* XIX (1971), 154. The Privy Council had written to many counties, including Lancashire, on 22 May about getting corn to market; in June it wrote to the judges asking them to expedite Crown side business at assizes: *APC 1586-7*, 119, 143, 144, 163.
- 10 5 & 6 Edward VI c. 25 permitted alehouse licensing only in open quarter sessions; the assize judges here refined the act further by restricting licensing to the local quarter sessions only.
- 11 The Privy Council wrote to Derby, Strange, the bishop of Chester and other JPs in Lancashire and Cheshire on 17 July 1586 asking them to consider whether parishes would bear a collection of 8d. a week to suppress vagrancy; a copy, dated 28 June, was also sent to the Northern circuit judges, but its contents are not noticed here: *APC 1586-7*, 187; Harl. 1926, f. 87r.
- 12 Clench and Rodes were again the assize judges. One of the JPs, William Fleming, was described as a 'meane gent' in 1587: Lans. 53, f. 178.
- 13 The statutes are 35 Elizabeth I c. 4 of 1593 which established the maimed soldiers rate and 39 & 40 Elizabeth I c. 3 which by s. 13 added a new levy of a minimum of £1 p.a. for prisoners in King's Bench and Marshalsea.
- 14 *Recte* £43 15s. 4d.
- 15 Printed in *The Lancashire Lieutenancy under the Tudors and Stuarts*, ed. J. Harland II, (CS, o.s. 50, 1859), 254-9. James I charged the judges in person before this circuit, so it is possibly more than coincidence that this set of orders should survive: SP 14/68/67.
- 16 Adam Mort was a zealous and rising Calvinist, who built a chapel and school at Astley; his son Adam, heir to Dr Thomas Mort chancellor to the bishop of Chester, was a prominent draper and nonconformist in Preston, killed fighting as a royalist during the siege there: W. K. Jordan, *The Social Institutions of Lancashire* (CS, 3rd ser. 11, 1962), 60; Fishwick, *Preston*, 320-1; SP 16/236/42.
- 17 Nowell was the 'religious and gullible' JP who examined the Pendle witches prior to their trial at Trinity assizes 1612: C. L'Estrange Ewen, *Witchcraft and Demonianism* (1933), 213.
- 18 After Nichols's death, Bromley presided alone at this assizes. Proceedings for

- all meetings to Hilary 1624, taken from the Mosley notebook, are also printed in *Manchester Sessions*, I, ed. Axon.
- 19 Mosley amended his record after James had issued the declaration of sports for Lancashire in August 1617, writing 'unlawful' over the words in brackets here.
 - 20 Heywood built a chapel in his home parish at an estimated cost of £150: Jordan, *Social Institutions*, 87.
 - 21 A reference to Salford hundred's collection for its own house: Tollit, 'First House of Correction' *THSLC*, 105, 72.
 - 22 John Hinde's inn, fittingly called the Hind, was commended by John Taylor, the water poet, when he stayed there in July 1618: *The Penyles Pilgrimage* (1618); Fishwick, *Preston*, 350.
 - 23 There is no trace of this 'gratious' letter in SP 14; perhaps written by James after crossing the bridge while returning from Scotland. He stayed at Hornby Castle on the night of 11 August 1617: *The Journal of Nicholas Assheton*, ed. F. R. Raines (CS, o.s. 14, 1848), 32.
 - 24 Among these collectors, Leccombie of Great Eccleston was rated at £4 in goods in the 1625 subsidy and later served as undersheriff and provost marshal, while Marsh and Clayton were both later purveyance contractors; Marsh was also a Wigan alderman: DDKe 3/91; E 179/131/316; DDHk (Rigby lieutenantancy book, 16 June 1635) on Leccombie; Jordan, *Social Institutions*, 27 on Marsh; and below on Clayton. Thomas Covell, gent., was a JP by 1625. One mark was worth 13s. 4d.
 - 25 See also QDD/27, the deed of bargain and sale for the house of correction, August 1618 which contains ancillary information.
 - 26 The proportions are those for the soldiers lay, shortly to become the general tax for the county.
 - 27 A copyist's error for tooled.
 - 28 Bannister was currently mayor of Preston: Fishwick, *Preston*, 78.
 - 29 To the south of Caton Bridge.
 - 30 No trace of this letter in SP 14; the nature of the 'consideracion' is thus unknown.
 - 31 The clerk of the peace was George Rigby; Dutton was not his deputy (then Robert Mawdesley), but was possibly a senior clerk: E. Stephens, *The Clerks of the Counties 1360-1960* (1961), 113.
 - 32 Roger Downes, a Lancashire JP, was also by April 1627 vice chamberlain of the county palatine of Cheshire: HMC *Eighth Report*, Appx., 383a.
 - 33 According to bishop Gastrell the inhabitants of Altcar, where the Molyneux family were patrons, were in the early eighteenth century once more claiming exemption from county bridge rates: *Notitia Cestriensis*, ed. F. R. Raines (CS, o.s. 22, 1850), II part iii, 163. The township of Childwall was largely in the possession of the Stanleys, but it is not clear on what grounds it claimed exemption: *VCH* III, 102 ff.
 - 34 The clerk of the market for Lancashire was Richard Baldwin, appointed by the Duchy on 29 June 1619: Somerville, *Office-holders*, 125. This order marks the start of the JPs' campaign against John Breres, on which see pp. 46-7 of the introduction above. For later agitation against the clerk of the market, see DL 41/17/20, c. 1630.
 - 35 Of these high constables, Richardson and Chetham later compounded for knighthood at £10, Barcroft at £15 all as gents: 'Obligatory Knighthood . . . Charles I', ed. J. P. Earwaker in *Miscellanies I* (RSLC 12, 1885), 220; DDN 1/64, ff. 69r, 70v.
 - 36 Watmough was rector of Bury, where his patron was the earl of Derby; regarded as an active preacher. Died 1622. See Kenyon, 12; *The Rectors of Manchester and Wardens of the Collegiate Church*, ed. F. R. Raines, II (CS, n.s. 6, 1885), 121.

