SECULAR POLICY ENFORCEMENT DURING THE PERSONAL RULE OF CHARLES I: THE ADMINISTRATIVE WORK OF PARISH OFFICERS IN THE 1630s

A thesis submitted by Henrik A. Langelüddecke of Lady Margaret Hall, Oxford

for the degree of Doctor of Philosophy, Trinity term 1995

SHORT ABSTRACT

This thesis explores the impact of the Caroline reform policies during the Personal Rule on the organisation, work-load, and morale of parish officers. In addition to suggesting a national approach to the study of local government, it examines the enforcement of the Book of Orders, Ship Money, and the Perfect Militia at the parochial level during the 1630s. The sources employed include the rich correspondence between the Privy Council and county governors (JPs, Sheriffs, Deputy Lieutenants), and all available parish officers' accounts from thirty-nine English counties and corporate towns.

It is argued that the pattern of response to national policies was strongly influenced by communal values, and the administrative standards and individual character of local officeholders. The enforcement of the Caroline reform policies depended on their political acceptability and the ability of the Privy Council and county governors to coerce parish officers. While the Book of Orders was generally welcome in the localities, its implementation was adapted to local necessities and the administrative inertia of both JPs and parish officers. The supervision of the enforcement was restricted by the extreme dependency of superiors on information from parish officers. The administration of Ship Money was thwarted by local assessment disputes, economic depression, and political opposition. Its collection met with significant difficulties from the very start, and ceased under the pressure communities exerted on their officers. Far from being perfect, the militias maintained their standard under the constant supervision of the Deputy Lieutenants. The control of parishes over their officers was emphasised during the recruitment for the Scots' Wars and the

collection of Coat and Conduct Money, both of which were causes of the failure of the English army.

In conclusion, this thesis proposes that the response to national policies in early modern England varied considerably from community to community. A voluntary and highly decentralised system of local government was unsuitable to enforce contentious policies against the will of the population. The 1630s saw the partial breakdown of local government which significantly contributed to the collapse of the Personal Rule in 1640.

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LONG ABSTRACT

This thesis examines the enforcement of the Caroline reform policies in the localities during the Personal Rule, and their impact on the organisation, work-load, and morale of parish officers. While central policies were defined by the monarch and the Privy Council and supervised by county governors (Justices of the Peace, Sheriffs, Lieutenants), their implementation ultimately depended on parish officers who were the last in the chain of command. They had to translate orders into actions and confronted the subjects on a daily basis in their communities. The Personal Rule was a period of government which to an unprecedented degree was based on the belief that any policy could be enforced as long as it was well-administered. This bureaucratic approach generated a particular interest at Whitehall in the executive aspects of government and the procedures and functioning of the local administration. The effectiveness of parish officers was particularly vital, since the central government embarked on a reform policy which in its scope and intensity was unparalleled in early modern England. The Book of Orders of 1631 aimed at the vigorous implementation of the Elizabethan and Jacobean Poor Laws; after 1634, Ship Money was levied to subsidise the rebuilding of a powerful navy; and in the aftermath of the disastrous wars of the 1620s, the programme of the Perfect Militia attempted to raise the standards of the home defence forces, which, from 1638 to 1640, were put to the test against Scotland.

Early modern England has been the subject of intense historiographical scrutiny for more than three hundred years, which sought to elucidate the causes of the Civil War and the unprecedented execution of a legitimate monarch. Yet, the role of local government in the

Personal Rule has been neglected by historians. Judgements on Charles I's personal government, whether admiration for an efficient and tranquil period of statecraft or denunciation of a period of political insensitivity and failure, have not carefully analysed the documentation. The three specific projects which aimed at the improvement of the state's instruments have attracted more attention, but while Ship Money is comparatively well-studied, surveys of the success of the Book of Orders and the Perfect Militia are still limited. A number of county studies of some of the policies and of local administration have shown that the response to national policies varied from county to county. Yet, such studies have exaggerated the significance of the gentry in their role as local governors, and have disregarded their inability to secure the conformity of villages and urban communities. Evaluations of the parish officers' performance during the Personal Rule are scattered and contradictory. Some scholars reject claims that parish officers had difficulty coping with the increasing demands, while others have drawn a rather grim picture of their capacity and willingness to operate complex national policies. Recently, historians have stressed the interdependence between the various levels of government, and the conflicting loyalties of parish officers trying to adjust their duties as servants of the crown to the obligations to their communities.

This thesis is limited by three parameters - topology, geography, and chronology. The subjects of its analysis are the three secular reform projects of the 1630s, the Book of Orders, Ship Money, and the Perfect Militia; the ecclesiastical policies and the routine tasks of local government will not be included. It deviates from the traditional single-jurisdiction approach of most local historians in order to avoid the distortions that are a product of local idiosyncrasies, and examines the work of parish officers in *all* English and Welsh counties. Although the random survival of source material creates some evidential difficulties, this method emphasises both the diversity of local reactions and overarching national trends. The citation of local examples in the text is supported by an extensive statistical appendix. The analysis is based on three classes of sources concerning the Caroline reform projects. The

"Acts of the Privy Council" recorded the decisions of the political epicentre in the realm. The proclamations, orders, and letters of the Privy Council are supplemented by bulletins collected in the "State Papers Domestic" from JPs, Sheriffs, and Lieutenants, who were directed or encouraged to submit detailed statements of their work. The presentments and affidavits by parish officers that are often appended by their superiors are particularly valuable. The geographic and chronological survival pattern of these documents varies considerably between counties, districts, and parishes. An attempt is made to provide a cautious exploration of this pattern. The third category of evidence are the parish accounts which, since most of their activities entailed expenses for which officers expected reimbursement, provide some account of their effectiveness. Vestry books and assessment registers provide data to evaluate the social profile of parish officers. The survival of parish accounts is erratic, and some counties are comparatively underrepresented in this study. In some parishes, records survive only from certain years. The standard of accounting varies, and the annual succession of officers explains the lack of consistency and standard procedures. In their combination and variety, however, the nearly nine thousand documents which are the foundation of this thesis, supply a sufficient amount of information to answer the questions raised.

Names and income data disclose that the Personal Rule, contrary to the opinion of most secondary authorities, had no impact on the social profile of parish officers. This was due to the fact that offices usually were allocated by rotas, which secured their distribution across all ranks of society. Elsewhere, offices were monopolised by parochial oligarchies, and most holders were members of the parish gentry and middling sort. There is no evidence that villagers were increasingly reluctant to serve, or insisted on punctual discharge after one term. The growing inquisitiveness of county governors and enhanced work-load did not prevent the wealthy and influential from taking office. On the contrary, it was in the interest of local elites not to relinquish power and control over all or some offices, in order to preserve social stability and consensus, and to buffer the potentially disruptive effects of central policies.

In 1631, the Book of Orders was reissued both to combat an acute economic crisis by

putting neglected social legislation into action, and to institutionalise and standardise procedures in local government. The government's attempt to introduce divisions of counties and monthly Petty Sessions was not entirely successful. Divisions changed their shape and size, and Petty Sessions were not always held monthly, nor were they attended by all divisional parish officers. The purpose of monthly meetings as continuous and stringent instrument of communication thus was defeated. The need of trust in parish officers showed particularly in those elements of the Book of Orders which were autonomously administered by parish officers - poor relief and the prosecution of vagrancy. The inability of JPs to supervise their enforcement closely made them completely dependent on the information parish officers provided at Petty Sessions. Although the highly formalised regulations were not opposed by communities, they were not implemented to the letter, but rather adapted to local necessities and administrative standards. The pattern of enforcement varied considerably, and the increased supervision by JPs undoubtedly sharpened the awareness of parish officers of the social and administrative problems. Yet, local judgement was still at the heart of the process, and the Book of Orders did little to change local perceptions and procedures either temporarily or fundamentally.

Ship Money not only imposed a grave financial burden on communities, but also was politically contentious as an unparliamentary tax. The assessment by county-quotas, and the latitude parish officers enjoyed in estimating individual rates led to continuous assessment disputes between and within localities and impeded the swift collection. The statistics show that the payment record was less impressive than has recently been suggested, and that in most counties the collection disintegrated at an early stage. Ship Money was not only opposed for the technical problems of its assessment and collection, but for financial and political reasons. With the increasing resistance of the population to payment, parish officers were exposed to the pressures of both their superiors and their communities. Ship Money collapsed because parish officers were reluctant, and often impotent, to break the opposition of their villages, and they yielded to the more immediate threat from their neighbours.

Although the standards of the county militias were diminished by their amateurish organisation and the absence of an impending foreign threat, the continuous supervision by Lieutenants secured the maintenance of the equipment, and regular inspections and training throughout the 1630s. The unpopularity of the Scots' Wars and the selective recruitment of contingents undermined the limited achieved by the Perfect Militia. Conscripts dodged active service by hiring substitutes and bribing officers, and communities pressured parish officers not to recruit parishioners whose economic importance was recognised, or who were members of the militia proper. The training of the regular militias and contingents, in addition to the contentious recruitment and the rapid levying of Coat and Conduct Money, increased the administrative burden on parish officers to an intolerable level.

The reforms of the Personal Rule were frustrated by technical problems and political controversy. The executive power was amateurish, decentralised, and overwhelmed by the magnitude and complexity of the projects. The unpopularity of some of the policies generated conflicting loyalties in local officers as crown servants and spokesmen of their communities, which ultimately caused the paralysis of local government. Finally, central government and county governors were utterly dependent on parish officers and lacked sufficient means to supervise and discipline them. The two outstanding features of the Personal Rule were the adaptation of central policies to local values, and the attempt and failure of Westminster to impose unpopular policies on the nation with the help of parish officers who were dependent on the consensus of their communities.

This thesis supports the arguments of several, often contradictory and competing schools of thought. Extreme revisionists are mistaken in asserting the success of the Personal Rule. Ship Money was an utterly unsuccessful tax, and the Scots' Wars a disastrous performance by the English contingents. The post-revisionists' approach, which focuses on the political acceptance of specific policies and the political costs of their forceful administrative implementation is more viable for an understanding of the Personal Rule. Yet, some programmes of the Personal Rule were not failures; the peace-time Perfect Militia

seemed to have worked better than has been assumed, and the Book of Orders did not face political opposition. Even those who argue the intrinsic dichotomy between the centre and the localities are not entirely wrong. The local response pattern, however, was not necessarily congruent with county-borders, but defined by each individual community, and it reflected the timeless and natural distrust of citizens to any novel central demand.

This thesis is intended to emphasise the importance of a heretofore neglected and crucial level of local government. It seeks to demonstrate the reformist character of the Personal Rule, and to evaluate the three core administrative programmes of the 1630s through a new approach to the study of local history.

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ABBREVIATIONS

Add MSS	(British Library) Additional Manuscripts
APC	Public Record Office, Acts of the Privy Council, New series 1890-1964
BedsRO	Bedfordshire Record Office
BerksRO	Berkshire Record Office
BIHR	Borthwick Institute of Historical Research, University of York
BL	British Library
BodL	Bodleian Library, Oxford
BucksRO	Buckinghamshire Record Office
C	Constables' Accounts
CambrsRO(C)	Cambridgeshire Record Office
CambrsRO(H)	Huntingdonshire Record Office
ChesRO	Cheshire Record Office
CornwRO	Cornwall Record Office
CRO	City Record Office
CUL	Cambridge University Library
CumbriaRO(C)	Cumbria Record Office, Carlisle
CumbriaRO(K)	Cumbria Record Office, Kendal
CW	Churchwardens' Accounts
DerbysRO	Derbyshire Record Office
DevonRO(E)	East Devon Record Office, Exeter
DevonRO(N)	North Devon Record Office, Barnstaple
DevonRO(W)	West Devon Record Office, Plymouth
GloucsRO	Gloucestershire Record Office
HantsRO	Hampshire Record Office
HB	Headboroughs' Accounts
HerefsRO	Herefordshire Record Office
HertsRO	Hertfordshire Record Office
HMC	Historical Manuscript Commission
H of LMP	Main Papers Collection in the House of Lords Record Office
JRL	John Rylands University Library, Manchester
KAO(M)	Kent Archive Office, Maidstone
KAO(S)	Kent Archive Office, Strood
LancsRO	Lancashire Record Office
LeicsRO	Leicestershire Record Office
LincsArch	Lincolnshire Archives
MSS	Manuscripts
n.d.	undated
n.n.	unnamed
n.p.	no pagination

NorfRO	Norfolk Record Office
NorthantsRO	Northamptonshire Record Office
NottsRO	Nottinghamshire Record Office
NRQSR	*Quarter Sessions Records*, ed. J.C. Atkinson (North Riding Record Society III + IV,1885)
OV	Overseers' Accounts
OxonRO	Oxfordshire Record Office
PA	Parish Accounts
PB	Parish Books
QS	Quarter Sessions
RB	Rate Books
RO	Record Office
SalopRO	Shropshire Record Office
SM	Sidemen's Accounts
SomsQSR	*Quarter Sessions Records for the County of Somerset, Charles I, 1625-1639*, ed. E. Bates-Harbin (Somerset Record Society, XXIV, 1908)
SomsRO	Somerset Record Office
SPD	State Papers Domestic, Charles I, Great Britain, series II, 1625-1702
SPV	*Calendar of State Papers and Manuscripts, Relating to English Affairs in the Archives and Collections of Venice and other Libraries of Northern Italy*, ed. Allen Hinds (London, 1921)
StaffsRO	Staffordshire Record Office
SuffRO(I)	Suffolk Record Office, Ipswich
SuffRO(B)	Suffolk Record Office, Bury St.Edmunds
SurreyRO(G)	Surrey Record Office, Guildford
SurreyRO(K)	Surrey Record Office, Kingston upon Thames
SussexRO(E)	East Sussex Record Office
TB	Town Books
TM	Tithingmen's Accounts
VAB	Vestry Audit Books
VB	Vestry Books
VMB	Vestry Minute Books
WarwsRO	Warwickshire Record Office
WiltsRO	Wiltshire Record Office
WorcsRO	Worcestershire Record Office
WRQSR	*West Riding Sessions Records*, ed. John Lister (Yorkshire Archaeological Society Record Series, LIV, 1915)

All dates are New Style, the year beginning on 1 January. For parish officers, however, the year started at Easter, for Constables usually at Michaelmas. Thus, "in 1634, the Constables of [...]", or "the Churchwardens of 1637", for example, refer to the period Michaelmas 1634 to Michaelmas 1635, and Easter 1637 to Easter 1638. Quoting from documents, I used the original spelling. With reference to parish officers' names, I adapted first names to their modern versions. Due to their frequent illegibility, second names might not always be correct. Parish accounts often do not have any, or a very confusing pagination, and I refer to the year of the account which is more reliable for tracing a specific entry.

1. INTRODUCTION

1.1. LOCAL GOVERNMENT AND THE PERSONAL RULE

1.1.1. INTRODUCTION TO THE SUBJECT

Early modern England has been the subject of historiographical scrutiny which in its duration and intensity is probably unrivalled for any period in British and European history. For more than three hundred years, scholars have attempted to explain the causes of the political events leading to the Civil War in 1642, and ending in the unprecedented trial and execution of the monarch in 1649.[1] Influenced by contemporary political persuasions, historians vindicated the cause of Charles I and the Royalists in the aftermath of the Restoration, only to condemn the king and the Stuarts in general after the second revolution of 1688. The debate was dominated by constitutional issues and the sphere of Parliament and court, and until the late-nineteenth century, the unquestioned interpretation of the events was based on the conviction that in 1642 England narrowly escaped an attempt to establish an absolutist regime. This view was modified by the Marxist model which focused on the economic framework of the period. According to this concept, the Civil War was a genuine revolution in which economically prosperous but politically disenfranchised classes - a pseudo-bourgeois gentry - claimed governmental supremacy. The ensuing debate, culminating in the so-called "gentry-controversy", provided important impulses for the emerging fields of social and local history, but ultimately ended in the defeat of the Marxist interpretation. The 1970s experienced two new trends in historiography. Revisionists criticised the teleological approach of the past explaining the turmoil of the 1640s as a chain of inevitable events reaching back into the reign of James I or the Tudors. In their opinion, the Civil War was a sudden and unforseeable

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[1] A very useful overview was recently provided by Robert Zaller, "What Does the English Revolution Mean? Recent Historiographical Interpretations of Mid-Seventeenth Century England", *Albion*, XVIII/4 (1986), pp.617-35. Some dated coverage of the social interpretation of the Civil War: Perez Zagorin, "The Social Interpretation of the English Revolution", *Journal of Economic History*, XIX/3 (1959), pp.376-401; Hugh Trevor-Roper, "The Gentry 1540-1640", *Economic History Review Supplement*, 1 (n.d.); Jack Hexter, "Storm over the Gentry", ed. Jack Hexter, *Reappraisals in History* (London 1961), pp.127-62; Lawrence Stone, "The Social Origins of the English Revolution", ed. Lawrence Stone, *The Causes of the English Revolution 1529-1642* (London, 1972), pp.26-41. For the specific references to issues addressed by this thesis see Chapter 1.1.2..

accident. Another group of historians based their findings on studies of individual counties, and some argued that local aristocrat-gentry elites held provincial values and issues higher than national policies. The Civil War, in their view, appeared to be a conflict between an increasingly interventionist and "nationalising" central government and semi-autonomous shires. Recently, however, scholars have challenged the revisionist interpretation and stressed the structural problems of the years preceding the Civil War and the national agenda of political discussions. A number of local studies revealed that the socio-economic profile of the gentry and the response to national policies varied from county to county. The idiosyncracies of individual counties could not be extrapolated to other parts of the country. Although some studies examined the role of the gentry in judicial and administrative affairs, the subject of enforcement was largely ignored. Only few historians surveyed local institutions, such as the magistracy, Quarter Sessions, or court juries, or the implementation of specific policies, such as criminal prosecution, social regulation, or the Forced Loan. Besides a local bias, a product of the need to limit the geographical scope of the abundant source material, most of these analyses focussed upon the gentry serving as Justices of the Peace (JPs), Sheriffs, or Deputy Lieutenants of their counties. Yet, scholars have persistently ignored the fact that, although these county governors were important as conveyors of policies and information between Westminster and their localities, they were physically unable to secure the conformity of each individual subject. They could not apprehend lawbreakers, punish vagrants, relieve paupers, collect taxes, and train militiamen personally, and needed to rely on a futher tier of local government. The actual enforcers of the law and national policies were those men who lived closest to the king's subjects, were numerous enough to monitor their obedience, and willing to organise the routine administration of the country - the parish officers.