- 37 One of these John Bradills is probably John Bradshaw of Bradshaw: another copyist's error.
- 38 Of these high constables, Elston and probably Catterall (as of Shevington) compounded for knighthood at £10 each, as gents: *Miscellanies I*, 221; DDN 1/64, f. 68v. For Elston's family memoir see Fishwick, *Preston*, 293, and p. 20 above.
- 39 Hilton was also known frequently as Hulton.
- 40 The mayor was William Preston: Fishwick, *Preston*, 78.
- 41 Moore was high sheriff, despite listing of a 'Thomas Shuttleworth' in *Lists and Indexes IX* (1963 reprint), 73: see LCRO, 920 MOO 294 for patent of office, 9 November 1620. William Spark of Manchester was his undersheriff: 920 MOO 295. Halsall was amongst those named as a recusant in the Commons 1626: John Rushworth, *Historical Collections*, I (1659), 394. William Leigh, BD, was rector of Standish: DDKe 2/19/6.
- 42 Gregory Turner, JP, was rector of Sefton: DDKe 2/19/6.
- 43 For Moore's provisions for and homeward expenses from this assizes, see SJL, Ms. 23. 1. s. 15 of 21 August 1621.
- 44 Others named in the Commons in 1626 as recusants included Norres, Ireland, Hoghton, Chisnall, Rigby and Sherburne: Rushworth, I 394.
- 45 First occasion on which quorum and sheriff's table are known to have been mentioned in heading.
- 46 On 26 Feb. 1630 the Privy Council instructed the Northern circuit judges to ask their JPs who had collected the Palatinate benevolence, since it understood 'divers somes of money to a good valleeu' were still in their hands: *Kenyon*, 39-40.
- 47 A fifteen realised approximately £330. The mayor of Preston was William Lemon: Fishwick, *Preston*, 78.
- 48 Amongst these constables Sands of Bouth, Butler and Shawe each later compounded for knighthood at £10, as gents: *Miscellanies I*, 220, 221; DDN 1/64, f. 71r. 'Siddall' was really Henry Suddell, twice mayor of Preston: Fishwick, *Preston*, 78.
- 49 For every £100, the general rate thus set £24 on West Derby hundred, £9 on Leyland, £14 on Salford, £19 on Amounderness, £18 on Blackburn and £16 on Lonsdale.
- 50 The outbreak of plague in London in the summer of 1625 was particularly virulent: C. Creighton, *A History of Epidemics in Britain* (Cambridge, 1894), I, 507; J. D. F. Shrewsbury, *A History of Bubonic Plague in the British Isles* (Cambridge, 1971), 318.
- 51 This order may well be connected with the next, in referring to a recent composition with the Duchy during the dispute with Breres, itself anticipating the 31 year lease of the greenwax summons granted to the JPs in 1628. No proceedings for Hilary 1625 survive.
- 52 Covell, as 'jaylor' and JP, was included in the Commons' recusant list 1626, because his daughter had married a Catholic: Rushworth, I 394.
- 53 This order 'fully satisfied' the assize judges after Francis Hervey JCP had been not entirely happy earlier about the 26s. 8d. a year which the Wigan bench had, on reference from assizes, allowed the child's guardian, James Gryffyth of Kirkham, although he thought it 'reasonable' while the boy was small: QSB/1/36/21.
- 54 'Examined' as a true copy of the original. Mawdesley married into the Rigby family, and served as deputy clerk of the peace 1611-28; he was also town clerk of Wigan: Stephens, *Clerks*, 113; Bagley, 'Kenyon v. Rigby' *THSLC*, 106, 39, 41.
- 55 Butterworth and Parkinson had been appointed treasurers for maimed soldiers in 1627.
- 56 The endorsement '*Jur[atatus]*' indicates that these constables were sworn into

- office at quarter sessions, usually at Easter; Fell was apparently first sworn in only at Midsummer sessions. It was evidently one of the clerk of the peace's responsibilities to ensure that this was done. Of these constables, Fell, Tomlinson (a defaulter), Ward, Radcliffe and Entwisle all compounded for knighthood at £10; Parsloe, set at £20 in the privy seal loan of 1625-6, at £15: *Miscellanies I*, 220; DDN 1/64, ff. 70, 71; SP 16/23/81.
- 57 For royal commission of 1 Dec. 1628 to eleven JPs empowering them as lessees or patentees to collect revenues on the greenwax summons for 31 years see DDKe 5/111, and also pp. 46-7 above.
- 58 See p. 50 above. The deputy lieutenants' treasurer, Sir Ralph Asheton, was present at this meeting, even though he may not have complied with the order subsequently.
- 59 John Parker was also included in the Commons' recusant list 1626: Rushworth, I 394.
- 60 Molyneux and Bold were two of the eleven patentees; the others were Sir Ralph Asheton, Sir Cecil Trafford, Sir Robert Bindlosse, Roger Downes, Richard Shuttleworth, Thomas Standish, Robert Blundell, Edward Wrightington and Alexander Rigby: DDKe 5/111.
- 61 Oldham.
- 62 Johnson was not a member of the quorum: QSC 8, 21 August 1628.
- 63 i.e. at Midsummer and Epiphany quarter sessions.
- 64 Brownrigg, Halstead, Blackleach, Whitehead, Lever and Flecher all compounded for knighthood at £10: *Miscellanies I*, 220; DDN 1/64, ff. 68, 70.
- 65 This endorsement suggests that the clerks were also keeping a fair-copy register; but the first pair of orders struck through here are also entered more fully below.
- 66 For greenwax lease. The next table may have considered the future of the current governor of the house of correction, Ewen Blackoe, referred to it by the Preston bench 'in respect of his infirmity in his speech' and unruly behaviour: Tollit, 'First House' *THSLC*, 105, 79.
- 67 George Rigby was clerk of the peace 1627-44, after his elder brother Alexander had assigned his interest to him.
- 68 Probably the worst epidemic in Preston's history: 1,100 burials were registered between 8 Nov. 1630 and 4 Nov. 1631. In 15 weeks from 16 April 1631 £856 was raised on £60 a week relief rate, and both in April and July over a thousand persons received weekly aid. Midsummer quarter sessions was not held in this division, Michaelmas at Blackburn. On 27 Sept. 1631 the knighthood commissioners, writing from Bury to the Privy Council, remarked that the adjacent towns and countryside were 'soe greivously visited that not many are left alyve': DDN 1/64, f. 71v. See also *Kenyon*, 43-8; R. Sharpe France, 'A History of Plague in Lancashire' *THSLC*, 90 (1939), 1-175 esp. 60-80; Shrewsbury, *Plague*, 362; and QSO/2/6 for orders in support, Easter QS 1631.
- 69 See pp. 42-3 above and appendix VI below.
- 70 See appendix VII below for the Exchequer order; and p. 47 for discussion.
- 71 When one of the 'ould' high constables went to warn Sheirdly of his impending term of office, he found he 'was at hand of fourscore yeares of age.' Norres appeared at Ormskirk sessions but told the bench he 'was of the trayned band'. The bench seems to have had difficulty replacing them: QSB/1/118/60, 62, 123/83. Judge Vernon told the local JPs to appoint 'one whose minde and meanes may be more answerable to the place' after being informed that Greene had no freehold in the county: he nevertheless called him 'Mr' and his replacement's certificate described him still as 'gent'. See QSB/1/118/60, 61.
- 72 The Lonsdale bench endorsed this order with the hope that it would back up the Privy Council's 'directions and orders for provision for the maintenance of the

- poor, aged and impotent persons', about which it may have done little hitherto. It put a £10 penalty on defaulting townships and ordered petty constables and churchwardens to provide 'reasonable' wages: QSO/2/8, sessions at Lancaster, Mich. 1633.
- 73 The working party reported 7 Oct. 1634 that the cop was 'very ruinated' and would cost one fifteen to repair. On 8 Oct. the Preston bench, taking into account Hoghton's willingness to convey his interest in it to six trustees (one for each hundred) rated its two hundreds for their share of the fifteen and entreated other benches to 'bee pleased to name a man . . . accordingly, and to allow, approve of and ratify this order'. See DDHo 267, 268.
- 74 Vernon and Crawley were the assize judges. The bishop of Chester was John Bridgeman; Edward Bridgeman was his brother. Murray was soon to lose his post as warden of Manchester College after a dispute with the fellows over a lease of tithes and other matters; he was a Scots presbyterian and pluralist, with a penchant for ceremonial: *Rectors of Manchester*, ed. Raines II, 112–22. Shuttleworth and Starkey had earlier in the year examined more Pendle witches; but after sentences of guilty on the witches at Hilary assizes, bishop Bridgeman intervened at the request of the Privy Council, and seven later attended its board: Ewen, *Witchcraft*, 244, 249. See also PC 2/43, p. 652.
- 75 For the series of proclamations from April to Oct. 1636 concerning the severe plague that year see Steele, *Proclamations* nos. 1723, 1727, 1729–35.
- 76 The Ormskirk bench, meeting on 24 April for Easter sessions, was certified by 'divers and sundry gentlemen of good repute that his Majesties Justices of assize at their coming through the towne of Wigan were informed of the age, blindness and deafness' of Worthington and ordered a replacement. He, forewarned, supplied the names of no fewer than nine possible successors, from which the bench chose George Greene of Hindley, gent. The same bench, on being informed that Banester was a trained bandsman, had the 1626 order read before appointing Richard Burning of Bispham in his place. Two days later the Salford bench was told Francis Mosley was a 'patentee for gathering and collecting part of the revenues due to his Majesty' and so 'must be compelled to very much paines, labour and attendance thereabouts (which seemeth was unknowne to the Justices of peace at the Sheryffs table)'. To be replaced by Nathan Jenkin of Nuthurst, gent on pain of £40. All QSO/2/12.
- 77 The statute was 14 Elizabeth c. 5 (1572) which by s. 38 had authorised JPs to collect up to 6d. or 8d. a week for this purpose.
- 78 Duchy servants here include Ireland, Blundell, Banester, Downes, Wrightington and Rigby. Ireland, barrister, king's counsel for the Duchy and MP Liverpool 1614, was the author of the *Abridgement of Dyer's Reports* which appeared in 1651, twelve years after his death: Somerville, *Office-holders*, 54.
- 79 Blundell and Asheton, both Duchy men, reported to the Lonsdale bench Mich. sessions that they had agreed with William Clayton and Nicholas Walker gent., to provide oxen for three years at £225 p.a., 'which this Cort, in respect that the Sessions of peace doe here first begin, doth Ratify and Confirme, the said agreement beeing Condescended unto by the Justices at the other subsequent sessions of peace.' They did. QSO/2/12.
- 80 After learning that both Hartley and Gadlawe were 'unfitt for that service this present yeare in respect of some infirmities in body and other speciall reasons' the Salford bench rather shamefacedly conceded that 'there were not many Justices of peace within the hundred of Salford [at the table] at the tyme of eleccion' of the constables. It nevertheless 'doth conceive itt fitt to elect others in their places, which this Court (exceptinge Rauffe Ashton of Middleton, Esquire, who doth disassent thereunto) doth order.' Ellis Hey of Bolton gent and Edward