In this historiographic maelstrom, interpretations of the Personal Rule have been, unsurprisingly, various. Some contemporaries and modern historians considered the unparliamentary rule of Charles an era of "most serene, quiet and halcyon days that could be

possibly imagined"[1], while others, if not reverting to the whiggish "Eleven Years Tyranny"[2], are more negative in their judgements. Resolving this debate is not easy. It is relatively uncomplicated to assess the impact of policies in years when Parliament was in session, and MPs were able to communicate and express their opinions freely. The Personal Rule, however, meant an eleven-years' blackout during which the flow of information was significantly curtailed and comment limited to personal letters and diaries. Consequently, a more reliable and precise assessment of the Personal Rule must be based on an analysis of the *enforcement* of its policies. The absence of Parliament enabled king and Privy Council to concentrate on the implementation of existing legislation and executive aspects of government. Disgusted with the uncooperative attitude of Parliament throughout the first five years of his reign, Charles I was determined to prove that he and his advisers were able to conduct "good government" without insubordinate MPs and their scarce money. This, however, required the full cooperation and commitment of local government, involving the coordinative skills of county governors and the conscientious performance of parish officers. The effectiveness of local government was particularly important, since, instead of confining itself to survival and routine business, Westminster embarked on a reform policy which in its scope and intensity was probably unparalleled in early modern England. The Book of Orders of 1631 aimed at the vigorous implementation of the Elizabethan and Jacobean Poor Laws; after 1634, Ship Money was levied to subsidise the rebuilding of a powerful navy; and in the aftermath of the disastrous wars of the 1620s, the programme of the Perfect Militia tried to raise the standards of the home defence forces, which, from 1638 to 1640, were put to the test against Scotland. The vigour of these reform projects was potentially jeopardised by three problems: the attempt to rule without Parliament roused distrust as to Charles's further political objectives; some of the policies lacked a statutory basis and were unpopular from their start; and the voluntary,

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[1] Lord Falkland, 1641, cf. *Historical Collections*, ed. John Rushworth (London, 1659-1680), III, part 1, p.86.

[2] Reference to "tyranny", e.g. in George Trevelyan, *England under the Stuarts* (14th edn., London, 1928), p.187.

part-time local government was not likely to fulfill Westminster's expectations as to the perfection of policy enforcement.

1.1.2. HISTORIOGRAPHY

Since Gardiner's and Trevelyan's critical narratives there have been only a few general surveys of the Personal Rule.[1] While Reeve described the events which initiated Charles's decision to rule without Parliament, Cope and Russell have examined the policies of the 1630s focusing on Westminster.[2] Although both have acknowledged the constraints of an unparliamentary government and the frictions some of the political, religious, and financial schemes caused, they conclude that the Personal Rule was well-established after ten years and only collapsed in the war with Scotland, which prompted the summoning of Parliament. Kevin Sharpe, who has devoted most of his work to the 1630s, has supported this view, but goes further by claiming that the Personal Rule, in terms of tranquillity and efficiency, was a very successful form and period of government.[3] Even evidently contentious policies, such as Ship Money and the Scots' Wars receive his benevolent verdict. The three specific projects which aimed at the improvement of the state's instruments, such as local government, the navy, and the militia, have attracted more detailed attention from historians. Slack and Quintrell have analysed the origins of Tudor and Stuart social policies and the Book of Orders in particular.[4] County studies have examined the implementation of the Book in certain

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[1] George Trevelyan, *England under the Stuarts* (14th edn., London, 1928), pp.156-94; Samuel Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War 1603-1642* (London, 1884), VII + VIII;also Thomas MacAulay, *The History of England from the Accession of James the Second* (edn. Charles Firth, London, 1913), I, 71-83.

[2] L.J. Reeve, *Charles I and the Road to Personal Rule* (Cambridge, 1989); Esther Cope, *Politics without Parliament 1629-1640* (London, 1987); Conrad Russell, "Introduction",ed. Conrad Russell, *The Origins of the English Civil War* (London, 1973), particularly pp.12-14; Conrad Russell, *The Fall of the British Monarchies 1637-1642* (Oxford 1991), pp.1-26.

[3] Kevin Sharpe, *The Personal Rule of Charles I* (New Haven/London, 1992).

[4] Brian Quintrell, "The Making of Charles I's Book of Orders",*English Historical Review*, XCV/376 (1980), pp.553-72; Paul Slack, "Books of Orders: The Making of English Social Policy 1577-1631", *Transactions of the Royal Historical Society*, 5th series XXX (1980), pp.1-22.

localities, but come to diverging conclusions. While some scholars have conceded an advancement of the procedures of local government and observed an improved enforcement of policies, others deny the influence of the Caroline social policy on the fortunes of those it intended to help. Yet, a comprehensive and nation-wide analysis of the administration of the Book of Orders in the provinces is still missing.[1] Ship Money has attracted the interest of numerous historians. Besides earlier works on the constitutional and political implications of this tax, its financial aspects and administrative mechanisms have inspired a number of county studies. Besides overemphasising the coordinating role of the Sheriffs, there have been obvious disadvantages of such a localised focus.[2] Alison Gill's doctoral thesis has amended some of these methodological shortcomings and described the progress of Ship Money in greater detail; yet, her study does not satisfactorily illustrate the crucial role of local officers

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[1] Thomas Barnes, *Somerset 1625-1640; A County's Government During the "Personal Rule"* (Cambridge, Mass., 1961); Julie Calnan, "County Society and Local Government in the County of Hertford c.1580-c.1630 with Special Reference to the Commission of the Peace" (Cambridge Univ. Ph.D. thesis 1978); Peter A. Clark, *English Provincial Society from the Reformation to the Revolution: Religion, Politics and Society in Kent 1500-1640* (Hemel Hempstead, 1977); D.C. Cox, "County Government 1603-1714", ed. G. Baugh, *Victoria County History, Shropshire III* (1979), pp.90-114; Jill Dias, "Politics and Administration in Nottinghamshire and Derbyshire 1590-1640" (Oxford Univ. D.Phil. thesis 1973); Anthony Fletcher, *A County Community in Peace and War: Sussex 1600-1660* (London, 1975); G.P. Higgins, "County Government and Society in Cheshire c.1590-1640" (Liverpool Univ. Ph.D. thesis 1985); Julian Hill, "A Study of Poverty and Poor Relief in Shropshire 1550-1685" (Liverpool Univ. M.A. thesis 1973); Ann Hughes, *Politics, Society and Civil War in Warwickshire, 1620-1660* (Cambridge, 1987); William Hunt, *The Puritan Moment; The Coming of Revolution in an English County* (Cambridge, Mass., 1983); Joel Hurstfield, "County Government c.1530-c.1660", eds. R.B. Pugh/Elizabeth Crittall, *Victoria County History, Wiltshire V* (1957), pp.80-110; Clive Holmes, *Seventeenth-Century Lincolnshire* (Lincoln, 1980); Ross Lee, "Law and Society in the Time of Charles I: Bedfordshire and the Civil War", *Bedfordshire Record Society*, LXV (1986); John Morrill, *Cheshire 1630-1660: County Government and Society during the English Revolution* (Oxford, 1974); Brian Quintrell, "The Government of the County of Essex, 1603-1642" (London Univ. Ph.D. thesis 1965); B. Richmond, "The Work of the Justices of the Peace in Hampshire 1603-1640" (Southampton Univ. M.Phil. thesis 1969); A. Thomson, "Hertfordshire Communities and Central-Local Relations c.1625-1665" (London Univ. Ph.D. thesis 1988); Donald Wilkinson, "The Justices of the Peace and their Work in Lancashire 1603-1642" (Oxford Univ. M.Litt. thesis 1982); William Willcox, *Gloucestershire; A Study in Local Government 1590-1640* (New Haven, 1940). Criticism of the localist approach: Clive Holmes, "The County Community in Stuart Historiography", *Journal of British Studies*, XIX/2 (1980), pp.54-73. See also Chapter 2.1.2..

[2] Elaine Marcotte, "Shrieval Administration of Ship Money in Cheshire, 1637: Limitations of Early Stuart Governance", *Bulletin of the John Rylands Library*, LVIII (1975), pp.137-72; C. Clifford, "Ship Money in Hampshire: Collection and Collapse", *Southern History*, IV (1982), pp.91-106; M. Faraday, "Shipmoney in Herefordshire", *Transactions of the Woolhope Naturalists' Field Club, Herefordshire*, XLI, pt.2 (1974), pp.210-29; Patricia Haskell, "Ship Money in Hampshire"; eds. John Webb/Nigel Yates/Sarah Peacock, *Hampshire Studies, presented to Dorothy Dymond* (Portsmouth City Record Office, 1981), pp.73-106; Peter Lake, "The Collection of Ship Money in Cheshire during the Sixteen-thirties: a Case Study of Relations between Central and Local Government", *Northern History*, XVII (1981), pp.44-71. See also M.D. Gordon, "The Collection of Ship-Money in the Reign of Charles I", *Transactions of the Royal Historical Society*, 3rd series IV (1910), pp.141-62. References to Ship Money also in the general county studies mentioned in ftn.1. See also Chapter 3.1.3..

in the assessment and collection of Ship Money.[1] Except for Boynton's work on the militia, which ominously concludes in 1637, and local studies by Barnes and Carter, there is no survey of the Caroline programme of the Perfect Militia which describes the consequences of this reform for the state of the home defence forces. Conversely, Fissel's examination of the Scots' Wars covers only the final three years of the Personal Rule and concentrates on the war preparations and their exceptional impact on the militias.[2]

Our general knowledge of local government is equally fragmented. County studies and a number of general works emphasised the offices which were undertaken by the gentry - JPs, Sheriffs, and Deputy Lieutenants. The pioneering analysis by Webbs on all tiers of the local administration focused on the late-seventeenth to nineteenth centuries.[3] Fletcher and Morrill addressed most aspects of local government, but based their interpretation on the overriding theme of a consistent conflict between an interventionist central government and semi-autonomous shires.[4] Older reviews of local officers, particularly the Constabulary, for example by Tate[5], have recently been modified by studies of James Sharpe and Wrightson, who cast a more favourable light on the performance of parish officers in the process of criminal prosecution.[6] The most comprehensive survey of a parish office is that by Kent in

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[1] Alison Gill, "Ship Money during the Personal Rule of Charles I: Politics, Ideology and the Law 1634 to 1640" (Sheffield Univ. Ph.D. thesis 1990).

[2] Lindsey Boynton, *The Elizabethan Militia, 1558-1638* (London/Toronto, 1967); Thomas Barnes, *Somerset 1625-1640; A County's Government During the "Personal Rule"* (Cambridge, Mass., 1961), pp.98-123,244-80; D.P.Carter, "The 'Exact Militia' in Lancashire, 1625-1640", *Northern History*, XI (1975), pp.87-106; Mark Fissel, *The Bishops' Wars; Charles I's Campaigns against Scotland 1638-1640* (Cambridge, 1994). References also in above-mentioned general county studies. See also Chapter 4.1.2..

[3] Sidney Webb/Beatrice Webb, *English Local Government; The Parish and the County* (London, 1906).

[4] Anthony Fletcher, *Reform in the Provinces; The Government of Stuart England* (New Haven/London, 1986); John Morrill, *The Revolt of the Provinces; Conservatives and Radicals in the English Civil War 1630-1650* (London/New York, 1976).

[5] W.E. Tate, *The Parish Chest; A Study of the Records of Parochial Administration in England* (3rd edn., Cambridge, 1969); J. Whitehead/W.E. Tate, "The Parish Constable", *The Amateur Historian*, I/2 (1952), pp.38-42; J. Charles Cox, *Three Centuries of Derbyshire Annals* (London, 1890), I; Thomas Critchley, *A History of Police in England and Wales, 900-1966* (2nd edn., London, 1977).

[6] James Sharpe, "Enforcing the Law in the Seventeenth-Century English Village", eds. V.Gatrell/B.Lenman/G.Parker, *Crime and the Law; The Social History of Crime in Western Europe since 1500* (London, 1980), pp.97-119; Keith Wrightson, "Two Concepts of Order: Justices, Constables, and Jurymen in Seventeenth-Century England", eds. John

her detailed investigation of the village Constables. Yet, this work is not entirely satisfactory and does not fully serve the purpose of explaining the role of parish officers during the Personal Rule. Its chronological scope is broad, from 1580 to 1642, which necessarily limits the detail in which certain periods are covered; the source material is derived only from a limited number of parishes; other important officers, such as Churchwardens and Overseers of the Poor, are not included in her study.[1]

The scattered discussion about the parish officers' performance during the Personal Rule is inconsistent and contradictory. Most county studies have not mentioned the relevance of parish officers in the enforcement of the Book of Orders or Ship Money. Fletcher and Morrill have located the lines of friction between Westminster and the county governors rather than parish officers. Kevin Sharpe addresses the problems local government faced during the 1630s, but scarcely notes the response of the local officers to central activism.[2] Other historians have recognised the adversities parish officers faced under some schemes of the policies of the Personal Rule, but ignored the consequences this had on their enforcement. Barnes and Holmes, on the other hand, have drawn a rather grim picture of the capacity and willingness of Constables to operate complex national policies.[3] In recent studies, two concepts have prevailed regarding the work of parish officers. Most historians acknowledge the interdependence between the various levels of government, and the need for cooperation that this archaic system of local government required.[4] Some concede that a perception of administrative hierachy in its pure sense, to which the Personal Rule aspired, did not exist and was blended with an economic hierarchy and local loyalties. Herrup stated that early modern

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Brewer/John Styles, *Ungovernable People: The English and their Law in the Seventeenth and Eighteenth Century* (London, 1980), pp.21-46.

[1] Joan Kent, *The English Village Constable; A Social and Administrative Study* (Oxford, 1986).

[2] *Sharpe, Personal Rule 1992*, pp.437-47; see also his general sections on the Book of Orders, Ship Money, and the Perfect Militia.

[3] e.g. *Barnes, Somerset*, p.77; *Holmes, Lincolnshire*, p.131, 134.

[4] e.g. *Sharpe, Personal Rule 1992*, p.460; *Fletcher, Reform*, p.369-70; *Barnes, Somerset*, e.g. pp.85-7; *Haskell*, p.81.

government was "a repeated exercise in compromise, co-operation, and co-optation", and that "the Caroline vision of good governance was too tidy to suit the diffuse, decentralised and often disorganized system of shared authority".[1] The other concept, as first stated by Wrightson, stresses the conflicting loyalties of parish officers who were torn between their obligations to both the crown and their communities, which particularly emerged when policies did not find the universal approval of the population.[2] With regards to the Personal Rule, Kent addressed both the interdependence and the conflicting loyalties of Constables. Yet, some of her conclusions must be questioned. Ship Money, apparently, did not meet serious difficulties, and even in 1640, only "a number" of Constables defaulted in the collection.[3] Her statement that "it would be going too far to suggest that local government collapsed *completely* during those years" is ambiguous.[4] The source material of the Personal Rule certainly challenges her belief that "although the system was subjected to strains during the later 1630s it was still in working order on the eve of the Civil War".[5]

1.1.3. APPROACH AND ORGANISATION

This thesis focuses on the enforcement of the three reform projects of the Personal Rule which required the full attention and cooperation of local government - the Book of Orders, Ship Money, and the Perfect Militia. It will examine the performance of parish officers and the question of the extent to which the Personal Rule affected their willingness and ability to implement central policies in their communities. It will test a new approach combining national and local perspectives, and survey the response to these policies in *all* English and

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[1] Cynthia Herrup, "The Counties and the Country: Some Thoughts on Seventeenth-Century Historiography", *Social History*, VIII/2 (1983), pp.170, 180.

[2] *Wrightson, Concepts*; also e.g. *Gill*, pp.280-7; *Higgins, Cheshire 1973*, pp.193-4; *Lake*, p.62; *Faraday*, p.225; *Thomson*, pp.152-4.

[3] *Kent*, p.174.

[4] *Kent*, p.307 (my italics).

[5] *Kent*, p.311.

Welsh counties.[1] As far as possible, the diversity of local reaction will be highlighted but overarching national trends also established. This will be supported by an extensive statistical appendix. My thesis will begin with a section analysing the modes of appointment, duration of office, and social profile of Constables, Churchwardens, and Overseers and evaluating possible change or continuity. Part two will discuss the increase of bureaucratic procedures, and the enforcement of two core issues of the Book of Orders; Chapter 2.2. focuses on the administrative framework of the Caroline social policies, and Chapters 2.3. and 2.4. investigate the implementation of those directives of the Book which were executed by parish officers without direct supervision - poor relief and the prosecution of vagrancy. Part three of my dissertation will survey the local enforcement of Ship Money. Chapters 3.2. and 3.3. describe the pattern of assessment disputes and the involvement of parish officers in these conflicts. Three subsequent chapters evaluate the progress of the collection, the difficulties parish officers faced, and their response to increasing popular pressure. Part four, finally, consists of two chapters, describing the state of the militia before 1638, and the preparations during the Scots' Wars from 1638 to 1640, including the recruitment of conscripts and the collection of Coat and Conduct Money.

1.1.4. SOURCE MATERIAL

My analysis is based on three classes of sources, the "Acts of the Privy Council", the "State Papers Domestic, Charles I", and parish accounts.[2] The "Acts of the Privy Council" registered the decisions of the Privy Council, the epicentre of government, comprising all senior crown officers, the two archbishops, and the secretaries of state. Sitting on average twice per week with the king frequently attending in person, the councillors devised policies,

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[1] A first attempt: Henrik Langelüddecke, "Die Durchführung des Book of Orders Karls I. 1631-1639" (Heidelberg Univ. M.A. thesis 1990); another, recent study using a similar approach in a different field: Julian Davies, *The Caroline Captivity of the Church; Charles I and the Remoulding of Anglicanism* (Oxford, 1992).

[2] Public Record Office: Acts of the Privy Council, New series 1890-1964, APC 2, vols.40-52; State Papers Domestic, Charles I, Great Britain, series II, 1625-1702, SPD 16, vols.175-429, 535-538.

discussed their enforcement, and decided on replies to petitions and reports from local governors. Unfortunately, the Acts did not record the contents of the debates, but only the final decisions and the texts of their proclamations, orders, and letters. Although a number of documents refer to issues related to the Book of Orders and the militias, the Acts are particularly useful for the examination of the coordination of Ship Money. In fact, a large proportion of the business of the Council during the second half of the 1630s was devoted to the supervision of Ship Money. The draft letters are particularly important since they complement existing reports from Sheriffs and town magistrates, or refer to the substance of petitions or accounts of local officers which do not survive in their original form.

The decisions of the Privy Council are supplemented by the reports of county governors, collected in the "State Papers Domestic", who were directed or encouraged to submit detailed statements concerning their work. While the quarterly reports from JPs were mandated, Sheriffs and Deputy Lieutenants communicated only occasionally. Many Deputies were simply too busy during the war preparations of 1639 and 1640 to write letters, and Sheriffs often tried to avoid the embarrassment of having to document their failure in collecting Ship Money. Other Sheriffs, however, in order to avert censures by the Privy Council, never tired of detailing the adversities they encountered. The documentation of the Book of Orders was more complex, since the reporting units were the divisions of counties, whose numbers were considerable in some shires. The geographical response-pattern both of Ship Money and the Book of Orders varies considerably. The complete absence of divisional reports from some parts of the country is difficult to interpret, and could have been caused by negligence as well as deficient communication or archival loss. Although a certain bias in the letters of local governors has to be considered, the description of the performance of subordinate officers appears to be fair and credible. Particularly valuable are statistical data in some JPs' certificates, and a number of original presentments of parish officers at monthly Petty Sessions. Sheriffs frequently attached personal affidavits from High and Petty Constables and bailiffs, verifying their general statements.