- Walker of Heyroyd gent were the replacements: QSO/2/14, Manchester, Easter 1639.
- 81 The vagueness of this order caused differences amongst the JPs. The Preston bench proposed William Clayton at £360 p.a., the Manchester one his old partner Nicholas Walker who was prepared to accept £253 6s. 8d. p.a., a sum previously 'sleighted' by Clayton. At the next round of quarter sessions the Lancaster bench declined to give a lead, and referred the matter to the table. Its decision is not known, but with war at hand was academic. QSO/2/15.
 - 82 Their certificate of 20 October 1646 showed that £120 was needed for 'reasonable' repairs; it proposed Thomas Townson as treasurer for the rate, and Medcalfe and the governor of the Castle, Henry Porter, as overseers of the repairs: QSB/1/282/18. This was the first assize for some time: the Amounderness high constables had complained at Easter of having served for upwards of four years, at a time when the Ormskirk bench remarked 'there hath not beene nor as yet can an Assize be houlden': QSB/1/271/6, 272/5.
 - 83 They do.
 - 84 If Ashton parish had expected more from the table than merely an order for arrears, it was disappointed. QSP 31/6 is endorsed: 'An attachment against William Bamber and against Richard Worthington.'
 - 85 Walmisley told the Preston bench, Easter 1650 that he tried to support his wife, ten children and servants on 35 rented acres he shared with his father: 'hee hath no trade but lives onely upon husbandrie, hee is no Arithmetician; all things considered he is altogether unfit to execute the office.' Ingham told the same bench he was sick and could not appear to take oath: Richard Ward to succeed if he died. Abrams was coincidentally elected parish constable for Warrington; the Ormskirk bench invoked the 1633 order. See QSP 30/11, QSO/2/23.
 - 86 Total rate approx. £410. This order reappeared at Wigan, Mich 1654 because the clerk of the peace was complaining of not having been paid for drawing the rate rolls.
 - 87 Chewe told the Preston bench, Easter 1653 he had 'not a foote of freehold land in possession or reversion, which other men chosen to bee high constables have had; thereby the better enabling and incorageing them to undergoe the charge of their office. Besides which he hath (which he wisheth hee had not) a great rupture'. He believed that 'if these his reasons had beene known att the tyme of . . . his nomination . . . he should have been thought unmeete and unfit'. Hartley informed the same bench he had no freehold either and was 'illiterate and therefore unfitt for such A great charge and office'. He added 'praysed bee God [that Blackburn hundred is] . . . replenished with manie able sufficient men'. George Aynsworth of Knuzden and John Aspenwall of Standish to replace them: QSP 78/17, 18, 22. Blackborne had to be discharged by the Wigan bench, Easter 1653 as 'sequestered for delinquencie and discharged by Act of Parliament'. John Pincocke of Euxton, another who preserved his papers, replaced him: DDHk, miscellaneous.
 - 88 This is a typical precept from the table to incoming high constables, delivered to them by the outgoing ones. Joseph Rigby was clerk of the peace 1648-63, the last of three brothers to hold the office in their family since 1589, and the last Rigby to do so. Their relations by marriage, the Kenyons, retained it until 1780.
 - 89 For action by the Preston bench, Easter 1654 see QSO/2/27.
 - 90 'Court' struck out, 'table' substituted.
 - 91 For letter of 22 April 1658 from three Leyland JPs to Richard Loxam of Ulnes Walton and Hugh Wrennall of Wroughtington gent summoning them to take the oath of office at Easter sessions at Ormskirk, see QSP 159/42. JPs were Richard

- Standish, Lawrence Rawsthorne and Edward Robinson. A year later Wrennall petitioned Midsummer sessions at Ormskirk for release after Hilary assizes 1659 was not held: QSP 179/15.
- 92 Sephton or namesake one of three West Derby high constables who petitioned quarter sessions for release from office when Hilary assizes 1660 not held: QSP 191/6; 191/9 suggests that he was continued in office.
- 93 Knipe was later a witness against Fox, who believed him punished by early death: *Journal II*, 27, 64.
- 94 Statute here is 35 Elizabeth c. 4, shortly to be followed by 14 Charles II c. 9.
- 95 Sums required for these three hundreds same as in 1601; presumably the clerk has omitted a similar notice for Richard Greene's three hundreds.
- 96 Neither chief justice was on the Northern circuit; according to Cockburn *History of Assizes*, 275, Baron Christopher Turner sat alone.
- 97 *Recte* James Lawe of Preston, attorney at law: Fishwick, *Preston*, 299. See also Steele, *Proclamations* no. 3272 for proclamation of 17 December 1660 for sending maimed soldiers and pensioners at Ely House and the Savoy back to their counties under 43 Elizabeth c. 4.
- 98 Ms eaten away at this point; but see proceedings for Hilary 1663 below. Walker was appointed before unexpected abolition of purveyance, late 1660.
- 99 The table may have been taking care here to maintain its hold, interrupted in the recent past, on the raising and spending of county rates.
- 100 35 Elizabeth c. 4.
- 101 14 Charles II c. 9.
- 102 Bridge building had been regulated by 22 Henry VIII c. 5. It had not lapsed and was amended and continued by 1 Anne c. 12. Nevertheless the bridges provision in the 1670 highways act stated that 'to build and erect' bridges 'there is noe Lawe in force': 22 Charles II c. 12 s. 14.
- 103 Lawrence Rawsthorne.
- 104 Under 15 Charles II c. 13 (Hearth tax, 1663).
- 105 14 Charles II c. 1. Quakers refusing oath of allegiance were liable to £5 fine for first offence; also £5 fine each when five or more gathered for religious worship.
- 106 14 Charles II c. 9.
- 107 Walker presumably collected the odd £5 10s. 6d. from one of the other hundreds.
- 108 From this point headings to meetings, having re-established a settled form, are given in this edition in summary only.
- 109 35 Elizabeth c. 4; 14 Charles II c. 9.
- 110 Walthew was a farmer of yeoman-to-gentle status and a wealthy money lender, with loans worth £2375 outstanding at his death in 1676: see 'The will, inventory and accounts of Robert Walthew' ed. J. J. Bagley in *A Lancashire Miscellany* ed. R. Sharpe France (RSLC 109, 1965), 49-122.
- 111 The judges were Turner B. and Twysden JKB.
- 112 15 Charles II cc. 9, 10.
- 113 15 Charles II c. 7.
- 114 Salford now had its own house of correction, opened at Manchester in 1657.
- 115 This order ought to follow the next.
- 116 A fuller version is given as the first order at this meeting.
- 117 3 James I c. 10 had put the liability on the parish not the hundred.
- 118 Sir George Booth, created Baron Delamere in 1661, had risen in August 1659. Successful only in the north west. According to J. S. Morrill, *Cheshire 1630-1660* (Oxford, 1974), 318 ff. he wanted to return to the constitutional position of 1648, based especially on parliament; he never declared himself for Charles II. This order retains a sense of ambiguity about it.
- 119 The ruptured Chewes of 1653 or a namesake was now chosen for Blackburn to