A great deal of my analysis is based on the information parish accounts contain. Although most surviving accounts were written by Churchwardens, a considerable number of Overseers' and many Constables' accounts exist. In some parishes, however, records survive only from certain years. The geographical survival pattern for the 1630s is erratic, and while in some counties there are a great number of parochial accounts, other shires are considerably underrepresented in my study. Unfortunately, few accounts present data on the assessment and collection of Ship Money and Coat and Conduct Money. The proceedings the training of the militias, the bureaucratic duties the Book of Orders (poor relief, and the prosecution of vagrants) involved, however, are precisely recorded and are a most important supplement to the JPs' certificates. The accounts, while of various quality reflect the performance of parish officers in local government reasonably accurately, since most activities entailed expenses for which the officers sought reimbursement and therefore sought to present thorough records. In addition, lists of officers and assessment registers provide the material to evaluate the social profile of parish officials. The annual succession of officers displays the individual styles of accounts and the lack of consistency and standard procedures, though, in general, the most sophisticated records were kept in parishes of corporate towns. Yet, as the transcriber of the Colebrooke Parish Accounts in Devon argued, parish accounts are invaluable, since:

> "we can trace contemporary legislation in action, and the progressive extension of civil authority to fields hitherto under the care of the Church. It is thus that we catch glimpses of some of the steps in the evolution of our local government system, and of the economic conditions prevailing during these important formative periods in our national history. [...] t o o u t w a r d appearance the [...] accounts merely reflect the ordinary routine of life in a parish, unruffled for the most part by events taking place in and around it. [...] The evidence is there, however, but without a background the significance of some of the items may escape us.".[1]

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[1] DevonRO(E): EDRO Colebrooke PW 1, Preface by Percy Morris.

1.2. THE SELECTION OF PARISH OFFICERS

1.2.1. INTRODUCTION

Parish officers were the backbone of local government. William Lambard, in his manual for "inferior officers of the peace", defined the requirements for candidates as residence, honesty, knowledge, and ability in estate and body.[1] Yeomen, husbandmen, and artisans, bearing some natural status and authority, were predestined to do unpaid service for crown, church, and parish. It has been argued that the increased social legislation and more rigid institutionalisation of local government during the early-seventeenth century, and particularly during the Personal Rule, placed enormous pressure on parish officers, created conflicting loyalties, and led to growing unwillingness to serve in these voluntary offices.[2] This chapter will describe the complex interrelationship between local officers and their *de jure* and *de facto* responsibilities. Although more sociological studies on sevententh-century parishes are required, I also will draw preliminary conclusions on the identity of those asked or forced to hold office and the frequency with which they were obliged to do so.[3] Only by taking into account the nature of duties, the local status of officers, and their degree of willingness, can the success or failure of the Book of Orders, Ship Money, and the Perfect Militia be understood.

Unless local custom required additional offices, the traditional positions to be filled by parishioners were the Petty Constables, Churchwardens, Overseers of the Poor, and Surveyors of the Highways.[4] The most senior officers, in terms of responsibility, work-load, and

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[1] William Lambard, *The Duty and Office of high constables of hundreds, petty constables, tythingmen and such inferior officers of the peace*, (13th edn., London, 1677), p.12.

[2] See Chapter 1.2.4..

[3] Regarding Constables, see *Kent*, pp.58-130.

[4] The account book of Chester (St.John) annually also listed four "Auditors", four "Assessors" and four "Commissioners for placing and displacing" [of apprentices?]: ChesRO: P 51/12/1. In Hornchurch/Essex, "Destroyers of vermin" were part of the parish government: EssexRO: D/P 115/5/1. Heckington/Lincolnshire employed "Dikegraves", and Irchester/Northamptonshire "Bridgereeves" and "Collectors of the town rent": LincsArch: Heckington 7/1; NorthantsRO: 177p/E Ir B1. Mortlake/Surrey and Lewes St.John/Sussex employed "Alecunners": SurreyRO(K): 2414/4/1; SussexRO(E): MF XA 30/88. In Norton Fitzwarren/Somerset, annually two women were appointed "Youngmenwardens": SomsRO: D/P/n.fitz.9/1/1. Still useful, though antiquated, are the job-descriptions of parish officers in: Wallace Notestein, *The English People on the Eve of Colonization, 1603-1630* (New York, 1954);

accountability, were the Constables. They were the extended eyes and arms of all county governors (JPs, Sheriffs, and Deputy Lieutenants) in the localities. As executive officials of the parish, and by oath officers of the king, their office combined policing and administrative functions. They conducted the apprehension and initial investigation of felons, and brought them before local JPs, and from there to the county gaol. They informed High Constables about indictments before Quarter Sessions and Assizes, and presented misdemeanors and the enforcement of the Book of Orders and other proclamations to their divisional JPs at monthly Petty Sessions. Supported by watch and ward, they prevented vagrants from settling in their parish, and they investigated the paternity of illegitimate children. They executed orders of their superiors - High Constables, JPs, Sheriffs, and Deputy Lieutenants. Annually, all weights and measures were to be presented to the Clerk of the Market, and once or twice per year they led the trained soldiers of their parish to the musters and were in charge of the maintenance of their equipment. Constables assessed and collected all local and central taxation: victuals or money for purveyors of the royal court; saltpetre for saltpetremen; contributions to High Constables for the maintenance of regional highways, bridges, and county institutions (such as the gaol, funds for maimed soldiers and the Muster Masters' wages); Ship Money for the Sheriff; Coat and Conduct Money for Deputy Lieutenants; subsidies for parliamentary commissioners; and reimbursement for their own administrative expenses.[1]

Churchwardens were the lay administrators of parishes, which, since the Elizabethan Poor Laws, had become secular units of local government. In conjunction with parson and vestry (the parish assembly), they were in charge of maintaining the church fabric and administering the church possessions, financed by church rates. Supervised by episcopal commissions and visitations, they also kept the registers and upheld morals of their parish.

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also in: *Tate, Parish Chest*.

[1] *Lambard, High Constable*, pp.8-69. In Somerset, Constables usually were referred to as Tithingmen, in Alderley/Cheshire as Townshipmen, and in Dursley/Gloucestershire as Bailiffs: ChesterCRO: J.P. Earwaker Papers CR 63/2/40; GloucsRO: P 124 CW 2/4. Mortlake/Surrey and Lewes (St.John)/Sussex in addition employed Headboroughs: SurreyRO(K): 2414/4/1; SussexRO(E): MF XA 30/88.

Communion money and donations permitted them to relieve the resident poor, and their standing and financial expertise also made them brokers of local financial transactions.[1]

Overseers of the Poor were established under Elizabeth I and administered the institutionalised and public poor relief mainly financed by periodic poor rates. Frequently assisted by Churchwardens, they collected levies, prioritised need, and dispensed cash or benefits in kind. Whenever possible, they developed local employment schemes, and under the supervision of local JPs apprenticed children of poor parents.[2]

Surveyors of the Highways examined the state of the roads leading from the parish to neighbouring places in regular intervals, and supervised their maintenance to which all parishioners had to contribute by personal labour or with money.[3]

Yet, the accounts of these officers reveal that their duties were more complex and overlapping than manuals would suggest, and that Churchwardens occupied a far more prominent position than envisaged in theory. Although Overseers were in charge of collecting and distributing poor relief, references to accountants' names and the process of taxing indicate close cooperation with the Churchwardens. In most parishes, Churchwardens spent money on itinerant beggars or migrants, by definition the Constables' domain. Additionally, regular payments to High Constables or purveyors were frequently made by Churchwardens, rather than by Constables. In some Devon parishes, the militia was organised by Churchwardens solely, and in many villages of Somerset and Suffolk, Churchwardens not only

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[1] *Lambard, High Constable*, pp.90-114.

[2] *Lambard, High Constable*, pp.115-30. Many parishes still used the outdated title of "Collector for the poor", such as Bristol (St.James), Chester (St.John), and Barcombe, Beckley, and Hastings (All Saints)/Sussex: BristolRO: P/St.J./V/1(a); ChesRO: P 51/12/1; SussexRO(E): PAR 235/9/1; PAR 237/9/1; PAR 361/12/1. Great Marlow/ Buckinghamshire changed the title to Overseer in 1632, Weyhill/Hampshire in 1635: BucksRO: PR 140/5/1; HantsRO: 59 M 78/PW 1. Reading (St.Giles), Reading (St.Mary), and Gloucester (St.Michael) employed Collectors for the poor in addition to Overseers: BerksRO: MF 221; MF 227; GloucsRO: P 154/14 CW 2/1.

[3] *Lambard, High Constable*, pp.131-50. In some places, Surveyors were referred to as "Overseers of the Highways", for example in Tilston/Cheshire, Symondsbury/Dorset, Bramley/Hampshire, and Horbling/Lincolnshire: ChesRO: P 18/3608; DorsetRO: PE/SYM CW 1/1; HantsRO: 63 M 70/PW 1; LincsArch: Horbling 7/10. Other titles were "Waywardens", in Modbury/Devon, Alford (St.Nicholas)/Surrey, Ashton Steeple and Calne/Wiltshire, or "Collectors for the Highways", in Bennington/Hertfordshire: DevonRO(E): 269 A/PW 8; SurreyRO(G): PSH/AL/7/1; WiltsRO: 496/1; 2083/1; HertsRO: Mf 1046.

paid Constables or Overseers for their expenses, but also controlled all functions of local government at the parish level themselves.[1]

The number of officers filling these posts varied according to the size of parishes and local custom.[2] Most places had one or two Constables, two to four Churchwardens, two to four Overseers, and two to six Surveyors. The core of parish government consequently, ranged from seven to a maximum of sixteen officers.[3] Churchwardens usually were assisted by up to four Sidemen, or Questmen, Overseers sometimes by Collectors of the poor rate. Wherever necessary, Constables delegated certain duties to Thirdboroughs, Deputies, and Beadles.[4]

1.2.2. APPOINTMENT OF PARISH OFFICERS

Few references in parish accounts describe the mode of appointment. While most parish officers were designated by the Vestry, the Constables usually were appointed at the Court Leet.[5] Although in many parishes, particularly populous ones, such as Bristol (St.James) or Uckfield/Sussex, some electoral element existed, designation by rota dominated.[6] In 1634,

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[1] See Chapters 2.3., 2.4., and 4.2.. In Dartington/Devon, the four Sidemen had the function of Constables: DevonRO(E): EDRO Dartington PW 2+3.

[2] In the vast parishes of Cumberland and Westmorland, such as Cartmel, Hawkshead, Heversham, and Orton, each hamlet had Churchwardens of its own: CumbriaRO(K): WPR 89/W1; WPR 83 Churchwardens 16; WPR 8 Churchwardens; WPR 9/i 1. In Cheshire, most parishes consisted of more than ten townships: G.P. Higgins, "The Government of Early Stuart Cheshire", *Northern History*, XII (1976), p.41.

[3] Four Overseers and Surveyors in Great Marlow/Buckinghamshire, three Churchwardens and Overseers and six Surveyors in Alderley/Cheshire; four Churchwardens, and four Churchwardens and four Overseers in Wilmslow/ Cheshire and St. Germans/Cornwall: BucksRO: PR 140/5/1; ChesterCRO: J.P. Earwaker Papers CR 63/2/40; CornwRO: DDP 68/12/1. In South Littleton/Worcestershire, Churchwarden, Overseer, and Surveyor were a joint office: WorcsRO: 850 South Littleton 1284/1.

[4] In Lancashire, the Midsummer Quarter Session of 1631 ordered the compulsory appointment of Beadles as assistants to the Constables: LancsRO: QSO 2/6, p.45. Lewes (St.John the Baptist)/Sussex always appointed Deputy Headboroughs. An entry in the 1634-account, however, remarked that they were only to serve if the Headboroughs "remove or dye": SussexRO(E): MF XA 30/88.

[5] Since 14 Charles II ch.12, JPs were authorised to appoint Constables when the Court Leets had failed to do so. *Kent*, p.63, claims that Constables, despite their different origin as manorial township officer, increasingly were elected by Vestries, and became accountable to them. Yet, only in twenty-two out of seventy-four parishes with completely surviving officers' lists were Constables mentioned at all - predominantly, in Essex, Kent, Lincolnshire, and Suffolk.

[6] BristolRO: P/St.J./V/1(a);SussexRO(E): PAR 496/12/1. In Uckfield, the electoral element is suggested by the fact that frequently two out of four Overseers are crossed out (probably the rejected candidates).

Great Bookham/Surrey experienced a great deal of confusion and controversy appointing the Churchwardens. On 7 April, twenty-one signatories and the minister agreed to designate Sir Francis Howard and George Shiers esq.. The added provision:

> "that iff theise Gentlemen desire to be excused from this Turne, It is agreed upon That Richard fflint, and Thomas Wood of Bagden shalbe the Churchwardens for this year",

suggests that gentlemen were not obliged to serve, and that their turn emerged only by rota. Subsequent years show that one of the Churchwardens was elected by the parish, the other by the minister.[1] The Churchwardens' list of Halse/Somerset for 1638, with twenty-five pairs of candidates and the remark "as they have been accustomed & used to do the office ever before this tyme", could indicate either rota, oligarchic cooptation, or democratic election.[2] In Cranbrook/Kent, Constables and Churchwardens usually coopted the Surveyors, and in Heckington/Lincolnshire, between four and six "electors of the officers" determined the assignments. In Goosnargh/Lancashire, an oligarchy of the "Twenty-four", consisting of one esquire, six gentlemen, twelve yeomen, and five husbandmen, appointed and audited the parish officers.[3] Yet, frequent references to proxies or chargeable estates are evidence that rotas dominated in most parts of the country. In 1632, John Amyng served as Churchwarden for Roger Hare in Kilmington/Devon, and in 1631 and 1639, John Terry and George Nash acted as Overseers for their mothers in South Warnborough/Hampshire.[4] In Bishops Hull/ Somerset, Matthew and John Herring, and William Brimsmead deputised for their fathers. In 1635, John Hynd was Churchwarden for "Jenninges tenement", and in 1637, Peter Pary "for the tenement which he bought of Mr.Cooper".[5]

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[1] SurreyRO(G): PSH/BK.G/8/1; see also CambrsRO(H): Buckden CW, 2661/5/1/ (e.g. 1631).

[2] SomsRO: D/P/hal.4/4/1.

[3] KentAO(M): P 100/5/1; LincsArch: Heckington 7/1; LancsRO: PR 644; see also the fascinating examination of the Constables' accounts of Burton Latimer for the period 1637-40: NorthantsRO: 55p/96.

[4] DevonRO(E): 3047 A/PW 2; HantsRO: 70 M 76/PW 1.

[5] SomsRO: D/P/b.hl.4/1/1; see also North Newnton/Wiltshire, WiltsRO: 1271/18; substitutions for the Churchwardens of 1634 and 1635 in Pulloxhill/Bedfordshire: BedsRO: P 13/5/1.

The examination of officers' names in Vestry Minute Books shows that some parishes applied more complex schemes, presumably to guarantee continuity, or avoid controversial elections. In approximately one quarter of the parishes whose accounts are available, particularly for Churchwardens an intersecting double-year relay-pattern evolved, such as A + B, followed by B + C,followed by C + D,etcetera.[1] Similar systems were applied across offices. In Exeter (Holy Trinity), Gloucester (St.Michael), and Dowles/Worcestershire, one of the Churchwardens became Sideman the following year.[2] In Broad Blunsden/Wiltshire, all Churchwardens were the subsequent Sidemen, in Trull/Somerset, all three Overseers automatically succeeded the Churchwardens, and in Alderley/Cheshire, the Churchwardens were appointed the next Townshipmen.[3] The frequent use of rotas stresses the egalitarian approach to office-holding in English communities during the 1630s, and one has to agree with Kent, who stated that "The work of local government continued to be, to a significant extent, 'communal' in nature".[4]

1.2.3. DURATION OF OFFICE

The term of service for all parish officers was one year, with Constables usually commencing their office at Michaelmas, and all other officers at Easter. In many parishes, however, offices were held for two years, such as Constables of Burton Latimer/Northamptonshire and Orton Waterville/Huntingdonshire, and Churchwardens of Cerne Abbas/Dorset, Cratfield/Suffolk, Horsell/Surrey, and Highworth/Wiltshire.[5] In other parishes, only some officer-pairs ran for

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[1] See Appendix, Table 6.1.1..

[2] DevonRO(E): 1718 A/PV 1; GloucsRO: P 154/14 CW 2/1; WorcsRO: 850 Dowles 8367/2; similar: HantsRO: Alton (St.Lawrence), 29 M 84/PW 1; HertsRO: St.Albans (St.Peter), Mf 1218; *Lambeth Churchwardens' Accounts 1504-1645 and Vestry Book 1610*, ed. Charles Drew (Surrey Record Society, XLIV, pt.3, 1943); NorthantsRO: Wellingborough (All Hallow), 350p/269.

[3] WiltsRO: 1565/35; SomsRO: D/P/tru.13/2/1;Chester CRO: J.P. Earwaker Papers, CR 63/2/40.

[4] *Kent*, p.286.

[5] NorthantsRO: 55p/504; CambrsRO(H): 2784/8/1; DorsetRO: PE/CEA CW 1; SuffRO(I): FC 62 A 2/1; SurreyRO(G): PSH/HORS/7/1; WiltsRO: 1184/19/1; also Watton-at-Stone, HertsRO: Mf 1270, and Great Ashfield, SuffRO(B): FL 520/5/1. One has to consider, though, that some villagers had identical names, and the accounts often forgot to add

two terms. In Sherborne/Dorset, for instance, John Raymond and John Parsons served as Churchwardens in 1632 and 1633, and John Whitcombe and George Swetnam in 1637 and 1638. In Ashdon (All Saints)/Essex, Richard Strackey and Steven Wesley were Overseers in 1631 and 1632, and Nicholas Nottage and William Freeman in 1637 and 1638.[1] The term of Sidemen of Reading (St.Giles) apparently lasted three years. In Beaminster/Dorset, the same Churchwardens governed consecutively from 1637 to 1640, in Chilton Foliat/Wiltshire from 1631 to 1634, and in Flowton/Suffolk, the same Overseers from 1636 to 1640.[2] Some individuals were enthusiastic about occupying offices for several years. Michael Bacon was Churchwarden of Morton/Derbyshire in 1633, 1634, 1636, 1637, and 1638. Henry Hodges was Churchwarden in Stroud (St.Lawrence)/Gloucestershirein 1633, 1634, 1637, and Sideman in 1635 and 1636.[3] In Dry Drayton/Cambridgeshire,John Gyfford was Constable from 1630 to 1637, and James Gyfford from 1633 to 1637.[4] In the 1630s, Edward Foster served three years as Churchwarden and four years as Overseer in Horbling/Lincolnshire, and Samuel Towers gent. seven years as Churchwarden in Lewes (St.Thomas at Cliffe)/Sussex.[5] John Hurrion of Yoxford/Suffolk was Overseer in 1632, Surveyor in 1635, Churchwarden in 1638, and Overseer in 1640.[6]

Although the names of parish officers frequently are confusingly spread across Vestry Minutes or summary accounts, a systematic listing enables us not only to detect certain ambitious characters, but also to categorise parish governments as open (predominantly democratic) or closed (predominantly oligarchic). For such listing we can calculate an

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"senior" and "junior".

[1] DorsetRO: PE/SH CW 1/102, 104, 108, 109; EssexRO: D/P 18/8/1.

[2] BerksRO: MF 221; DorsetRO: PE/BE OV 1/1; WiltsRO: 735/19; SuffRO(I): FB 21 A2/1.

[3] DerbysRO: xm 1/45 item 13; GloucsRO: P 320 CW 2/1.

[4] CambrsRO: P 58/8/1.

[5] LincsArch: Horbling 7/10; SussexRO(E): MF XA 30/94; also Coton/Cambridgeshire, with Joshua Ivatt being Churchwarden for seven years, and John Ensden for four years: CambrsRO(C): P 49/5/1; Hessett/Suffolk, with John Barit serving as Constable from 1636 to 1639, and James Grene from 1636 to 1638: SuffRO(B): FL 584/1/1.

[6] SuffRO(I): FC 73 A 1/1.

"Officers Mobility Coefficient" (OMC).[1] This consists of the total numbers of offices per parish for which I found names, in relation to the number of names actually filling them. An OMC around 1.0 or 1.1 typifies parishes with strict rotas, or elections from a sufficient number of candidates, with a typical AB-CD-EF succession. Parishes whose rotas and elections were conditioned by alternating offices, particularly a scheme of AB-BC-CD succession among Churchwardens, have OMCs around 1.5, i.e. each officer served on average 1.5 years between 1631 and 1640. Oligarchic types of parish government, dominated by certain individuals in all offices, are characterised by OMCs of more than 2.0. The majority of parishes (certainly when only the names of Churchwardens are available) appear to have operated a democratic and fair pattern. An OMC of 1.5 was caused by eager, but atypical individuals, or by alternating Churchwarden succession. Everything beyond 1.5 or 2.0, however, displays either the agreement of officers to serve for several years for convenience and continuity's sake, or an unbound determination of a parish oligarchy to hold power indefinitely. Such tendencies existed in Alderley and Eccleston/Cheshire, Hartland and Modbury/Devon, South Warnborough/Hampshire, Bennington/Hertfordshire, Irchester/ Northamptonshire, Yarnton/Oxfordshire, and Hessett/Suffolk.[2] In Stevenage/Hertfordshire, all offices were generally available, except for the Churchwarden, a post monopolised by six men.[3] Most Lincolnshire parishes, such as Horbling, Langton by Wragby, Billingborough, and Waddingworth, and some in Suffolk, such as Cratfield and Flowton, possessed OMCs as high as 3.0 or 4.0.[4] In Badsey/Worcestershire, all offices were dominated by a few families.[5]

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[1] See Appendix, Table 6.1.1..

[2] Chester CRO: J.P. Earwaker Papers CR 63/2/40; ChesRO: MF 143; DevonRO(N): 1201 A/PW 1; DevonRO(E): 269 A/PW 8; HantsRO: 70 M 76/PW 1; HertsRO: Mf 1046; NorthantsRO: 177p/E Ir B1; OxonRO: MS.D.D.Par.Yarnton b.7; SuffRO(B): FL 584/1/1.

[3] HertsRO: Mf 1237.

[4] LincsArch: Horbling 7/10; Langton by Wragby 10; Billingborough 10/1; MFiche 116200101 A; SuffRO(I): FC 62 A2/1; FB 21 A2/1.

[5] WorcsRO: 850 Badsey 5013/2.

1.2.4. SOCIAL PROFILE OF PARISH OFFICERS

In 1587, a Deputy Lieutenant complained to Lord Treasurer Burghley that Constables "nowe of late tyme (in Respecte of the trouble of the office) ar commonly chosen of the pooreste and sympleste sorte of people", and in 1607, the charge to the Judges of Assize lamented that "Constables for the moste parte are the simpleste & meaneste of the people, a greate Faulte."[1] Although there is no comprehensive study on the social profile of parish officers, particularly the office of Constable has been subject of historiographical scrutiny. Barnes has cast a devastating verdict on the Somerset Constables:

> "Evildoers did not respect them because they were ignorant, timorous, and powerless; the justices did not respect them because they were lazy, disobedient, and negligent."[2]

Although Kent denied that Constables were generally socially inferior, she suggested that during the 1630s Constables came from lower ranks and from families less rooted in their communities.[3] Some historians, notably Wrightson, have explained this changing social composition with the conflicting loyalties of parish officers and community pressure.[4] Herrup, however, has interpreted the frequently repeating names of officeholders as willingness to serve, and Fletcher has stressed the administrative efforts and achievements of

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[1] Henry Cocke, on 16 November 1587, in: BL: Lansdowne MSS 52, ff. 74-5; *Les Reportes del Cases in Camera Stellata 1593 to 1609*, ed. William Baildon (London, 1894), p.327.

[2] *Barnes, Somerset,* p.77, supported by Julian Hill, "A Study of Poverty and Poor Relief in Shropshire 1550-1685" (Liverpool Univ. M.A. thesis 1973), p.243; L. Hill, "County Government in Caroline England 1625-1640", ed. Conrad Russell, *Origins of the Civil War* (London, 1973), p.75. See particularly: *Kent*, pp.77-8; Sidney Webb/Beatrice Webb, *English Local Government: The Parish and the County* (London, 1906), p.18; W.E. Tate, *The Parish Chest: A Study of the Records of Parochial Administration in England* (3rd edn., Cambridge, 1969), p.187; J. Whitehead/W.E. Tate, "The Parish Constable", *The Amateur Historian*, I/2 (1952), pp.38-42; J. Charles Cox, *Three Centuries of Derbyshire Annals* (London, 1890), I, 111-2; Thomas Critchley, *A History of Police in England and Wales, 900-1966* (2nd edn., London, 1977), pp.10-14.

[3] *Kent*, pp.122, 129, supported by *Sharpe, Personal Rule 1992*, p.439.

[4] *Wrightson, Concepts*, pp.28-9; Keith Wrightson and David Levine, *Poverty and Piety in an English Village: Terling 1525-1700* (New York/San Francisco/London, 1979), pp.115-6; Julie B. Calnan, "County Society and Local Government in the County of Hertford c.1580-c.1630, with special Reference to the Commission of the Peace" (Cambridge Univ. Ph.D. thesis 1978), pp.186-7.

parish officers.[1] Julian Hill has claimed that the majority of Shropshire Overseers were respected landowners and householders, and Kevin Sharpe points out that:

> "Clearly, there was no typical constable, the holders of local office being as varied as the economies and structures of their hundreds and villages, most of all as the possibilities of human nature itself."[2]

It would have been understandable that wealthier and politically aware parishioners would dodge crown and parish service to avoid any association with the unpopular policies of the Personal Rule. The authors of the Book of Orders must have anticipated this possibility, and inserted the clause "That the petty constables in all parishes be chosen of the abler sort of parishioners; and the office not to bee put upon the poorer sort, if it may be".[3] Conversely, one could argue that, because of these policies, local elites attempted to secure their position in parishes to retain some influence on the interpretation and deflection of central policies, for example during Ship Money assessments.

Many Vestry Minutes and parish accounts provide assessment lists naming the contributors of poor relief and other parish rates. The social status of parish officers can be established by looking for their personal tax and relating it to the assessment range of the entire parish. The findings are remarkable. Only in very few places a trend towards the one or the other end of the social spectrum is apparent.[4] In Ashampstead/Berkshire and Besthorpe/Norfolk, Churchwardens came from the bottom orders of the parish.[5] In Crediton/ Devon, Marston Trussel/Northamptonshire, and Walberswick/Suffolk, however, Churchwardens, Overseers, and Constables were recruited from amongst the most substantial

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[1] *Herrup, Counties*, p.178 (yet, she admits a general lack of enthusiasm to serve); *Fletcher, Reform*, p.227; also: Margaret G. Davies, *The Enforcement of English Apprenticeship; A Study in Applied Mercantilism 1563-1642* (Cambridge, Mass., 1956), p.222.

[2] *Hill, Shropshire*, p.109; *Sharpe, Personal Rule 1992*, p.439.

[3] See Appendix, Document 6.2.1.(*Direction 6*). Similar admonition e.g. at the Durham Midsummer Quarter Session of 1632, DurhamRO: Q/S/OB/2, p.75.

[4] See Appendix, Table 6.1.2..

[5] BerksRO: MF 349 (at least between 1632 and 1637); NorfRO: PD 309/34.

parish members.[1] Eighty-five other parishes which provide tax data, had officers representing all ranks of society. In 1636, the most highly assessed man in Chudleigh/Devon, Richard Eastchurch gent., was Churchwarden (25s2d), while Thomas Mill, assessed at 6d, was Overseer.[2] In 1635, the rate ranged from 6d to 21s5d in Tintinhull/Somerset, and Churchwardens were Samuel Napper, assessed at 15s, and Robert Colbert, assessed at 6d.[3] In 1634, the Churchwardens of Charlton Marshall/Dorset were drafted from the lower and middle ranks, assessed at 6d and 2s4d (range: 6d to 16s7d). A year later, wealthy Churchwardens served, rated 16s6d and 20s?d (range: 1s5d to 33s3d).[4] All levels of society were represented among the six Churchwardens and Overseers of Ashburton/Devon in 1632, assessed at 12d, 2s4d, 3s, 3s4d, 4s, and 10s, with a tax ranging from 8d to 26s.[5] Most officers came from the middling sort.[6] That, however, did not exclude the lower ranks of a parish, as in Parkham/Devon, Bere Regis/Dorset, and Slimbridge/Gloucestershire, for example, or the rich, as in Halberton/Devon, Dursley/Gloucestershire, Chatham (St.Mary)/Kent, and Condover/Shropshire.[7] More precise than assessments are references to the tax-payers' land holdings, although the accounts are fragmentary. Longburton/Dorset listed landholders with property ranging between 5 and 144 acres, and the Churchwardens for 1634 and 1637 held

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[1] DevonRO(E): 1660 A/85-94; NorthantsRO: 206p/64+102;SuffRO(I): FC 185 E 1/2; see also Cambridge (St. Mary the Great), CambrsRO(C): P 30/4/1+2;Dean Prior, DevonRO(E): EDRO Dean Prior PO 1; Flowton and Gislingham, SuffRO(I): FB 21 A2/1; FB 130 I2/3-9; E3/7-12; G2/1.

[2] DevonRO(E): EDRO Chudleigh PO 1.

[3] SomsRO: D/P/tin.4/1/2.

[4] DorsetRO: PE/CHM CW 1/1.

[5] DevonRO(E): 2660 A/PW 2. The top assessment usually was very distinct from the average rate, and rate-payers who paid only a third of the top-rate can be considered wealthy. In Ashburton, for example, rich people paid around 6s to 10s, the average ratepayer paid 2s to 3s.

[6] This observation could support Christopher Hill's argument that the rise of the middling sort was a crucial factor for the English revolution: Christopher Hill, "Parliament and People in seventeenth-century England", *Past & Present*, XCII (1981), pp.118-20. Yet, I would like to stress the use of rotas, and, consequently, the more egalitarian approach to office-holding.

[7] DevonRO(N): 1892 A add 3/PO 1; DorsetRO: PE/BER OV 3+4;GloucsRO: P 298 A OV 2/1; DevonRO(E): EDRO Halberton PW 1+2;GloucsRO: P 124 CW 2/4; KentAO(S): P 85/5/1; SalopRO: 1977/4/3+4.

5, 16, 20, and 30 acres.[1] In 1631, the Churchwardens of Bengeo/Hertfordshire owned 60 and 190 acres, and in 1637, 20 and 28, with one Overseer owning 200 acres.[2] Parish officers in Sacombe/Hertfordshire were listed as owning 10, 24, 47, 55, 60, and 74 acres.[3] The account of Bredgar/Kent illustrates that offices were held across all social classes:[4]

Year	Acres Per Officer
1631	96, 85, 18, 153
1632	18, 10, 7, 12
1633	4, 7
1634	28, 78
1635	153, 18
1636	28, 16
1637	153, 10
1638	85, 4
1639	11, 63, 12, 10
1640	30, 28, 10, 18

The active involvement of the gentry not only in the Churchwardenship proves that offices were not left to the lower classes. In Churston Ferrers/Devon,Giles Yeard gent. was Overseer in 1634 and Churchwarden in 1640. In 1635, Robert Furze gent. was one of the Overseers of Dean Prior/Devon, and Sir Edward Giles kt. one of the Churchwardens. In 1636, John Kempthorne gent. was Churchwarden of Modbury/Devon, and Walter Hele esq. was Overseer.[5] In 1635 and 1640, Richard Hippisley gent. and John Hippisley esq. served as Overseers in Cameley/Somerset.[6] In Hornchurch/Essex, four of the thirty-six Churchwardens,

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[1] DorsetRO: PE/LOB CW 1.

[2] HertsRO: Mf 1044.

[3] HertsRO: Mf 1202 + 1205.

[4] KentAO(M): P 43/12/2.

[5] DevonRO(E): 1235 A/PO 2; EDRO Dean Prior PO 1; 269 A/PW 8.

[6] SomsRO: D/P/cmly.12/2/1.

and in Ashburton/Devon, six of the sixty Churchwardens and Overseers were gentlemen.[1] In Tenterden/Kent, the office of Surveyor of the Highways was reserved to gentlemen and jurats, and the Churchwardenship of Crediton/Devon was dominated by the gentry:[2]

1631	Thomas Tinkfeild **esq.**
1632	George Trobridge **esq.**
1633	William Rogers
1634	John Northcot **esq.**
1635	Lewes Northcot **gent.**
1636	John Davie **esq.**
1637	Clement Pidsleigh
1638	John Rowe
1639	Robert Burrington **esq.**
1640	Richard Drowze **gent.**

Equal wealth distribution of parish officers and participation of the gentry in parish government once more confirm the assumption that offices were allocated by rotas. Their strict application is evident from the fact that in some parishes even female householders were involved. In 1634, Elizabeth Dammarell was Churchwarden of Broadhempston/Devon, and in 1639, Agnes Knowling was Overseer in Dean Prior/Devon. In 1633, Eliza[beth?] Selman served as Overseer in Exeter (Holy Trinity).[3]

Although most Constables' accounts have no annexed assessment lists, cross-references to other parish officers' accounts suggest that this particularly arduous and burdensome office was not left to the bottom ranks of society either. Francis Chambers, Constable of Bengeo/ Hertfordshire for 1633, held 230 acres and was probably the richest man in his parish.[4] In Flowton/Suffolk, the Constables of 1639 were assessed at 20s3d and 38s5d and were the wealthiest parishioners.[5] In Burton Latimer/Northamptonshire, all Constables possessed

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[1] EssexRO: D/P 115/5/1; DevonRO(E): 2660 A/PW 2.

[2] KentAO(M): P 364/5/14; DevonRO(E): 1660 A/85-94; usually one Churchwarden from the gentry in Banham/ Norfolk: NorfRO: PD 552/15.

[3] DevonRO(E): 2656 A/PW 1; EDRO Dean Prior PO 1; 1718 A/PV 1.

[4] HertsRO: Mf 1044.

[5] SuffRO (I): FB 21 A2/1 (poor rate).

between two and five yardlands, representing the upper middleclass.[1] In 1640, the Constables of Gislingham/Suffolk requested reimbursement of 40s for their expenses, and the six Constables in the 1630s who can be identified on that list, altogether contributed 9s7d. Christopher Smeare, Constable in 1637, was listed as the second richest parishioner.[2] The fact that some Constables served for several years can be interpreted as indicator of both enthusiasm of individuals or reluctance of other parishioners to undergo the burden of this particular office. Yet, no general trend can be established, and while in Dry Drayton/ Cambridgeshire, Shelton/Norfolk, and Hessett/Suffolk, some villagers were Constables for more than two years, their colleagues of Little Waldingfield and Stansfield/Suffolk only served for one term.[3] Also it does not appear that Constables formed a group of social inferiors and were excluded from holding apparently easier and more prestigious offices. Only in Pattingham/Staffordshire and Dowles/Worcestershire did Constables not seem to serve as Churchwardens, and in Ashdon (All Saints)/Essex, Billingborough/Lincolnshire, and Fillongley/Warwickshire, did Churchwardens, Overseers, and Constables obviously form separate circles.[4] In Alderley/Cheshire, all three Churchwardens automatically became the Townshipmen of the next year, and in Stathern/Leicestershire, Algarkirk, Horbling/ Lincolnshire, Marston Trussell and Weedon Beck/Northamptonshire, all Constables also acted as Churchwardens.[5] In Buckland in the Moor/Devon, Debden/Essex, Cranbrook/Kent, Gissing/Norfolk, Stockton/Shropshire, Cheddar/Somerset, Hessett and Little Waldingfield/ Suffolk, and Mortlake/Surrey, most Constables served in different offices during the 1630s.[6]

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[1] NorthantsRO: 55p/504.

[2] SuffRO(I): FB 130/I2/10.

[3] CambrsRO(C): P 58/8/1; NorfRO: PD 358/33; SuffRO(B): FL 584/1/1; FL 645/1/2; FL 627/1/1.

[4] For this and the subsequent footnotes, compare the account-holders' names: StaffsRO: D3451/2/2; WorcsRO: 850 Dowles 8367/2; EssexRO: D/P 18/8/1; LincsArch: Billingborough 10/1; WarwsRO: DR 404/85, 48+49.

[5] Chester CRO: J.P. Earwaker Papers, CR 63/2/40; LeicsRO: DE 1605/56, 34, 59; LincsArch: Algarkirk 12+7; Horbling 7/10; NorthantsRO: 206p/102+64;Delta 1443.

[6] DevonRO(E): 2150 A/PW 1; EssexRO: D/P 242/8/1; KentAO(M): P 100/5/1; NorfRO: PD 50/35, 50/36 (L); SalopRO: 3067/3/1; SomsRO: DD/SAS SE 14; SuffRO(B): FL 584/1/1; FL 645/1/2; SurreyRO(K): 2414/4/1.

In Bennington/Hertfordshire, two out of four identified Constables held other offices several times, in Biddenden/Kent, three out of ten, in Billingborough/Lincolnshire, four out of eleven, in Wellingborough/Northamptonshire, two out of four, in Tintinhull/Somerset, one out of two, and in Nether Whitacre/Warwickshire, one out of five.[1]

1.2.5. AVOIDING THE OFFICE

Finally, we must ask whether there is evidence that individuals increasingly refused to serve as parish officers during the Personal Rule. Parish accounts rarely mentioned such instances, provided we do not suggest the occasional employment of proxies as a sign of refusal to serve. Everyone, of course, was interested in a general or personal exemption from notoriously arduous offices. An undated memorandum in the parish book of Gayton/ Staffordshire, probably from the 1630s, documented the agreement of the parishoners to reduce the number of Constables from two to one. The annexed list of ten householders to serve in turns, however, once more shows how commonly rotas were applied.[2] Yet, some candidates for office virtually blackmailed their parishes. In 1639, a note from Little Munden/ Hertfordshire stated that "Willia Ridsdaile was content to be Constable this yeare soe he may be excused for 4 yeares following and the parish was content witth itt", although we do not know whether Risdaile had been Constable in previous years.[3] In 1636, the parish of Weedon Beck agreed that:

> "Nathaniel Cole the old constable, upon condition that he should be spared from being Churchwardens, when his time did come and another to be chosen; and he never to be churchwarden till so many yeares after that his turne comes the second time, then to be, if he be living, & they will choose him".[4]

In 1635, the Churchwardens of St.Thomas by Launceston/Cornwall were satisfied with an

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[1] HertsRO: Mf 1046; KentAO(M): P 26/5/1; LincsArch: Billingborough 10/1; NorthantsRO: 350p/269; SomsRO: D/P/tin.4/1/2;WarwsRO: DRB 27/5+9;also in Besthorpe/Norfolk: NorfRO: PD 309/34.