- replace William Mitchell of Fillie Close in Pendle Forest, elected at the table, Hilary 1664. Mitchell was described in a petition from Richard Towneley and others as having no freehold, copyhold or leasehold but 'paying wracke rent for the Tenement hee now lives upon' and being 'an illiterate man, and of meane education in the way of husbandrie, not able to read or understand any Warrant or other Instrument in writeing'. See QSP 254/20. Rogers suffered the humiliation of being disclaimed by Dugdale at Trinity assizes, 1667: *THSLC*, 43 (1896), 76.
- 120 This order is also recorded in Mosley Ms. p. 196. Cowper had been a serjeant in the Low Countries. Carter, 'Exact Militia', *N.H.* XI (1975), 95.
- 121 14 Charles II c. 9.
- 122 16 & 17 Charles II c. 3.
- 123 This order and the next are entered twice in error in QSV/11/2.
- 124 The plague was approaching its peak in London by late August 1665: Shrewsbury, *Plague*, 445-77, esp. 452, 463. A proclamation of 27 August forbade fairs in Yorkshire: Steele, *Proclamations* no. 3430.
- 125 Kirkby was *custos* until at least 1681: DDKc 2/19/9. Braddill, Warren and William Kirkby were not of the quorum.
- 126 Clerical error: as the following meeting shows the 1665 pair, Whittaker and Haighton, continued in office by order of the judge until they had paid in a £400 rate for Pendle Bridge.
- 127 This order was probably entered as a model for clerks to follow when sending out their precepts.
- 128 5 Elizabeth c. 4 (s. 11 on wages).
- 129 Unclear what 'law' refers to these monthly sessions; more certainly a letter from lord chancellor Clarendon variously dated 30 March or 4 April 1665, urging that they should be held, did so: HMC, *Thirteenth Report*, Appx. iv, 464-5; *North Riding Quarter Sessions Records*, ed. J. C. Atkinson, VI 86.
- 130 These apprehensions were the almost inevitable consequence of the great fire of London which had broken out on 2 Sept. As Derby wrote to his deputy lieutenants on 10 Sept., 'The late sad and dismall fire of the most famous City of the Christian world cannot but have so greate an Influence everywhere that it concernes us all to looke about us, especially considering it is very probable that it comes not ymediately from the hand of God but the wicked attempts of wicked and mercil-lesse Enemies to the King and his Dominions': LI/40/1/1.
- 131 Hayhurst was a replacement for 'Mr' Walthew, chosen at Ormskirk sessions, Easter 1667 after five other nominees rejected: QSP 303/26.
- 132 A proclamation 'for banishing all popish priests and Jesuits, and putting the laws into speedy and due execution against Popish Recusants', 10 Nov. 1666: Steele, *Proclamations* no. 3479. A year later Sir Peter Leicester referred in his charge at Cheshire's Mich. quarter sessions to the rumour that the penal laws were not being put into effect in Lancashire: *Charges to the Grand Jury*, ed. Halcrow, 49.
- 133 'Additions' referred to details of rank, place of residence, occupation. A further Privy Council letter of 13 Sept. 1667 reinforced this policy: Mosley Ms. p. 210.
- 134 16 & 17 Charles II c. 3 (1665).
- 135 18 & 19 Charles II c. 9 (1667), passed as the session ended 8 Feb., warned JPs not to neglect county stocks providing materials for poor prisoners in county gaols. See also DL 42/143, f. 41r for a letter from the assize judges to the chancellor of the Duchy, 15 May 1667, on behalf of Lancashire JPs pointing out the need for repairs to the castle.
- 136 Irish cattle act, 18 & 19 Charles II c. 2.
- 137 In exchange for Lancashire textiles: see SP 29/176/30.

- 138 Although the table's proceedings are missing, Trinity assizes 1667 were held as usual: see Mosley Ms. p. 213.
- 139 West had been clerk of the crown 1652-60 and was a Cromwellian MP for the county, as well as a JP: Somerville, *Office-holders*, 104.
- 140 16 & 17 Charles II c. 3 (1665) stipulated that in certain cases jurors had to be freeholders worth £20 p.a.
- 141 Evidently as a replacement for either Moxen or Holt, nominated by the table March 1667.
- 142 The Five Mile act of 1665, 17 Charles II c. 2.
- 143 From this point, the remainder of this order is recorded only in Mosley Ms. p. 219.
- 144 Since Hilary assizes, Derby had received a letter from Arlington dated 27 May 1669 urging stricter enquiry into nonconformist meetings; if discussed, not noted by clerks. Mosley Ms. p. 221.
- 145 This was the table to which Bradshaigh hoped his wide-ranging interpretation of a Council order curbing dissenting activity at Gorton would be conveyed: *Kenyon*, 84-5.
- 146 22 Charles II c. 8 (1670). A further act, 23 Charles II c. 12 (1671), required all measures to be shaken down before sale.
- 147 This is the final entry on purveyance, over a decade after its abolition.
- 148 Trinity assizes 1671 were held as usual, and the gaol delivered 7 Sept: PL 26/21; there was however an additional gaol delivery 7 December 1671: PL 25/45. The declaration of indulgence was issued 15 March 1672.
- 149 Salford as usual excused. John Hilton, governor since 1631, had just died: Tollit, 'First House' *THSLC*, 105, 81.
- 150 It is possible that the Privy Council's reply of 24 Feb. 1673 to the Lancashire JPs' protest at the declaration of indulgence was read at the meeting in Hilary 1673: *Kenyon*, 95.
- 151 The first Test act, 25 Charles II c. 2.
- 152 Daniel Fleming wondered, from a distance, whether the Lancashire JPs at this assizes discussed the proclamation of 20 Nov. 1673 for suppressing popery: if they did, no order has survived: HMC, *Twelfth Report*, Appx. vii (Fleming Mss.), 109.
- 153 Clayton's accounts for his year of office are in QSP 515/2.
- 154 Presumably entered later, as suggested awards for damages.
- 155 14 Charles II c. 12; 43 Elizabeth I c. 2.
- 156 A copy of this order, examined by Henry Rowe, is in DDHo 275.
- 157 The clerk has left out the order containing the vote against building a bridge across the Ribble at Salesbury ford here: it is mentioned in proceedings for Hilary 1675.
- 158 See *Kenyon*, 100 for this letter.
- 159 Carr, as chancellor of the Duchy, had meanwhile written to the JPs on 13 Nov. 1674 strongly supporting the case for a new bridge: DDKe 2/15/5a. The ford was barely passable at times and a ferry sometimes operated: E. Broxap, *The Great Civil War in Lancashire* (Manchester, 1910), 81, 83.
- 160 22 Charles II c. 12 (Highways act, 1670): s. 14 encouraged bridge building in Lancashire and Cheshire for a ten year period.
- 161 For order by Lonsdale JPs on this see *Kenyon*, 115 (14 Feb. 1680).
- 162 According to an order of the table on 26 March 1680, this table appointed Henry Johnes of Lancaster treasurer for the gaol repair rate; see also *Kenyon*, 115.
- 163 1 Elizabeth I c. 2, esp. s. 3.
- 164 The bishop of Chester was John Pearson, consecrated Feb. 1673, died as bishop July 1686.
- 165 No mention is made in this table's orders of the issue of a renewed commission

- to JPs to take the oaths of allegiance and supremacy from named recusants of best quality, together with printed instructions to the JPs from the Privy Council of 18 March 1680, just eight days before this meeting. They were brought to assizes by the circuit judges on 26 March, and were shortly afterwards sent to all Lancashire JPs, who agreed to carry out the instructions in the hundreds. See *Kenyon*, 120, 121.
- 166 For dissatisfaction amongst JPs and gentry at the condition of the castle, see DDKe 5/160 and *Kenyon*, 115, 116.
- 167 Probably some clerical confusion here.
- 168 The act is 43 Elizabeth c. 2 (1601) passed later in that year than the JPs' meeting during Hilary assizes, after which the first King's Bench and Marshalsea rate was made.
- 169 The Ms. actually says 24 September, doubtless the month in which the order book was copied up; for correction, see *Kenyon*, 121.
- 170 This order reflects the lead given by Dolben in the assize court. See above of introduction, and *Fleming*, 167; *Kenyon*, 116 and 118.
- 171 Barcroft's register of his year of office is in LRO, DDB 64/3, transcribed by R. Sharpe France in *THSLC*, 107, 55–87.
- 172 Especially that made by the judges on 21 August 1680, a copy of which is in DDKe 3/101.
- 173 The Preston bench ordered £400 for repairs at Easter sessions 1681: QSO/2/50.
- 174 This meeting was on the fourth night of assizes week. Barcroft provides a brief summary of some of the procedures at this assizes: *THSLC*, 107, 75. The JPs and juries at Midsummer sessions had sent the king a loyal address for protection of the protestant religion against popish recusants, 12 July 1687: DDKe 2/20/1.
- 175 Duxbury was one of the three successors suggested by Barcroft at the end of his year of office. In 1682, however, the petty constable of Heyhouses had reported that the parish contained no freeholders worth at least £4 p.a., apparently including the new high constable and 'gent'. See *THSLC*, 107, 83, 87.
- 176 The August 1682 table, the proceedings of which are missing, may have dealt with Quaker breaches of the statutes requiring burial in wool (18 & 19 Charles II c. 4 and 32 Charles II c. 1) which Richard Clegg wanted *Kenyon* to bring to its attention: *Kenyon*, 146–7. The most recent commission of peace, issued as customarily just before assizes, showed a distinctly Court, Tory and Anglican character: QSC 85, 9 March 1683.
- 177 Hodgkinson and Lemon were both aldermen of Preston, while Winckley was registrar of the Duchy's chancery court there: Fishwick, *Preston*, 79, 233–4, 278–9.
- 178 The clerk probably meant 'failure' here.
- 179 The statutory provisions invoked here are 1 Elizabeth I c. 2 s. 3; 3 James I c. 4 s. 18; 16 Charles II c. 4; 22 Charles II c. 1 (conventicle act); 17 Charles II c. 2 (Five Mile or Oxford act). The act which imposed the £20 a month penalty on Roman Catholic recusants, 23 Elizabeth I c. 1, is not mentioned. Presentments of conventiclers were a regular feature of quarter sessions proceedings in 1680s: QSP 576/1, 579/28, 588/19 and *passim*.
- 180 For condition of gaol, see *Kenyon*, 159–60.
- 181 1 Elizabeth I c. 2 s. 3; 3 James I c. 4 s. 18; 23 Elizabeth I c. 1.
- 182 Hornby was in the parish of Melling, where Thomas Lord Morley and Monteagle in 1663 had sold an estate to Robert Brudenell later 2nd earl of Cardigan; Francis lord Brudenell was his heir: *Notitia Cestriensis* II part iii, 482n, 485n. This order was possibly repeated at the next table although not entered there; it was only on 6 Oct. 1684 that Daniel Fleming and other JPs made their inspection: *Fleming*, 202–3.