[2] StaffsRO: D 705/PC/1/1,f.38.

[3] HertsRO: Mf 1180.

[4] NorthantsRO: Delta 1443.

illegible sum paid by "Three w^{ch} reffused To bee Churchwardens".[1] In 1639, Thomas Langley, Constable of Nether Whitacre/Warwickshire complained that he had "to bringe in Robt Wright to bee the next Constable who got of and I continued still Novemb:1.1639".[2] While JPs' certificates under the Book of Orders never remarked on the parish officers' reluctance to serve, Quarter Session cases from West Kent, Nottinghamshire, Somerset, and the North and West Ridings of Yorkshire exhibit disagreements about appointments. Particularly, the manning of the office of Constable (or Borsholder, Tithingman), and not of Churchwarden, Overseer, or Surveyor created frictions. Disputes were caused by excuses of Constables who had served for several years, blatant refusals to accept the office, or attempts to shift it to weaker parish members. In April 1637, Hugh Tresse complained at the West Kent Quarter Sessions that, within the past ten years, he had been once Borsholder, twice Constable, and three times Churchwarden, and consequently wished exemption from his election to Borsholder.[3] In October 1637, George Flower gent. excused himself from being Constable of Annesley/Nottinghamshire, arguing that he was keeper of the king's deer in the Sherwood Forest. Three months later, Richard Leeson of Basford justified his unfitness to be Constable with the lunacy of his wife, and the Bench required Thomas Speed, the next by house-row, to be his replacement.[4] In 1633 and 1634, the Somerset Commission of the Peace was confronted with four refusals.[5] Five disputes occupied the JPs of the North Riding in 1637 and 1638.[6] In October 1640, the West Kent Bench condemned the overt reluctance of John Dyae to serve as Constable of Ashford as "very dangerous [and] of evill consequence

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[1] CornwRO: DPP 221/5/11; see also John Potterton and Mr. Hakins, fined in 1633 for refusing to become Churchwardens of Cambridge (St.Botolph): CambrsRO(C): P 26/5/1, f.160.

[2] WarwsRO: DRB 27/9.

[3] Also John Trice of Cliffe and Thomas Hatch of Addington, who had been Borsholder for five/one years: KentAO(M): QSO W 1, ff.85, 101v; see also *Quarter Sessions Records for the County of Somerset, Charles I, 1625-1639*, ed. E. Bates-Harbin (Somerset Record Society, XXIV, 1908), II, 172.

[4] NottsRO: QSM 1/75/2, 2 October 1637; 1/76/1, 18 January 1637/8.

[5] *SomsQSR*, II, 186, 192, 194, 218.

[6] *Quarter Sessions Records*, ed. J.C. Atkinson (North Riding Record Society 1885), IV, 78, 83, 101. Remarkably, on 13 October 1638, it was a gentleman who refused to be Constable of his township.

touching much to the neglect of his Ma:[ts] service", and forced him to accept. In April, they had reprimanded the parishioners of Faircrouch for choosing Richard Wood as Borsholder, "a very aged man and very unfitt and unable to serve the Kings Ma:[tie] in the office."[1] In October 1632, the Nottinghamshire Bench frustrated the attempt of East Bridgford to appoint "a poor and insufficient man" as substitute for the reluctant candidate. In three other instances, Quarter Sessions declared appointments of labourers to Constables void, due to insufficiency or "for good reasons".[2]

Although Ship Money was a novel administrative burden, most local officers were aware that the assessment and collection of this tax was part of their office and to be accepted. Unfortunately, we have only insufficient data about refusals to serve as Petty or High Constables during this particular period. References to complaints by Petty Constables of assaults in the Nottinghamshire Quarter Sessions Records probably can be linked to the frictions Ship Money caused, although the figures do not necessarily suggest a dramatically rising pattern of violence.[3] Collectors who faced the opposition of their communities preferred not to enforce the assessment or collection, rather than publicly quitting their offices. Nonetheless, several Sheriffs' reports indicate that some High and Petty Constables refused to stand for office or pressed their premature discharge at the next possible Quarter Session. In June 1636, Sheriff Mildmay of Essex was informed that one John Glasscock declined to be collector of Stanford Rivers, claiming "that there were several John Glasscocks", and Thomas Sumner of the same parish also refused to serve, "saying that he altogether is unable to perform for reason of sight failing and diverse other impediments".[4] In April 1640, the High Constable of Agbrigg and Morley/Yorkshire asked for his discharge, due to "his earnest

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[1] KentAO(M): QSO W 1, ff.115, 110.

[2] NottsRO: QSM 1/74/3, 1 October 1632; 1/75/2, 5 October 1636 and 13 October 1636; 1/76/1, 22 April 1639; see also the case of Thomas Luke, Constable of Elstree/Hertfordshire in February 1637: SPD 16/347-67-VI.

[3] Recorded incidents: 1631: none; 1632: none; 1633: three; 1634: four; 1635: eight; 1636: four; 1637: six; 1638: five; 1639: five; 1640: six: NottsRO: QSM 1/74-1/76.

[4] SPD 16/327-82.

affaires and ymployment in his owne affaires and busines, soe that he cannot without his owne great losse and dammage attend the execucon of that office".[1] Although comparative data for the period before 1638 are missing, the Quarter Sessions Records of the West Riding recorded fifteen High Constables who asked for their discharge between 1638 and 1640.[2] In February 1637, Sheriff Buller of Cornwall was astonished that some Constables were keen "to be put out from being Constables yea, when they weere in the middest of the svice", and in 1636, the Derbyshire Sheriff complained of JPs discharging Constables at the Christmas Quarter Session, right before the assessment started.[3] In April 1637, Sheriff Roger Vaughan of Herefordshire requested the Privy Council "that they write a letter to the Justices of the peace of this Countie not to change any of the Constables untill they have paide", and in May and August 1637, the Sheriffs of Lincolnshire and Somerset lamented that Constables "have gott themselves dismissed of their places by the Justices of peace".[4]

Yet, the extensive quotation of cases of reluctant officers cannot conceal the fact that only a fraction of officers caused problems which were regarded grave enough to be dealt with at Quarter Sessions. In Nottinghamshire, of the approximately 3 800 Constables who served during the Personal Rule, eleven were the subject of mediation at Quarter Sessions; in the North Riding ten out of 4 000 were concerned, and in Somerset thirteen out of 6 600.[5]

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[1] *West Riding Sessions Records*, ed. John Lister (Yorkshire Archaeological Society Record Series, LIV, 1915), II, 194.

[2] Admittedly, all referred to three years of service in this office: *WRQSR*, II, 70, 126, 131, 194, 195, 201, 205, 207, 238.

[3] SPD 16/346-88; 341-56.

[4] SPD 16/354-71; cf.356-76; 366-73. The Privy Council responded to the request: APC 2/47, 381; see also a letter to the JPs of Buckinghamshire in April 1636: APC 2/46, 105-6.

[5] Nottinghamshire had c. 230 parishes; the term, on average, lasted two years; and per annum 1.5 Constables served per parish. The North Riding had c. 240 parishes; Somerset c. 400. This argument is supported by *Kent*, pp.72-3, 78-9, and Ann Hughes, *Politics, Society and Civil War in Warwickshire, 1620-1660* (Cambridge, 1987), p.278. Regarding the number of parishes see *The Phillimore Atlas and Index of Parish Registers*, ed. Cecil Humphery-Smith (Chichester, 1984).

1.2.6. CONCLUSION

The organisation of early-seventeenth century parish government and recruitment of local officers was remarkably complex. Although the officers' duties were clearly defined, their tasks varied according to local custom, and officers assisted each other. In many places, Churchwardens were involved in all aspects of local government, which gave them supremacy over their colleagues. Numerous examples of long-serving parishioners, control over offices by individuals and families, and the frequent involvement of the gentry, discredit suggestions that service for parish, church, and crown were increasingly unpopular in the 1630s. The appointment of parishioners from all ranks of society, and comments in parish accounts indicate that village offices usually were filled by rotas, although domination by the middle and wealthier classes is obvious. Constables were recruited from the higher ranks, too, and often held more than one of the more prestigious offices of Churchwardens and Overseers. Parish accounts and Quarter Sessions Minutes, however, suggest greater readiness to serve as Churchwardens and Overseers, and gratitude when some public-spirited parishioner voluntarily undertook to act as Constable for several years. Some candidates attempted to skip the rota, and transfer the burden to a man of lesser status who lacked power. Unless those weaker villagers yielded (and that might have been a large and unrecorded number), dodgers knew that they needed very good excuses to satisfy the JPs who swore them into their office. Not surprisingly, most cases of refusals to serve as Constables fell into the second half of the 1630s, coinciding with the arduous task of collecting Ship Money and Coat and Conduct Money, coupled with the enforcement of the Book of Orders. Quarter Sessions were overshadowed by reports of assaults on Constables, and their increasingly negligent performance. Constables realised that openly challenging policies and refusing to serve would be unsuccessful. In order to avoid ruining their estates and reputations they accepted the office but used their only means of escape: ignoring, neglecting, or delaying the enforcement of orders, and trusting the inability of their superiors to continuously supervise their performance.

2. THE CAROLINE BOOK OF ORDERS

2.1. INTRODUCTION

2.1.1. OBJECTIVES OF THE BOOK OF ORDERS OF 1631

Rapid population growth and subsequent high inflation caused an unprecedented economic and social crisis throughout sixteenth-century England which reached a new climax in recurrent harvest-failures and slumps in the manufacturing trades in the 1620s. The land-concentration and resulting social polarisation were reflected in growing unemployment, poverty, and mobility which could no longer be contained by traditional charity or private agreements between employers and the work-force. Due to the unavailability of statistical data and lack of understanding of macro-economic processes, most contemporaries failed to recognise the causes of this development and to find remedies. In a society which identified "good government" above all with peace, stability, concord, and harmony, particularly the socially and politically dominant classes were concerned about the consequences of this crisis, and existing or anticipated civil unrest. Genuine compassion, but also fear prompted the government and local elites into action.[1]

The roots of Tudor and Stuart social policy lay both in spontaneous experiments and evolutionary legislation. Local schemes of crisis-management and suggestions from city and county governors were adopted by national proclamations, so-called Books of Orders, which provided guidance in specific crises, such as outbreaks of the plague or harvest failures. While early-sixteenth century statutes in a patch-work fashion addressed especially critical problems, Elizabeth I created the first coherent body of social legislation, in which poor relief, settlement regulations, and social discipline were comprehensively defined and

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[1] Regarding paternalistic and disciplinarian policies: Edward P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century",*Past & Present*, L (1971), pp.76-136; Joanna Innes, "Prisons for the Poor: English Bridewells 1555-1800", eds. Francis Snyder/Douglas Hay, *Labour, Law and Crime: A Historical Perspective* (London/New York, 1987), p.68; Derek Hirst, "The Privy Council and Problems of Enforcement in the 1620s", *Journal of British Studies*, XVIII (1978), pp.105-37. Paul Slack, *Poverty and Policy in Tudor and Stuart England* (London, 1988), pp.144, 207, however, has stressed the concept of harmony as governmental aim.

institutionalised.[1] Yet, early modern government suffered from the common disparity between the development of exemplary blueprints and their execution, which was caused by lack of sophisticated administrative structures and bureaucratic techniques. Due to negligence, awareness of the futility of certain methods, or better local assessment of the situation, communities and their leaders either never implemented legislation or slackened in its enforcement, as soon as the temporarily limited crisis calmed.[2] Responding to recurrent emergencies, the central government several times issued Books of Orders, reinforced by proclamations, reminding local governors of their statutory duties and providing practical guidance.[3]

The almost routine issue of the Caroline Book of Orders, in January 1631, along the lines of its predecessors suggests yet another knee-jerk response to an obviously mounting social crisis. To experienced and conscientious local governors the proclamation merely restated existing legislation, albeit in an unusually comprehensive and concise form.[4] Yet, the number of problems it addressed and the organisational framework it ordered, suggest that the Book of Orders became part of a wider and more general programme to reform the country, aiming at relief measures, social discipline, and improvement of the infrastructure. Officers in the provinces were not only to relieve poverty by supporting paupers with doles and by apprenticing their children, but also to supervise traditional labour regulations and to establish local employment schemes. They were ordered not only to prevent migration, but to relentlessly punish vagrants. To foster social discipline, moral misdemeanors were to be reported and prosecuted. Alehouses were to be shut down, not only to reduce grain

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[1] Concerning the genesis of social legislation: *Fletcher, Reform*, pp.183-193; *Barnes, Somerset*, pp.143-9, 172-7; Paul Slack, "Books of Orders: The Making of English Social Policy 1577-1631", *Transaction of the Royal Historical Society*, 5th series XXX (1980), pp.1-22; *Slack, Poverty*, pp.113-40. A useful description of the perception of government in *Sharpe, Personal Rule 1992*, pp.185-95.

[2] *Morrill, Revolt*, p.21; Esther Moir, *The Justice of Peace* (Hammonsworth/Baltimore/Victoria, 1969), p.60.

[3] e.g. *Royal Proclamations of King Charles I, 1625-1646*, ed. James Larkin, Royal Stuart Proclamations II (Oxford, 1983), no.115, p.236 (17 May 1629).

[4] *Barnes, Somerset*, p.179. See also *Sharpe, Personal Rule 1992*, pp.456-9.

consumption, but also to decimate profiteering middlemen who contravened traditional economic conceptions. Monitoring local markets aimed both at the maintenance of grain supply and the establishment of a "just price". Moreover, highways and bridges were consistently to be mended, and counties were encouraged to build Houses of Correction.[1]

Yet, while traditional in form and content, the operational procedures the Book of Orders of 1631 prescribed, were innovative. To achieve maximum implementation of its instructions, the king and Privy Council had agreed on an unprecedented formalisation of the mechanisms of local government. Key-figures in the organisation of the Book of Orders were the JPs. Their status, natural authority, and adequate local and judicial knowledge made them the best qualified choice for that purpose. Since the mid-sixteenth century, increasingly complex legislation and executive demands had added many administrative functions to their judicial ones. The enforcement of the Book of Orders required the authorisation of at least two JPs.[2] Thus the active members of the Commission of the Peace were to split into small groups and to divide the counties into districts, so-called divisions. Once per month the divisional JPs were to meet and discuss the progress of the Book of Orders.[3] Since JPs could not act without information, and the articles could not be enforced without the endorsement of JPs, the first two *Orders* required that *all* subordinate local officers attended Petty Sessions.[4] After three of these Petty Sessions, the JPs were to compile their findings, decisions, and actions in a quarterly report directed to the Sheriff, who had to send the collection of divisional certificates to the Judges of Assize in whose circuit his county was located. The Judges were required to examine and forward them to the Privy Council,

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[1] APC 2/40, 214-5; BL: Add MSS 12496, ff.263-91; versions available in print: *Historical Collections*, ed. John Rushworth (London, 1659-1680), II, pt.2, appendix pp.82-9; Frederic Eden: *The State of the Poor* (2nd edn., London, 1965), pp.156-160.

[2] *Dalton, Justice 1618*, p.19.

[3] Appendix, Document 6.2.1., *Order 1*.

[4] Appendix, Document 6.2.1., *Orders 1 and 2*.

possibly with an attached commentary of their own.[1] Upon the Privy Council's decision, or on their own initiative, the Judges might pass on encouragement or admonition at the following Assizes which would be transmitted by the JPs to their subordinate officers and transformed into action.[2]

The administrative approach of the Personal Rule to social policies seemed to change the liberal *ad hoc*-enforcement of the Elizabethan Poor Laws radically. In content and administration the Book of Orders was neither new, nor innovative. Yet, it reflected the typical reform approach of the Personal Rule: the revival of precedents and existing schemes of legislation in condensed and updated form; emphasis on communication and control; and use of traditional enforcement mechanisms. Apparently, the king and his advisers not only intended to establish a coherent and working social policy beyond mere crisis-management, but aimed at the reform of local government *per se*. Although several counties had introduced regular meetings between JPs and local officers on their own initiative in the past, Petty Sessions and divisions were to become an additional, ubiquitous, and permanent tier in the organisational structure of local government. In fact, divisional monthly meetings became locally limited extensions of the courts of Quarter Sessions and Assizes, which emphasised the administrative rather than judicial duties of JPs. In its perfectionism, the crown attempted to accomplish "good government" in every locality of the country by binding local governors more closely to its orders and converting them into a class of national officers. Both JPs and parish officers became part of a hierarchy and accountable for their performance. Past structures, based on improvisation and common sense, were now put on a solid administrative

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[1] Appendix, Document 6.2.1., *Orders 6 and 7.*

[2] APC 2/40, 327-8, 330-1. In APC 2/43, 278 (16 October 1633), the Privy Council ordered direct reporting of the JPs to the Judges, and reduced the number of certificates to two per year. *Moir*, p.62, assumes that the intention was to relieve the Sheriffs, who now were in charge of Ship Money. That, however, suggests the planning of Ship Money as early as 1633, while conventional historiography dates it to spring 1634 (see Chapter 3.1.1.). See also *Sharpe, Personal Rule 1992*, p.461. Regarding the use of Judges of Assize as supervisors, see also: *Camera Stellata*, pp.101-2, 327; *Royal Stuart Proclamations*, p.237. Regarding legislation see: James Cockburn, *A History of English Assizes 1558-1715* (Cambridge, 1972), pp.154-5.

foundation.

The institutionalisation of divisions and Petty Sessions were not only meant to alleviate the administrative burden on Quarter Sessions but were considered imperative for the enforcement of the Book of Orders in creating a forum coordinating the work of local JPs. The provisos regarding Petty Sessions were inspired by two concepts which had been notoriously lacking, and yet were indispensible for a more modern and efficient government to enforce national policies in every locality: communication providing information, and control ensuring enforcement. While the Caroline Privy Council appeared to be genuinely keen to aquire a standard of knowledge of the localities which benefitted the realisation of its master-plan, it merely followed the immanent logic that, in a hierarchical administration, each superior had to be informed about the activities of his immediate subordinates. Yet, information was not a one-way system. Through communication, the Privy Council attempted to establish a network of control which was to reach from Westminster into every village of the realm.[1] Judges of Assize were, in fact, regional supervisors of divisional JPs; JPs were supervisors of district High Constables; and High Constables were supervisors of all parish officers in their hundreds. While subordinates provided information, superiors forwarded orders from *their* superiors. The ceaseless enforcement of the Book of Orders was to be guaranteed by precise guidance and relentless supervision which controlled performance and punished negligence. Although JPs were the key-coordinators of the Book, and, due to their education and status, the vital joint between their masters at Westminster and their communities, this supervisory role was dependent on accurate information. Admittedly, some articles of the Book of Orders were only temporarily relevant, such as the provision of corn, or usually negotiated at Quarter Sessions, such as Houses of Correction, highways, and bridges. Others, such as the labour regulations, apprenticing of pauper children, or the

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[1] *Barnes, Somerset*, p.180, calls it "an echelon of successive inquisitions".

prosecution of misdemeanors required the information by parish officers, but ultimately were determined and sanctioned by JPs. The two most crucial issues of the Book, however - poor relief and vagrancy - were beyond the personal supervision by JPs and ultimately implemented by parish officers. The quantitative and geographical aspect of both issues, i.e. the size of districts and the numbers of paupers and vagrants, undermined their personal enforcement by JPs. Consequently, the most important feature of Petty Sessions was the presence of local officers. Without their knowledge, information, and cooperation, JPs had as little influence on the enforcement of the Book of Orders as the Privy Council itself. Westminster had recognised that, in an age of haphazard communication, personal contact between officers of the various tiers of local government was vital - the more frequent, the better.

This part of my thesis will address the role parish officers played in the administration of the Book of Orders and question the impact the Personal Rule had on their performance in the implementation of social policies. Were JPs willing to act as supervisors and did they establish the proposed administrative framework? Were parish officers integrated in this hierarchy and did they forward reliable information upon which their superiors could act? And did the proposed supervision by JPs manifest itself in an enhanced performance of parish officers and a more vigorous enforcement of existing laws?

2.1.2. HISTORIOGRAPHY

The Caroline Book of Orders has been the focus of vigorous historiographic controversy. The question of the Book's origins and the motives leading to its reprint in 1631 now seems resolved. Slack and Quintrell have located the Book not in the "Thorough"-ideology of Laud and Wentworth, but in local experiments which inspired the Privy Council to adopt a national scheme in 1630/1.[1] But other issues - the novelty of its administrative framework; its

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[1] *Slack, Books of Orders*; Brian W. Quintrell, "The Making of Charles I's Book of Orders", *English History Review*, XCV/376 (1980).

success; and its role in the alleged alienation between Westminster and the localities - remain contentious. While Clark and Quintrell have denied that the Book of Orders resulted in any administrative innovation, others have depicted it as a general reform designed to control local government and schematise social policies, particularly by contrast to the torpid and non-interventionist Jacobean regime.[1] As Barnes argues:

> "What was novel about the Book of Orders was the inclusiveness of the program contained in it, the intensity with which the program was executed subsequently, and the duration of that intensity. Inclusiveness, intensity, and duration were elements lacking in every previous attempt to spur the local government centring on the justices of the peace into more effective activity."[2]

The effects of the Book are equally contentious. Assessments range from praise of a premature English Welfare state, to denunciation of a hopelessly ill-conceived project that displayed a total insensitivity to the actual operations of English local government.[3] Most scholars would agree that the agenda of the Book of Orders only scratched the surface of contemporary economic and social problems, and merely provided temporary solutions.[4] They would also concede a more lax execution and the waning zeal of county governors in the later 1630s. Those who argue most insistently the scheme's abject failure are also prone to claim that the Book seriously alienated the county governors, obsessed with local independence, from an interventionist regime that seemed to be contemptuous of their

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[1] Peter Clark, *English Provincial Society from the Reformation to the Revolution: Religion, Politics and Society in Kent 1500-1640* (Hemel Hempstead, 1977), pp.352-3; *Quintrell, Book of Orders*, p.568; Clive Holmes, *Seventeenth-Century Lincolnshire* (Lincoln, 1980), p.112; *Moir*, p.61; Anthony Fletcher, *A County Community in Peace and War: Sussex 1600-1660* (London, 1975), p.154; Ross Lee, "Law and Society in the Time of Charles I: Bedfordshire and the Civil War", *Bedfordshire Record Society*, LXV (1986), p.17.

[2] *Barnes, Somerset*, p.179.

[3] Julian Hill, "A Premature Welfare State?", *The Local Historian*, XIV/1 (1980), pp.11-17; *Fletcher, Reform*, pp.183-4, 193, 361-4; *Morrill, Revolt*, p.15.

[4] Brian Quintrell, "The Government of the County of Essex, 1603-1642" (London Univ. Ph.D. thesis 1965), p.348; Alison Hems, "Aspects of Poverty and the Poor Laws in Early Modern England" (Liverpool Univ. Ph.D. thesis 1985), p.289; G.P. Higgins, "County Government and Society in Cheshire c.1590-1640" (Liverpool Univ. M.A. thesis 1973), p.250; Buchanan Sharp, *In Contempt of All Authority* (Berkeley/Los Angeles/London, 1980), p.79.

priorities.[1] So Fletcher, who was once prepared to concede the acceleration of local government and the establishment of customary administrative forms as limited success, has more recently written:

> "Much of the Book of Orders, some bits in one shire and others in another, was already common practice. But why should every county be hustled into uniformity? It was the justices who actually kept order and they had a strong sense that at any particular moment they were the best judges of how much and what kind or order needing keeping. Thus no conflict of ends, but simply questions of authority and trust, divided the councillors and the country gentry. Such issues, nevertheless, were potent enough to turn the implementation of the scheme into a farce. The Book of Orders was an administrative device that failed not so much because it was openly resisted as because it was not properly enforced."[2]

This line of analysis has been rejected by some commentators, who argue that, at least initially, a measure of central direction was welcomed by a magistracy that had been neglected by Westminster.[3] Others, less extreme, argue that the Book of Orders did not generate conflicting loyalties amongst local governors or claim that it in fact consolidated the gentry's power in the localities.[4] Yet, no scholar has studied the rich source material which survived from all counties and provides the answer to the acceptance and enforcement of the Book of Orders by JPs.[5]

2.1.3. SOURCE MATERIAL

The decisions of the Privy Council, usually conferring twice a week, were meticulously recorded in the "Acts of the Privy Council" and cover all facets of central government.

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[1] *Morrill, Revolt*, pp.21-2. Wilbur Jordan, *Philanthropy in England 1480-1660* (London, 1959), p.133. *Quintrell, Book of Orders*, p.571, and *Slack, Books of Orders*, pp.20-21, concede a certain autonomy of JPs to interprete central directions.

[2] *Fletcher, Reform*, p.57 *vs.* Fletcher, *Sussex*, p.224; I quoted *verbatim*, but obviously Fletcher meant "what kind of order needed keeping".

[3] *Barnes, Somerset*, p.196, 212; *Holmes, Lincolnshire*, p.110, also *Quintrell, Book of Orders*, p.571; *Sharpe, Personal Rule 1992*, p.486.

[4] *Clark, Kent*, p.353; *Moir*, p.70; indirectly also *Fletcher, Reform*, p.372.

[5] So far, only: Henrik Langelüddecke, "Die Durchführung des Book of Orders Karls I. 1631 bis 1639" (Heidelberg Univ. M.A. thesis 1990).

Approximately three hundred orders referred to social and economic affairs connected with the issues of the Book of Orders. Remarkably, except for a few general statements, none of them commented on administrative implications, or even gave advice or orders to specific divisions or officers. This might reflect the general trust and latitude the Privy Council placed in JPs and the lords' belief in the general acceptance of an applied social policy by local governors.[1] There also is no evidence of concrete and close guidance of JPs by the Judges of Assize. Although several charges of the Lord Keeper commanded the Judges' supervision, the only existing Order Book of the Western Circuit covers routine judicial matters and omitted administrative features of the Book of Orders.[2] The requirement for the submission of periodic certificates suggests the existence of source material that would reveal the JPs' evaluation of the success of the Book of Orders. In the copious "State Papers Domestic, Charles I" collection, more than 1 400 documents from forty-five counties are related to the Book of Orders.[3] Their flow, content, and style enable us to judge JPs' willingness to inform their superiors, their efficiency and motivation, and whether the intended co-operation within the hierarchy of local government worked.

Yet, historians quoted those certificates to justify their negative judgement about the efficacy of the Book of Orders and their assumption that opposition to central policies was to blame. The surviving returns are obviously only a mere fraction of the figure the Privy

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[1] Ellen Leonard, *The Early History of English Poor Relief* (Cambridge, 1900), p.246, and *Jordan, Philanthropy*, p.134, have claimed that the Privy Council applied an unusually vigilant supervision during the Personal Rule. *Somerset Assize Orders 1629-1640*, ed. Thomas Barnes (Somerset Record Society, LXV, 1959), p.XXII, however, states that the direct oversight by the Privy Council ceased in 1635, which, due to the close supervision of Ship Money, is more likely.

[2] Surviving charges: 1632: BodL: Rawlinson MSS A 128, ff.24v-26; 1633: SPD 16/255-44; 1635: *Historical Collections*, II, 294-8. This charge found its way into the Dering MSS: KentAO(M): U 350/O 10; 1637: BodL: Rawlinson MSS C 827, ff.40-40r; 1638: BodL: Rawlinson MSS B 243, ff.17-20; 1640: BodL: Rawlinson MSS D 720, f.51; Public Record Office: Assize Records, Western Circuit, Order Books, Assi 24. Regarding the importance of charges: *Cockburn, Assizes*, pp.183-5; *Sharpe, Personal Rule 1992*, pp.424-9. Historians, however, disagree about the usefulness of Judges as supervisors: *Somerset Assizes*, p.XXIV; *Cockburn, Assize*, p.184, and *Herrup, Counties*, pp.172-3, *vs. Fletcher, Reform*, pp.49-51, *Hill, Shropshire*, p.233, *Quintrell, Book of Orders*, p.567, and *Sharpe, Personal Rule 1992*, p.430. The Judges' influence is reflected in the "Resolutions of the Judges", settling technical controversies in the Norfolk Circuit in 1632: SPD 16/255-46 to 49.

[3] Helpful for finding JPs' certificates: *Calendar of State Papers Domestic, series of the Reign of Charles I*, (London, 1857-1872). Another certificate, of the Abingdon division/Berkshire (n.d.) in: BodL: Tanner MSS 395, f.61v.

Council expected.[1] The decreasing number of certificates after 1631 suggests a growing antipathy of county governors to implement and account for the Book of Orders.[2] The total numbers of reports each county sent during the ten-year period varied considerably and seemed to indicate variation in local response.[3] Some scholars have emphasised the imprecise and increasingly curt and stylised tone of many certificates. Barnes stated:

> "The initial fervour was beginning to wear thin by the autumn of 1631. The reports of the justices became more perfunctory and curt, less informative and less detailed - indeed, stylized. [...] By the summer of 1632, the reports of some other divisions had become almost stereotyped. Three divisions returned at about the same time exactly the same curt report which was in effect a mere recitation of the various clauses of the Book of Orders preceded by "we have done our best".[4]

Fletcher added:

> "The reports from many shires quickly became stereotyped: the justices of Arundel rape in Sussex employed virtually identical wording in 1631, 1632 and 1633. JPs soon realised that they could evade the scheme with succinct statements of apprentices bound and rogues apprehended. [...] A bland and uninformative approach was the country's defence against conciliar prying. The most important consideration was the protection of local independence."[5]

Most studies, however, concentrated either on one locality or on a number of shires, and a thorough survey of the entire archive of material shows that the pattern of response needs to be differentiated, and that negligence was by no means universal.[6] The geographic

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[1] *Fletcher, Reform*, p.58 (he counted only 970 certificates); Joel Hurstfield, "County Government c.1530-c.1660",eds. R.B. Pugh/Elizabeth Crittall, *Victoria County History Wiltshire* V (1957), p.100; *Jordan, Philanthropy*, pp.134-5; Brian Quintrell, "Proceedings of the Lancashire Justices of the Peace at the Sheriff's Table during Assize week 1578-1694", *Record Society of Lancashire and Cheshire*, CXXI (1981), pp.34,44; *Quintrell, Book of Orders*, pp.569,571; *Hill, Shropshire*, pp.244, 247, 250-1; *Slack, Books of Orders*, p.21; *Slack, Poverty*, p.142.

[2] *Barnes, Somerset*, pp.181, 190; *Fletcher, Sussex*, pp.225-6; *Higgins, Cheshire 1973*, p.81; *Hill, Shropshire*, p.250; *Hurstfield*, p.100; *Lee*, p.17.

[3] *Slack, Books of Orders*, p.21.

[4] *Barnes, Somerset*, p.184; his overall assessment of the Book of Orders, however, is positive.

[5] *Fletcher, Reform*, p.58. Similarly critical views on the stereotypical character of returns: *Jordan, Philanthropy*, pp.134-5; *Hill, Shropshire*, pp.245-6; Donald Wilkinson, "The Justices of the Peace and their work in Lancashire 1603-1642" (Oxford Univ. M.Litt. thesis 1982), p.139. The first assessment of the contents by *Leonard*, p.172-3.

[6] For this and the following paragraphs see my forthcoming article in the *Bulletin of the Institute of Historical Research*: Henrik Langelüddecke, "The Administrative Work of the Justices of the Peace in the 1630s: a Study on the Source Material related to the Book of Orders"; see also *Langelüddecke, M.A.*, Chapter 2.

and chronological survival-pattern of the reports is far too erratic to permit general conclusions. A comparatively large number of reports exists from Hertfordshire, Shropshire, Somerset, and Surrey, for instance, but many counties, such as Bedfordshire, Warwickshire, Oxfordshire, and Nottinghamshire, produced considerably less, some only slightly above ten certificates, during the whole period.[1] The chronological distribution of the reports indicates that the peak of incoming certificates recorded in the Public Record Office was in 1631.[2] The considerably lower number of returns from 1632, and none from eleven counties, suggests that many JPs regarded the Book of Orders as a temporary measure only which became superfluous after containment of the immediate crisis of 1630/1. A second peak, in 1634, is an indicator that the new momentum of direct supervision by the Judges of Assize found its instant reaction in the localities. This impulse, however, must have been lost by 1635, with the total of certificates even below the level of 1632. The slightly rising numbers of certificates in 1637 and 1638 suggest that the harvest failure of 1637 prompted JPs to activities beyond the routine level, on their own initiative. A total of twenty-eight certificates in 1639 marks the end of returns, and there is not a single return from 1640. Looking at the performance of individual counties, however, Kent, Lancashire, Surrey, and Sussex show increasing numbers between 1636 and 1638. Also there is no explanation as to why in some years there are no certificates from counties like Cambridgeshire (1632 and 1633), Dorset (1632), Herefordshire (1632 and 1635), and Norfolk (1633), which seemed to have sent their reports in prescribed manner in other years. The same erratic pattern of quantitative and chronological distribution applies to the divisions of most counties, some of which never seemed to have sent any certificate. Nonetheless, counties with small numbers of surviving reports by no means automatically betray obvious lack of enthusiasm for the Book of Orders.[3] Some historians have acknowledged that counties with comparatively fewer returns, such as

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[1] See Appendix, Table 6.1.3..

[2] See Appendix, Table 6.1.4..

[3] *Slack, Books of Orders*, p.21.

Essex, Northamptonshire, and Warwickshire, most certainly saw to the enforcement of the Book of Orders, considering their exemplary background in implementing social policies.[1]

Remarkably, no historian has ever considered the possibility that a significant proportion of documents had been written and sent, but were lost on their way to the Privy Council, or destroyed over the course of the centuries. Many certificates refer to previous reports and verify their dates. Again, there is no obvious pattern in these references to certificates that appear to be lost, and they occur in almost all counties over the entire period. The erratic practice of addressing returns to either the Sheriff, Judges, or Privy Council, suggests that haphazard communication and unreliable mail, besides individual negligence, might be to blame for the incomplete archive. Remarkably, in June 1638, the Lord Keeper blamed both JPs *and* Judges for the poor reporting standards, and it is conceivable that the Judges, who were not in constant touch with the Privy Council, kept the certificates amongst their private papers, or forgot to submit them.[2]

The formal structure and contents of certificates also do not prove obvious negligence of JPs. Some reports, admittedly, described the execution only in very vague and general terms, lacked concrete data, and mechanically repeated the directions of the Book of Orders.[3] Several returns resembled filled-out forms, using identical words and phrases.[4] Some JPs undoubtedly copied the reports of colleagues, or at least compared notes at Quarter Sessions.[5]

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[1] *Fletcher, Reform*, p.59; *Sharpe, Personal Rule 1992*, p.462. In Northamptonshire, for example, three-weekly meetings prior to the Book of Orders: SPD 16/187-49, 194-9.

[2] BodL: Rawlinson MSS B 243, f.20.

[3] e.g. Lincolnshire: Folkingham division SPD 16/293-121; Monmouthshire: Trelleck hundred 291-91; Staffordshire: Cuttlestone hundred 342-104; Suffolk: Casford hundred 395-35. See also letter of Northamptonshire JP Rowland St.John to Sir Oliver St.John, 15 December 1630: Montagu MSS 1, f.60 (cf. *Sharpe, Personal Rule 1992*, p.461); and Lord Montagu's reluctance to accept supervision by the central government: *Slack, Books of Orders*, pp.19-20.

[4] e.g. Cambridgeshire: hundreds of Radfield, Chilford, and Whittlesford SPD 16/328-59, 364-20, 395-114; Leicestershire: Goodlaxton hundred 196-5, 198-68, 202-12, 215-14, 222-51; Shropshire: North hundred of Bradford 200-21, 211-50, 216-38, 222-6, 242-29; Sussex: Chichester rape 191-63, 202-41, 210-92, 243-18, 363-79, 393-47, 425-99.

[5] e.g. Buckinghamshire: hundreds of Buckingham and Aylesbury SPD 16/191-35-I, and Cottesloe hundred 191-35-II; Lincolnshire: Lawress wapentake 294-34, and Aslacoe wapentake 294-32; Northamptonshire: West division 220-18, and East division 220-17; Oxfordshire: hundreds of Banbury and Bloxham 293-8, and hundreds of Bampton and Chadlington 293-9. Identical handwriting in: Buckinghamshire: hundreds of Abingdon and Wantage 267-37, and

Particularly remarkable are so-called *omnia bene*-certificates which directly or indirectly expressed that nothing worth mentioning had happened, and everything was in order.[1] Yet, the diversity of returns does not permit generalisations. Extremely detailed certificates remarking on all important issues, trying to quantify facts, and tabulating data according to subject or region, contrast with reports covering only some aspects of the directions, and not mentioning elementary parts of the Book of Orders.[2] There certainly is no general trend towards *omnia bene*-certificates in later years. Some counties, such as Leicestershire and Lincolnshire, from the very beginning adopted a formulaic style, but most divisions of Cornwall, Kent, Lancashire, Monmouthshire, Surrey, and Sussex, provided detailed information throughout the period.[3] Elsewhere, the varying style within counties proves that the response to the Book of Orders developed according to divisional boundaries.[4] Even within a division, the standards of reporting varied considerably.[5] Schematised or even *omnia bene*-certificates could have corresponded to the fact that, indeed, everything was "all right", and merely reflected the establishment of a routine which the Privy Council for so long had desired in day-to-day local administration.[6] And a selective and routine-like approach to coverage might have been justified from the JPs' point of view as a means of avoiding

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hundreds of Lambourn and Wantage 267-38; Yorkshire: Rydale wapentake 293-129, and Buckrose wapentake 293-130 (admittedly, the latter districts frequently formed one division).