- 183 i.e. 1 James II c. 17 ss. 2, 3, and 14 Charles II c. 12.
- 184 If the sheriff ever got a ruling, it was not available to the table subsequently.
- 185 As the character of the bench continued to change Preston, a strong protestant, Hartley and Moore lost their places in the commission of peace 12 Jan. 1687, Longworth in that of 20 July 1687: QSC 95, 96. Kirkby was one of the three Caroline JPs to survive the vicissitudes of these years: Glassey, *Politics and . . . JPs*, 275. Shakerley was now in his second year of office. Like his father Sir Jeffrey, he was a strong Tory; both in their time were governors of Chester: Bean, *Parliamentary Representation*, 468. See also Fleming, 206–7; HMC, *Eleventh Report Appx. ii*, 182.
- 186 A name, now illegible, struck out by clerk under this head.
- 187 The combined effect of the changes in the commission of peace before this and the last assizes (QSC 95, 96) was to displace 21 protestant JPs and to put in 25 new men, most of them Catholics. LRO, QSC 222 lists RCs in the commission at this time; see also Fleming, 202–3. Among the Catholics here are Morley, Gerard, Clifton, Anderton, Molyneux, Towneley, Tildesley, Dalton, Walmesley, Carus, Leyburne, Butler, Stanley and Husbands.
- 188 1 James II c. 17, ss. 2, 3; 14 Charles II c. 12.
- 189 Not quite such a philanthropic gesture as it might appear. A group of mainly Catholic justices from the two most northern hundreds were at this time trying to revive the practice of payment for JPs, long lapsed. See the counter paper of 1687, 'Reasons why the Justices of Peace of Lancashire should not have 4s. per diem wages', prepared for Kenyon: DDKe 2/21/15.
- 190 Legh was sheriff 1682–3 (Hilary 1683) and Shakerley 1684–5 (Trinity 1685).
- 191 In the previous Nov. viscount Molyneux, the new lord lieutenant, had put to the JPs and freeholders the notorious three questions on repeal of the penal laws: Fleming, 205–7; Miller, *Popery and Politics*, 218. See also QSC 221 for a detailed list by Kenyon of changes in the commission of peace: 45 of 66 omissions listed there came on 11 April 1688; only 9 of the JPs of Jan. 1687 were never put out.
- 192 Cawson was a late replacement for Edward Wilson; he subsequently had difficulty getting Wilson to hand over moneys collected while in office: QSP 675/3.
- 193 1 James II c. 17.
- 194 i.e. Sir Edward Lutwyche.
- 195 This order also in Kenyon, 189.
- 196 43 Elizabeth I c. 2.
- 197 Lutwyche's interpretation chimes with that of Charles I's Book of Orders and with Heath's resolutions of 1633; but Dalton is less clear. See Rushworth, *Historical Collections*, II ii, Appx. 88; *Somerset Assize Orders 1625–1640* ed. T. G. Barnes, (Somerset RS 65, 1959), 63; Michael Dalton, *Countray Justice* (1619) 68.
- 198 Stockport.
- 199 The commission of peace of 9 August 1689 contained 37 new men, plus 45 former JPs: QSC 104. The bench was Whiggish now, but still relatively inexperienced. See Glassey, *Politics and . . . JPs*, 278. At Hilary assizes 1689, the deputy clerk of peace Henry Rowe had difficulty getting JPs sworn into office, so few of them were there: Kenyon, 223.
- 200 By 16 JPs during John Birch's shrievalty: QSP 683/11; see also pp. 27–9 of introduction.
- 201 For Birch's order, as sheriff, for Willacy's continuation in office, 26 August 1689, see Kenyon, 224.
- 202 This was probably the table which endorsed a recent Council order that cracked but unclipped coin was still legal tender – to which 19 Henry VII c. 5 (1504) also referred: Picton, *Selections*, 313. The heading to this meeting calls it 'an adjournment of the Quarter Sessions to the Sheriffes board'.

- 203 Bold was known for 'his constant adherence to the Church of England, beloved by all that love it' according to an address of thanks to William III on his appointment: DDKe 3/121.
- 204 The 1662 act of uniformity, 14 Charles II c. 4.
- 205 Order also in *Kenyon*, 245–6. See also *Kenyon*, 270–1: Green got his way in the end.
- 206 One of the noes was the anti-Tomlinson deputy lieutenant described by Kenyon in DDKe 2/14/11, possibly Rawsthorne.
- 207 e.g. QSP 696/14, information by Agnes Brethwaite before Edward Rigby, JP, 7 Feb. 1691.
- 208 Vice-chancellor of the county palatine of Lancaster 1689–94: Somerville, *Office-holders*, 95.
- 209 QSP 714/11 confirms that the table was still being held on the third night of assizes week.
- 210 Also dissatisfied was Joseph Garner of Lancaster, employed at 13s. 4d. p.a. in 'carrying carpetts and cushions for the Judges att the Assizes and Sessions' who petitioned Lancaster sessions, Easter 1692 for salary arrears: QSP 712/3.
- 211 For Shaw's accounts, presented to Lancaster sessions, Michaelmas 1692 see QSP 720/12 (for £156).
- 212 James Melling, gent.
- 213 Heavy snow delayed and disrupted the Hilary circuits: see Steele, *Proclamations* no. 4114.
- 214 The marquis of Carmarthen had warned William III on 28 August 1691 that the Lancashire parliament men would not act if Clayton was put in the commission of peace as Brandon wanted; they felt the same way about Thomas Patten: *Thomas Osborne, Earl of Danby*, II (1944) ed. A. Browning, 205–6.
- 215 1 William and Mary c. 18.
- 216 Another meeting house at Tatham, in Francis Beckett's house, was approved by the Lancaster bench, Epiphany 1690: QSP 675/5.
- 217 Copy in DDHo 278 with Hoghton's postscript after meeting the inspecting party that they were 'all well satisfied that the millfleame ought not to be turned or altered'.
- 218 The cop got its first, and perhaps the county's first, salaried supervisor in 1693 when Mr Geoffrey Roby, steward to Lady Hoghton, was appointed at £2 p.a. See A. Langshaw, 'The hundred bridges of the hundred of Blackburn in the Seventeenth Century' *THSLC*, 98 (1946), 28.
- 219 Commission of peace now decidedly Whiggish: see e.g. *Kenyon*, 289, 290, 291 for distaste at some of the dissenting new men. See also Glassey, *Politics and . . . JPs*, 281.