[1] Two classic examples: Sheriff of Hampshire (March 1631): SPD 16/186-68; JPs of the Louth Session/Lincolnshire (May 1631): 190-43-I; other examples, e.g. Leicestershire: Framland hundred 202-52; Lincolnshire: Sleaford division 244-8; Shropshire: Pimhill hundred 218-58; Staffordshire: Totmonslow hundred 202-23.

[2] e.g. Buckinghamshire: Cottesloe hundred SPD 16/390-131; Hampshire: Alton division 288-94; Hertfordshire: Hertford hundred 197-69; Lancashire: Oldham hundred 395-106; compared to Dorset: Blandford division 289-48; Essex: Dengie hundred 424-58; Hampshire: Kingsclere division 290-8; Lancashire: West Derby 366-92.

[3] Leicestershire: e.g. SPD 16/193-70; 193-90; 196-5; 200-24; 202-31; 202-59; 218-78; Lincolnshire: e.g. 190-43-I; 192-40; 221-16; 221-29; 223-54; 244-8.

[4] Cambridgeshire: e.g. SPD 16/209-64, 271-41, compared with 277-90, 328-67, 364-26; and 271-85, compared with 328-59; Cornwall: e.g. 198-33, 225-3, 237-54, 238-45, 247-61, 272-55, 273-24, 273-37, 284-62; 351-107; Wiltshire: e.g. 225-1, 265-44, 276-41, compared with 221-17, 250-17, 278-112; Dorset: e.g. 188-67, 188-51, 193-60, 203-59, 241-60, compared with 188-54, 189-82, 233-37, 263-5.

[5] e.g. Staffordshire: Totmonslow hundred SPD 16/202-23, 272-66, 294-103; Hampshire: Andover division 185-70, 250-11-II, 400-57.

[6] *Barnes, Somerset*, p.191.

burdensome reiteration of the obvious. Certificates *could* reflect the commitment of JPs, but more likely, they indicate the standards of information they possessed about their division. This information, however, was almost exclusively available only from parish officers.

We do not know how efficiently or selectively JPs collected information at Petty Sessions. As Chapter 2.2.4. will show, there were reasons to trim the chain of command the Book of Orders had proposed. If the supervisory role of High Constables was fully utilised by JPs, the data necessarily were filtered and interpreted. Although JPs certainly commanded respect, parish officers always could lie at Petty Sessions, and it was hard to check their informations. Some certificates suggest that, at well-organised monthly meetings, officers were called up by the parish, or by the issue which required information, and frequently JPs seemed to have attached questionaires to their warrants. JPs of the Portsdown division/Hampshire explained that they:

> "did delive[r] to the Constable of every Hundred & the Tythingmen of every Tithinge and to the Churchwardens & Ovsee[r]s of the Poore of evy p[ar]ishe w[th]in the saide Division divs Articles in wrightinge unto w[ch] att everie meetinge they are required punctually to psent yea or noe".[1]

West country JPs, in particular, grew increasingly fond of detailed lists, emphasising the measurable performance of parish officers expressed in numbers of children apprenticed, vagrants punished, and fines levied.[2] Some Hertfordshire magistrates enclosed the presentments written by parish officers, or made abstracts of them for the Privy Council. Frequently, those officers responded competently, referring to each single article with a comment, or a declaration of "omnia bene".[3] Yet, this did not preclude the possibility that many claims of "all right" were false, since it was unlikely that a parish did not have any

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[1] SPD 16/288-102.

[2] e.g. Cornwall: SPD 16/237-41, 265-51, 284-27, 287-51, 289-58; Devon: 220-48, 260-129, 265-34, 289-43, 290-32, 291-124, 364-28, 385-77, 395-21; Somerset: 289-30; Wiltshire: 250-17; others: Buckinghamshire: 328-6; Kent: 328-7; Lancashire: 267-39-I; Nottinghamshire: 329-63, 349-86; Surrey: 262-46, 278-112, 314-25, 351-115, 363-132, 382-28, 383-31, 386-112; Yorkshire: 304-100.

[3] Abstracts: e.g. SPD 16/319-85; also Buckinghamshire: 382-18; Lancashire: 364-123, 395-46, 395-106, 397-8, 397-36. Presentments: e.g. 197-69, 344-30-I to VI, 347-67-I to VI, 418-21-I to IX.

paupers, vagrants, apprentices, or offenders. On 1 May 1631, the Constables of Thorley/Hertfordshire stated that "Wee have nothing to returne but what was returned at the last sitting"; they proceeded to report the same at the following two Petty Sessions.[1] In July 1638, JPs of the Bolton division/Lancashire listed their monthly meetings and added behind numerous parish officers the remark "Appeare & say they have nothing to psent".[2] Despite the attempt of many JPs to deliver accurate data, the information their returns contain, did not necessarily reflect the truthful situation in the localities.

It is characteristic of an elitist society that the further one moves down the hierarchy the less individual source material there is available. Few (and unfortunately insignificant) accounts and notebooks of JPs have survived for this period.[3] Except for some warrants by JPs to High Constables or parishes, documents do not inform us about the communication between county governors and their subordinates.[4] Nevertheless, statements written by JPs representing their division, contain valuable information about the activities and conduct of High Constables and parish officers. Returns not only testify to the JPs' willingness to surrender data to their superiors, but also indicate as to how much information they had access themselves. This depended on whether JPs succeeded in integrating parish officers in the novel command structure and in enforcing central policies in communities. The only source through which we can monitor this success, are parish officers' accounts. While JPs' certificates were based on information they already had filtered or discarded, or which had

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[1] SPD 16/197-69.

[2] SPD 16/395-46; also 397-36; see discussion in Chapter 2.4.4..

[3] e.g. Edward Dering: KentAO(M): Dering MSS U 570/O 1; Thomas Walsingham: KentAO(M): Dalison MSS U 522/O 4; Francis Ashley: *The Case Book of Sir Francis Ashley, JP, Recorder of Dorchester 1614-1635*, ed. J.H. Bettey (Dorset Record Society, VII, 1981). The only surviving Petty Sessions Minutes are from the Purbeck division/Dorset for 1638: DorsetRO: D/PLR D 320/X 4.

[4] Cornwall: to the Churchwardens and Overseers of St.Germans, 6 April 1640: CornwRO: DDP 68/12/1; Devon: to the Overseers of Yealmpton, 31 March 1638: DevonRO(W): 731/837; Hampshire: to the Constables of the Basingstoke division, 7 May 1639: HantsRO: Herriard MSS, Jervoise Papers 44 M 69 G 3/220; Lancashire: to the Constables of Childwall, 17 November 1634: *A Calendar of the Moore Family of Bankhall, Lancashire*, ed. J. Brownbill (Lancashire and Cheshire Record Society, LXVII, 1913), p.202; Staffordshire: to the parish officers of Gayton, [1631?]: StaffsRO: P 705/PC/1/1;Worcestershire:to the Constables of Salwarpe, 24 March 1634: WorcsRO: 850 Salwarpe 1054/2 Bundle H (xerox in Appendix, Document 6.2.2.).

been fabricated by subordinates, parish officers entered all their expenses in account books, since they wanted to get reimbursed. Consequently, the accounts precisely display all activities executed under the Book of Orders and reflect the local standards of enforcement. They not only illustrate the expansion of additional bureaucracy with meetings and reports, but also the influence of JPs in enhancing the material performance of parish officers. This might indicate whether the Book of Orders changed JPs' and parish officers' perception of social policies, and established a modern local bureaucracy and the consistent enforcement of central policies in the localities.

2.2. ORGANISATIONAL FRAMEWORK OF THE BOOK OF ORDERS

2.2.1. INTRODUCTION

The enforcement of the Book of Orders depended on a close cooperation between JPs and their subordinates - High Constables and parish officers. JPs were unable to inform the Privy Council, and to supervise parish officers and coerce them into action, if they did not meet them. Conversely, local officers were unable to amend difficulties and compel parishioners to obey certain articles of the Book without the authority and administrative expertise of JPs. In directing the mandatory establishment of Petty Sessions, the Book of Orders created a forum of information, counsel, and redress, at which a number of JPs met the Constables, Churchwardens, Overseers, and Surveyors of all their communities twelve times per year. This arrangement required the decentralisation of the Common Bench of a county into several districts which were supervisable, and whose community leaders knew to which JPs they were accountable. The onus of maintaining this comparatively complex organisation lay with the JPs, since they formed the core of Petty Sessions and had the power to summon subordinates. Barnes stressed that "so long as the justices were zealous, the subordinate officers could not be otherwise."[1] Fletcher, however, has claimed that there was nothing automatic about JPs' obedience, who individually set the pace and standards of government.[2]

The sixteenth century had seen various attempts to alleviate overloaded Quarter Sessions agendas by establishing either preliminary meetings or special purpose sessions.[3]

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[1] *Barnes, Somerset*, p.184.

[2] *Fletcher, Reform*, pp.47, 62, 142. Cautious evaluation also in: *Slack, Books of Orders*, p.19; Bertram Osborne, *Justices of the Peace 1361-1848; A History of the Justices of the Peace for the Counties of England* (Shaftesbury, 1960), p.103; Ivan Roots, "The Central Government and the Local Community", ed. Eric Ives, *The English Revolution 1600-1660* (London, 1968), p.36; see also John Morrill, "The Cheshire Grand Jury 1625-1659; A Social and Administrative Study"; *Department of English Local History Occasional Papers*, 3rd series I (1976), p.46.

[3] *Fletcher Reform*, p.88; *Fletcher, Sussex*, p.219; also *Gleason*, p.115. Preliminary sessions six weeks before the Quarter Sessions: 22 Henry VIII ch.10 and 33 Henry VIII ch.10; monthly meetings of Churchwardens and Overseers of a hundred: 39 Elizabeth I ch.3; quarterly meetings of Constables and High Constables: *Fletcher, Reform*, p.123. The application of this legislation in *Fletcher, Reform*, pp.123-30; John Morrill, *Cheshire 1630-1660: County Government and Society during the English Revolution* (Oxford, 1974), p.8; *Quintrell, Essex*, p.54; Frederic Youngs, "Towards Petty Sessions: Tudor JPs and Divisions of Counties", eds. D. Guth/John McKenna, *Tudor Rule and Revolution; Essays for G.R. Elton from his American Friends* (Cambridge, 1982), p.215.

Both central government and county governors recognised the need to create an additional forum for the JPs' increasing administrative tasks in order to furnish their out of sessions-activities with a more formal character and to involve subordinate officers.[1] Yet, crown and Parliament failed to establish compulsory monthly meetings for all local officers.[2] In some counties, certain schemes resembling the later Petty Sessions had emerged upon the JPs' own initiative.[3] Some historians argue that it was only the Book of Orders which formalised monthly meetings and made them an integral part of local government.[4] Both Fletcher and Morrill, however, deny the establishment of Petty Sessions as an institution and their continuity into the late seventeenth and eighteenth centuries.[5] Apparently, the concept of divisional meetings, promoted by the Book of Orders, was borrowed by the Privy Council from a number of advanced counties where they represented no novelty. Before we investigate the involvement of parish officers in monthly meetings and the material enforcement of the Book of Orders, we must examine whether the administrative framework

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[1] Historians referring to Lambard's complaints about the "stacks" of statutes, assume that seventeenth-century JPs were overworked: *Barnes, Somerset*, p.200; *Forster, Local Government*, p.207; *Gleason*, p.114; *Higgins, Cheshire 1976*, p.51; *L. Hill*, p.70; *Sharpe, Personal Rule 1992*, p.431; based on William Lambard, *Eirenarcha - or the Office of the Justice of the Peace* (London, 1581), p.38.

[2] *Fletcher, Reform*, p.216, suggests that voluntary meetings of JPs in between Quarter Sessions, and the duty of Churchwardens and Overseers to report monthly, in many counties had led to the assumption of a legal basis.

[3] *Moir*, p.65; *Gleason*, pp.111-2; see particularly *Youngs*, pp.202-16. Some counties had introduced special purpose sessions involving JPs and parish officers: *Davies*, pp.214, 217; *Fletcher, Reform*, p.135; *Hurstfield*, p.91. *Fletcher, Sussex*, p.137, verifies the genesis of Petty Sessions with the presence of interested JPs in Essex, Hampshire, Norfolk, Warwickshire, and Worcestershire. Three-weekly sessions in Northamptonshire before 1630: *Davies*, p.213; the parish accounts confirm their existence until the mid-1630s: NorthantsRO: 55p/504 (Burton Latimer Constables, until 1634); 49p/GB 1 (Brington Churchwardens, until 1636); 175p/28 (Great Houghton Churchwardens, until 1634). Regarding the genesis of local Petty Sessions: D.C. Cox, "County Government 1603-1714", ed. G. Baugh, *Victoria County History, Shropshire, III* (1979), pp.106-7; *Morrill, Cheshire*, p.8; *Quintrell, Essex*, pp.50-6; *Quintrell, Assize*, p.34; *Wilkinson*, pp.110-3.

[4] *Barnes, Somerset*, pp.178, 181-2, 187; *Davies*, p.213; *Higgins, Cheshire 1973*, p.104; *Holmes, Lincolnshire*, p.110; *Moir*, p.65.

[5] *Morrill, Grand Jury*, pp.24, 35; *Fletcher, Reform*, p.128, stated in footnote 50: "I would now wish to modify my earlier suggestion [presumably *Sussex*, p.137] that 'during the 1630s petty sessions were held monthly throughout the county'"; see also pp.57-9, 123-34. Scepticism in *Osborne*, p.102. The pioneering works of Leonard and Davies are equally cautious: *Leonard*, p.177, questioned the nationwide dissemination of Petty Sessions; *Davies*, pp.188-90, 212-7, their chronological continuity. Landau found that the boundaries of Kent divisions were not stable even in the late-seventeenth century: Norma Landau, *The Justices of the Peace 1679-1760* (Los Angeles, 1984), pp.28-30, 311-3. See also my forthcoming article in *Law and History Review*: Henrik Langelüddecke, "The Institutionalisation of Divisions of Counties and Petty Sessions in seventeenth-century England under the influence of the Caroline Book of Orders".

of divisions and Petty Sessions was established everywhere.

2.2.2. FORMING DIVISIONS AND HOLDING PETTY SESSIONS

The medieval hundreds were the basis of divisions and the territorial framework of the administrative activities of at least two JPs. The number of hundreds varied considerably from county to county. While Buckinghamshire consisted of only eight hundreds, Cheshire of seven, Cumberland of five, and Derbyshire of six, densely-populated, long-settled regions had many more: fifty-six in Dorset, fourty-three in Somerset, or seventy-two in Sussex.[1] JPs had the option either to keep the hundreds as divisions, or to combine neighbouring hundreds into divisions. Unless divisions had been established prior to the Book of Orders, the creation of new administrative units was subject to fluctuations and improvisations, as JPs' certificates suggest.[2] The latter show that divisions suddenly split, and that initially unconnected hundreds formed stable divisions. The establishment of a West and East division in Northamptonshire from 1631 to 1634, for example, obviously had not proven to be efficient, since the dispatches carry the labels of individual hundreds after 1635.[3] The Hertfordshire division of Broadwater hundred and Hitchin halfhundred split after 1635.[4] In 1634, the Norfolk hundreds of Blofield and Walsham separated from Taverham which subsequently sent its own reports.[5] In an Essex division, we find the reverse development. The hundreds of Chafford and Barstable and Becontree halfhundred composed their own accounts before 1633,

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[1] See *Phillimore Atlas*.

[2] Special cases were Yorkshire and Lincolnshire, divided into three major district with separate Commissions of the Peace (Yorkshire into the North, East, and West Riding; Lincolnshire into Lindsey, Kesteven, Holland). Intermediary units had been created in Hampshire (divisions), Sussex (rapes), and Kent (lathes). *Fletcher, Sussex*, p.138, describes the Sussex rapes as impractical. 33 Henry VIII ch.10, in 1542, was the first order for forming divisions. Abandoned in 1545, it was revived in 1587 and in 1605, but only few counties followed this scheme. Concerning the history of divisions see *Youngs*. Concerning motives and legal foundation, see *Barnes, Somerset*, p.82, and *Youngs*, pp.202-8. Other references to divisions: *Barnes, Somerset*, p.83; *Hill, Shropshire*, pp.238-9; *Quintrell, Essex*, p.56; *Davies*, pp.215-6; *Wilkinson*, pp.11, 113.

[3] Compare e.g. SPD 16/193-34, 220-18 (West) and 194-9, 220-17 (East) with 328-72, 301-47, 348-28, 348-17.

[4] Compare e.g. SPD 16/198-11, 247-47, 266-4 with 383-57 and 329-56, 427-3.

[5] Compare e.g. SPD 16/190-20 and 192-79 with 272-44, 329-24 and 301-104, 364-27.

but forwarded joint dispatches after 1635.[1] Conversely, *ad hoc*-associations of hundreds were combined into divisions whose core was frequently composed of one or two hundreds. Out of five certificates involving Ermington hundred/Devon, for example, in two its JPs reported together with the hundreds of Lifton, Tavistock, Roborough and Plympton, once with Stanborough, Coleridge and Plympton, once with Plympton only and once on their own.[2] Except for Cambridgeshire, Hampshire, and Sussex, where the composition of divisions did not change, and those counties which kept their hundreds as divisions, the territorial organisation of JPs in most shires underwent similar types of changes. The Book of Orders did not fix Petty Sessions districts and did not even concretise local practice, as the examples of Hertfordshire and Northamptonshire prove. On the contrary, the multiple demands of the Book inspired, or perhaps forced, JPs to experiment and improvise in the development of divisions.

The institutionalisation of divisions only made sense if they could be furnished with JPs. We do not know very much about the territorial organisation of JPs. The annual lists, so-called *Libri Pacis*, did not allocate JPs to districts, and rare attempts by some Sheriffs to explain the distribution of JPs in their covering letters to the Judges of Assize are usually not congruent with the dispatches of the divisional justices.[3] Although the North Riding and Somerset Quarter Sessions now actually delegated matters to divisional JPs, the North Riding Commission decided officially to divide themselves equally among the wapentakes only in

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[1] Compare SPD 16/244-38 and 190-70 with 329-48 and 426-67. The dates of territorial re-arrangements cannot be verified, due to incomplete years of surviving documents. In this case, for example, unified in 190-54 (May 1631), separated in 271-56 and 271-84 (July 1634), with no certificates in between.

[2] SPD 16/184-60, 193-25; 203-67; 258-35; 377-182. Remarkable, in this context, are two mergers across borders of Commissions of the Peace: the hundreds of Rydale and Buckrose, belonging to different Yorkshire Ridings (189-9-VII, 250-47), and the hundreds of Staploe, Flendish, Cheveley and Staine/Cambridgeshire, which reported with Huntingdonshire in April 1631 (189-81-III).

[3] Buckinghamshire SPD 16/187-1; Hampshire 191-27; Hertfordshire 189-78; Leicestershire 190-42; Middlesex 181-21; Norfolk 191-44-I; Wiltshire 188-33. A Berkshire JP (176-35) referred to three divisions, whereas maps usually mention six (Forest, Newbury, Abingdon, Wantage, Faringdon, Reading). The Leicestershire certificate only listed the number of JPs per division, but not their names. *Quintrell, Essex*, p.61, blames the Sheriffs for frequently failing to assign JPs to divisions.