NOTES TO APPENDICES

- 220 From PRO, SP 12/106/19; a draft, corrected by Burghley, is in 106/18. Both lack headings and date; but the endorsement to 106/19 refers to 'Mi[nute] for Lettres to be written to the Justices of Assyse. Justices Dietts. 6 Lettres to be written after this Minute.' The minute may be found in *APC 1577–8*, 162 where dated 10 February 1578.
- 221 'Sumpts' means sumptuousness.
- 222 Original heading as found in MCL, Mosley Ms p. 44; also printed in *Manchester Sessions*, I, ed. Axon, 54. Undated, but date may be established by its placing with appendix III between dated items. The ten articles are very similar to a set of c. 1598 in Harl. 1926, f. 121v, and to the first ten of an undated set of eighteen later used by lord chief justice Coke: SP 12/276/72, SP 15/40/70. Lord chief

justice Popham was in the habit in the later 1590s of addressing what seems to have been a similar group of twelve articles to high constables a month before his circuit began: 'Journal of Sir Roger Wilbraham' ed. Scott, *Camden Miscellany* X, 20. Despite the Council's efforts in the meantime, and the table's own interest in articles in 1663, Barcroft was still using much the same set in the 1680s: *THSLC*, 107, 72.

223 According to the provisions of 39 & 40 Elizabeth I c. 2 s. 2 (1598).

224 5 & 6 Edward VI c. 25.

225 4 James I c. 4.

226 Original heading as in Mosley Ms p. 42; also printed in *Manchester Sessions I*, 49. Undated, but immediately preceding appendix II in Mosley's notebook. Whole approach suggests a national application, since it must have been well enough known for example that Lancashire had failed to set up a county house of correction by Michaelmas 1611 (article 30). A similar set had been left with Hampshire JPs in 1613. Clearly intended to prompt a general quickening of the basic activities of county and parish government and probably stemming in the first instance from the Privy Council itself. Resort to the clerks of assize and peace for precise information about performance threatened the JPs with a revival of the close oversight by subordinates which had dismayed some of them in the past. Probably meant for use as guidelines for articles to petty constables and others in anticipation of further enquiries by judges already under pressure from Bacon and the king for more detailed reports about their circuits. See also *Sir Henry Whithed's Letter Book: 1601-1614* (Hampshire Record Series, I, 1976), 103-6.

227 Heading as in Mosley Ms p. 46; printed in *Manchester Sessions I*, 57. Undated, but placed in Mosley's notebook between entries for 2 and 3 November 1618. Thus very probably sent to the Lancashire JPs some time after the judges had returned from their Trinity circuits and following their reports to the king. Certainly springs directly from the judges's awareness that James I expected them to report back convincingly after the Hilary circuits 1619, providing further confirmation of the closeness of the interest which the king and his senior law officers were for the time being taking in the enforcement of statute by the JPs and their subordinates. This set of articles is more directly related than previous ones to circumstances in Lancashire, as its comments on the house of correction indicate. The Northern circuit judges also sent a set of articles to the Yorkshire JPs on similar lines, but containing fewer articles and dealing with each in rather fuller fashion. This set too is prefaced by a heading stressing the judges' obligation to 'render an accompt to the Kinge'. For the latter set see *West Riding Session Records II*, ed. Lister 397-9.

228 From Mosley Ms p. 41; originally in Latin, as printed in *Manchester Sessions I*, 49. I would like to thank my colleague, Dr Alan Cobban, for his help with the translation of this and the next item. The judges here were Humphrey Winch JCP and John Denham B. Note the curious assumption, nowhere else explicit in the proceedings over the house of correction in 1618, that there should be a house in each of the hundreds. According to the deed of bargain and sale by which the JPs acquired the Preston house, the judges on 17 August had simply ordered that 'one or more houses of correction' should be set up at once in belated recognition of the 1598 and 1610 acts. It noted that the judges threatened the JPs with 'certayne great penaltys' for default, but not where the additional houses should be situated. Possibly the clerk's Latin let him down. The exemption of the JPs of West Derby and Leyland hundreds was presumably in recognition of their small house at Wigan, open by 1608 although only shortly to survive the opening of the county house. The only house known to have been subsequently established was at Manchester for Salford hundred in the 1650s. The 1610 act (7 James I c. 4)

- had merely imposed a fine of £5 on JPs for default; the 1598 one (39 & 40 Elizabeth c. 4) had been permissive and penalty free.
- 229 From Mosley Ms p. 71; printed in *Manchester Sessions, I*, 108, in original Latin. The judges were Denham and serjeant John Davis. The first order is endorsed 'wrongly entered'.
- 230 From Mosley Ms p. 91; printed in *Manchester Sessions, I*, 144.
- 231 From LRO, DDN 1/64, f. 26r. For context, see pp. 42–3 of introduction. The table's proceedings for this assizes are not available, but it was almost certainly also held on Wednesday, 23 August, the third day of assizes week. It is possible this order was put to the table for approval; recording a later exemption under its terms, Sir Gilbert Hoghton noted that it had been made 'with the assent and approbation of the Judges and Justices of Peace within this Countie' (DDN 1/64, f. 88r). Possibly at this same assizes, but more probably at another shortly afterwards, the judges made their order exempting high constables for life from the office of parish constable, confirmed by the table in 1633 and 1662. Despite the bandsmen's own exemption, the Salford hundred bench at Midsummer sessions 1631 ordered all of them below the rank of esquire to watch and ward during the current plague if ordered to do so, on pain of proceedings at assizes: QSO/2/6. The assize judges were Hervey and Yelverton.
- 232 From LRO, DDKe 3/90, copy of the court order. Words in square brackets supplied where Ms. crumbled at folds. The chancellor of the Duchy at this time was Edward Lord Newburgh, a Privy Councillor, who had taken office reluctantly after lord treasurer Weston had ended his brief term as chancellor of the Exchequer, 1628–9. See p. 47 of introduction.

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Abbreviations

(in addition to those used in Introduction and Documents)

A	Amounderness hundred	HC	High constable
B	Blackburn hundred	Le	Leyland hundred
CC	Clerk of the crown	Lo	Lonsdale hundred
CP	Clerk of the peace	S	Salford hundred
D	West Derby hundred	Steele	R. R. Steele, <i>Bibliography of Royal Proclamations . . . 1485-1714</i> , I.
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