1635.[1] Some divisions, however, lacked the *quorum* of at least two JPs and thus thwarted lawful administration of the Book of Orders. Although the early-seventeenth century saw an expansion of the numbers appointed to the Commissions of the Peace, which now averaged between thirty and fifty members, they included Privy Councillors, local aristocrats, and senior clergy, who usually did not participate in the out of sessions-work.[2] Other causes were geriatric Commissions of the Peace, death of JPs, and the failure to recruit successors. These shortcomings were exacerbated by absenteeism and lack of motivation of JPs who preferred London life to the cultural backwaters of their counties.[3] For years the Privy Council had been concerned about the neglect of local administration and the carelessness of some JPs, admonishing local gentry in various proclamations to remember their duties.[4] JPs alone in their divisions frequently complained. In May 1631, one Derbyshire JP wrote:

> "my proceedings therein (contrary to my will) have bene to noe effect [...],by reason here is noe Justice of the peace in our division [...]that will or can attend that service" [and asked if] "order may be commanded for helpe of my now fellow Justices or a supply of new".[5]

In an earlier certificate, he and a colleague had outlined the classic reasons why they had been left with all the work:

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[1] *Barnes, Somerset*, p.200; *NRQSR*, IV, 32.

[2] In Somerset, between thirty-seven and fifty-seven JPs: *Barnes, Somerset*, p.41; Hertfordshire, fifty-three to sixty-one JPs: *Calnan*, p.291; Shropshire, thirty to fifty JPs: *Cox, Shropshire*, p.93; Cheshire, on average fourty-five: *Higgins, Cheshire 1973*, p.68. *Fletcher, Reform*, p.38, estimates a total of about 1 200 JPs in England and Wales - an average of sixty per county. John Gleason, *The Justices of the Peace in England 1558-1640* (Oxford, 1969), p.4, suggests fifty to ninety JPs per county. For the Personal Rule, *Libri Pacis* survived for 1632 and 1638: SPD 16/212 and 405. In 1630, twenty-one out of fifty-three Hertfordshire JPs were notables: *Calnan*, Appendix, p.XIV. See also *L. Hill*, p.68, and Bertha Putnam, "Justices of the Peace from 1558 to 1688", *Bulletin of the Institute of Historical Research*, IV/12 (1927), pp.144-56.

[3] e.g. Berkshire: Newbury division SPD 16/176-35; Buckinghamshire: Desborough hundred 277-4; Essex: Becontree hundred 244-38; Hampshire: New Forest division 250-11-II; Yorkshire: Birdforth and Allertonshire wapentakes 188-26, Agbrigg wapentake 189-55. During the first years of the Book of Orders, Shropshire particularly suffered from a lack of JPs: Munslow hundred 224-13, Overs hundred 197-47, Oswestry hundred 192-60. *Quintrell, Essex*, pp.42 and 44, blames the purges of the 1620s as further cause of undermanned divisions.

[4] *Royal Stuart Proclamations*, no.56, pp.112-3 (1626); no.77, pp.170-2 (1627); no.159, pp.350-3 (1632). In February 1637, the Lord Keeper had explicitly reminded the Judges of Assize to "advise them [the JPs] to the monethly meetinges wch if they keepe not & it be enformed of it his Lopp will clear them out of the comission.": BodL: Rawlinson MSS C 827, f.40. *Moir*, p.55, and *Fletcher, Reform*, p.368 refute the impact of absenteeism.

[5] Repton and Gresley hundreds SPD 16/192-96.

> "one of us (Sir George Gresley, Knight and Baronett) was at London at the first coming down of the proclamacon and came not down into the Country untill about three weekes since, and S[r] William Kinreton one other Justice of peace in this division is olde, and not able to travill, and S[r] John Fferrers hath (as he saith) busines that he cannot come".[1]

A shortage in numbers could be balanced by calling on JPs from neighbouring divisions for assistance, but even that often failed. One concerned Yorkshire JP showed some sympathy for the uncooperative attitude of his colleagues, when he wrote:

> "And for others that are within other wapentakes adjoininge they are all farre remote and unwilling to go out at their own divisions where they have continuall imployment and can hardlie spare time to come soe farre".[2]

Under such circumstances the exact enforcement of the Book of Orders was not guaranteed. It was tolerable when a colleague was occasionally missing, even when the team consisted of only two, but not when the situation became permanent.[3] Yet, the examination of the signatures subscribed to the certificates shows that most divisions had a working *quorum*, although the number of JPs was subject to considerable fluctuation:[4]

Division	1631	1632	1633	1634	1635	1636	1637	1638	1639
Forest division/ Berkshire	3	?	4	5,2	?	3	2	?	?
Buckingham hundred/ Buckinghamshire	2	?	?	4	?	?	?	?	?
Chesterton, Papworth, North Stow hundreds/ Cambridgeshire	?	?	?	4,2	?	?	?	?	?
Repton, Gresley hundreds/ Derbyshire	2,1,3	?	?	?	3	?	?	?	?
Ongar, Waltham, Harlow hundreds/ Essex	2,4	?	2	2	?	?	2	4	?

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[1] SPD 16/188-94; similar remarks from Overs hundred/Shropshire 197-47, and New Forest division/Hampshire 250-11-III.

[2] Birdforth wapentake SPD 16/188-26. *Moir*, p.64, assumes that JPs neglected remote parts, due to the long distances and difficult communication.

[3] e.g. North hundred of Bradford/Shropshire SPD 16/262-66 (usually two JPs, 260-62, 271-93). *Hill, Shropshire*, p.239, noticed the notorious lack of JPs in some Shropshire divisions. *L. Hill*, p.70, has stated that one or two JPs per division were hopelessly overworked. References to absent JPs in parish accounts: WarwsRO: Nether Whitacre C, DRB 27/9 (1632, 1637); Fillongley OV, DR 404/87.

[4] A more detailed analysis of signatures in *Langelüddecke, M.A.*, Chapter 2.4.. *Fletcher, Sussex*, p.220, has observed that one-sixth of JPs did not participate in Petty Sessions. *Barnes, Somerset*, p.201, claims that non-attending JPs risked dismissal from the Commission of the Peace.

Division	1631	1632	1633	1634	1635	1636	1637	1638	1639
Cashio hundred, liberty of St.Albans/ Hertfordshire	6,4,5,2	?	3,5	?	?	4	4,3	3	?
Hurstingstone hundred/ Huntingdonshire	3,6	?	4	?	?	4	?	?	?
Leyland hundred/ Lancashire	?	?	?	2	4	2	4	2	?
Goscote East hundred/ Leicestershire	2,1	1	?	2	?	4	?	?	?
Clackclose, Freebridge Lynn, Freebridge Marshland hundreds/ Norfolk	3	?	?	?	?	2	3	3	5
South of Bradford hundred/ Shropshire	7,8	6	?	3,5	?	?	?	?	?
Pirehill hundred/ Staffordshire	5	5	?	3,6	7	?	?	?	?
West division/ Surrey	7	?	4	?	?	4,7	7	5	?
Copthorne, Effingham hundreds/ Surrey	?	?	2	2	?	2	2,5	2,3	4

Signatures of neighbouring JPs were not necessarily caused by a shortage of JPs. When the Cornwall JPs Thomas Gewen and Ambrose Monaton, for example, not only administered Lesneth hundred, but also Stratton hundred, and Monaton additionally signed for the North division of the East hundred, this can be explained by the exchange of favours between colleagues, or the ambition of JPs to enhance their status and authority in the county.[1] Another explanation were periodic mergers to *ad hoc*-divisions mentioned above, such as the exchanges of JPs between the Herefordshire hundreds of Webtree and Ewias Lacy, and Grimsworth and Huntingdon.[2] Ultimately the JPs were flexible in organising the

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[1] SPD 16/284-61, 284-27, 351-107, 284-61. *Quintrell, Essex*, p.56, suggests a radius of action for most JPs between seven and eight miles, although diligent JPs, due to the negligence of colleagues, soon were in charge of more than one division. The North Riding Easter Quarter Session of 1635 referred to activities of JPs across divisional borders: *NRQSR*, IV, 32. Examples from other counties: Hertfordshire: JP Caesar in Broadwater hundred (383-57) and in the hundreds of Edwinstree and Odsey (e.g. 349-71, 351-114, 364-48); Northamptonshire: JP Gooday in the hundreds of Higham Ferrers and Hamfordshoe (328-72, 348-18) and in the hundreds of Huxloe and Orlingsbury (348-16); Shropshire: JP Corbett in the North hundred of Bradford (315-26, 349-106) and in the Newport division of the South hundred of Bradford (342-110); Suffolk: JP Bacon in Wangford hundred (e.g. 329-43, 364-102) and in Harteswere hundred (e.g. 329-31, 349-12); Surrey: JP Evelyn in Wootton hundred of the West division and in the hundreds of Elmbridge and Kingston of the Middle division (e.g. 349-15, 314-25, 386-110); Sussex: JPs Goringe and Leeds in Arundel rape (e.g. 314-115) and in the downish division of Bramber rape (e.g. 314-103). *Hill, Shropshire*, p.239, stresses that the legal basis for interfering in other divisions was their commission for the whole county.

[2] SPD 16/330-96, 330-97; 193-53, 272-41. See also JP Lytton in Broadwater hundred (329-56, 349-70) and Hitchin halfhundred (351-113-I, 383-57), Hertfordshire hundreds, which, until 1634, had formed one division. Keith Wrightson, "The Puritan Reformation of Manners with Special Reference to the Counties of Lancashire and Essex 1640-1660", (Cambridge Univ. Ph.D. thesis 1973), p.156, concluded from JPs' activities in other divisions, that they

administration of their divisions by either altering the size of divisions or the numbers of magistrates. Both the instability of divisions and the changing numbers and names of JPs indicate that the Book of Orders did not establish ideal and permanent districts for administrative activity. The Privy Council's injunctions initiated local experiments, but did not institute a highly formalised system.

Since Petty Sessions Minutes do not survive, we must judge the establishment of monthly meetings by the comments JPs made in their certificates.[1] A warrant to parish officers of St.Germans/Cornwall demonstrates that some JPs monitored the execution of the Book of Orders without referring to Petty Sessions.[2] Amongst the phrases referring to Petty Sessions, "monthly meetings" is most frequently used. In December 1633, some Devon JPs wrote that they had met every month since the reception of the Book of Orders, and in February 1637, Sussex JPs affirmed that monthly meetings had been held.[3] Nonetheless, while references to Petty Sessions by most JPs were laconic, it is likely that they took place even when the "monthly" was not mentioned. Cambridgeshire JPs merely stated that they had met "according to the directions", and the declaration of some Dorset JPs that they had met at the "usual times", or from Norfolk that they had held their "usual meetings" sound convincing.[4] The dates of meetings on 20 May, 23 June, and 8 August in a Cornwall division show that the JPs seemed to follow the instructions.[5] No further proof is needed when Lincolnshire JPs quoted monthly reports of officers, or when, in April 1632, the vagrants

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were understaffed.

[1] The only surviving, albeit fragmentary examples: DorsetRO: Petty Sessions Minutes for Purbeck, holden at Wareham, 1638, D/PLR D 320/X 4; *Ashley Case Book*; KentAO(M): Dering MSS U 570/O 1, p.133.

[2] CornwRO: DDP 68/12/1 (to the Churchwardens, 6 April 1640).

[3] Hundreds of Witheridge, South Molton, and North Tawton SPD 16/252-23; Wildish division of Bramber Rape 348-43.

[4] Hundreds of Chesterton, Papworth, and North Stow SPD 16/270-12; Dorchester division 262-64; hundreds of Clackclose, Freebridge Lynn, and Freebridge in Marshland 329-13, 415-121 (confirmed by 349-47 and 395-32, where they referred to "monthly meetings"); similar in the hundreds of Bullington, Thame, and Dorchester/Oxfordshire 293-10; Andover division/Hampshire 400-57; two n.n. divisions of Norfolk 265-63, 272-60.

[5] West hundred SPD 16/273-24; also Huntingdonshire hundreds 237-72, 237-70, 237-71.

punished in the hundreds of Pershore and Evesham/Worcestershire for January, February, and March were listed.[1] Yet, the local pattern of references to monthly meetings differs considerably. Essex, Gloucestershire, Hertfordshire, Kent, Monmouthshire, and Somerset hardly ever mentioned them. The proportion of references from Herefordshire, Lancashire, and Lincolnshire, is larger and suggests a higher probability that Petty Sessions were conducted there.[2] Within counties, the divisional pattern also varied, providing further proof that JPs acted autonomously, and their focus of attention had become their division.[3] But even within divisions, no uniform pattern can be established.[4]

Unfortunately, the majority of certificates did not refer to monthly meetings at all. Does this prove that they were not held? Perhaps the authors regarded Petty Sessions as so self-evident and essential that they did not bother to mention them. Conversely, references to Petty Sessions do not constitute sufficient proof, since JPs, aware of their deficiencies, could have falsely implied the exemplary fulfilment of their duties. One has to doubt the regular holding of Petty Sessions, when a certificate from Somerset reported "several meetings apart from Quarter sessions".[5] Likewise, formulations such as "diverse meetings"[6], "sundry meetings"[7], "at meetings"[8], "met often"[9], and "met from time to time"[10], deliberately

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[1] Three little hundreds in Horncastle Session SPD 16/189-58; hundreds of Pershore and Evesham 215-27.

[2] See Appendix, Table 6.1.5..

[3] Simultaneous certificates in: e.g. Huntingdonshire SPD 16/201-19, 201-20, 201-21; Northamptonshire 220-17, 220-18. The importance of divisions rather than counties to JPs is confirmed by *Sharpe, Personal Rule 1992*, p.627, and *Hurstfield*, p.88.

[4] e.g. Dorchester division/Dorset SPD 16/233-44, 250-38, 262-64; hundreds of Ongar, Harlow, and Waltham/Essex 246-91, 347-73, 393-60; Bramber rape/Sussex 189-16, 216-76, 363-130.

[5] Dunster hundred SPD 16/262-70. "Several meetings" also in: Buckinghamshire 269-40, 201-52, 281-85, 281-86; Cambridgeshire 216-45, 285-99, 328-67, 364-26, 395-11 (the last four are from the hundreds of Staploe, Flendish, Cheveley and Staine); Derbyshire 316-23; Dorset 250-38, 203-76, 260-111; Hampshire 250-11-III, 188-19; Hertfordshire 182-40, 185-27; Lincolnshire 281-82, 220-58; Northamptonshire 192-84-I; Somerset 230-55, 273-5; Surrey 272-22; Wiltshire 220-29 (added: "from time to time"), 218-41, 247-25; Yorkshire 293-129, 250-47, 317-11, 293-130, 189-8-X, 206-94; Glamorganshire 193-64.

[6] Berkshire SPD 16/206-33, 314-131, 347-50; Hampshire 250-11-I, 185-70, 188-101; Surrey 268-15.

[7] Monmouthshire SPD 16/329-86, 270-17.

omitted the crucial word "monthly", casting some doubt on JPs' performance. But JPs were not afraid of admitting failure to conduct meetings, and the reasons cited for cancelling them were by no means always lame excuses. Most commonly, Petty Sessions were terminated due to local outbreaks of the plague.[1] Cambridgeshire JPs claimed that it was common sense to cancel meetings in months of Quarter Sessions.[2] In 1631, their colleagues in Huntingdonshire pleaded that harvesting and the musters of the militia necessitated the omission of the September and October Sessions.[3] In June 1631, Nottinghamshire JPs admitted that "the monethly meetings happeninge att unequall times, by reason of the often Sessions, and of manie other imployments", and in July 1635, the hundreds of Bampton and Chadlington/ Oxfordshire stated that they met "as often as was needful for the busines, and convenient for the Country".[4] Characteristically, in Leyland hundred/Lancashire, Petty Sessions could not take place in May and June 1637, because most JPs had left for London, and in Amounderness hundred no meetings were held in October and November 1636, since JP Johnson had died, and Shuttleworth as newly appointed Sheriff was busy collecting Ship Money.[5]

As with divisions, the Book of Orders gave an important impulse for the

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[8] Berkshire SPD 16/367-3; Cambridgeshire 189-75, 269-64, 271-41, 273-4, 274-45, 275-53, 277-90 (the last six, again, from the hundreds of Cheveley, Staploe, Flendish and Staine); Dorset 233-44; Essex 393-60; Hertfordshire 211-26, 215-88, 257-97; Lincolnshire 294-31; Norfolk 329-12, 310-104; Northamptonshire 194-9, 224-3, 271-26; Oxfordshire 291-81; Rutlandshire 186-69; Somerset 193-35, 219-46, 176-18 ("met together"); Staffordshire 342-104; Sussex 363-130 ("met together"), 426-19; Flintshire 185-75.

[9] Berkshire SPD 16/225-8, 267-37, 314-79; Hampshire 248-69; Kent 203-91; Wiltshire 289-19 ("often assembled").

[10] Northamptonshire SPD 16/220-18, 220-17; Wiltshire 220-29; Yorkshire 294-6.

[1] Hertfordshire: hundreds of Hertford and Braughing SPD 16/364-73; Leicestershire: West Goscote hundred 201-27, East Goscote hundred 201-26; Lincolnshire: wapentakes of Corringham and Well, and the Isle of Axholme 220-58, Manley wapentake 223-54; Sussex: downish division of Pevensey rape 351-106.

[2] Hundreds of Whittlesford, Chilford, and Radfield SPD 16/271-85.

[3] Toseland hundred SPD 16/201-21, Hurstingstone hundred 201-19, Leightonstone hundred 201-20.

[4] SPD 16/193-78; 293-9. Yet, two references at Nottinghamshire Quarter Sessions suggest that the concept of Petty Sessions existed in this county: NottsRO: QSM 1/75/2 (11 January 1636) and 1/76/1 (18 January 1638); precise, but irregular datings without justification: Alton division/Hampshire 288-94; Salisbury division/Wiltshire 221-17.

[5] SPD 16/369-94; 336-37. Interestingly, Dering's notebook does not refer to a Petty Session before 1635: KentAO(M): U 570/O 1, f.133.

institutionalisation of Petty Sessions. Yet, it did not have a seismic effect, and there is a great deal of evidence that JPs interpreted the administrative regulations of the Book according to local circumstances and necessities. Undermanned divisions, lack of communication between JPs, practical impediments, and individual convenience prevented the regularity and intensity of Petty Sessions that the Privy Council had anticipated.

2.2.3. PRESENCE OF PARISH OFFICERS AT PETTY SESSIONS

Petty Sessions could only fulfill their functions of information, supervision, and coercion, if local officers attended them and thus formed the vital administrative link between governors and the subjects. Moir has suggested that all subordinates were at monthly meetings, and Barnes has referred to the "presence of numerous subordinate officers".[1] Although Fletcher has quoted examples of Petty Constables who obviously were not accustomed to attending Petty Sessions, Kent has found that in the parishes she studied, Constables usually were present.[2] The available parish accounts for the 1630s need to answer several questions. Did *all* parish officers attend Petty Sessions, as required by the Book of Orders? If not, how often were they present, in what combination, and what justified their absence?

JPs' certificates frequently referred to parish officers. The JPs of Longstow and Armingford/Cambridgeshire reported that they called the officers of the hundreds, as did those from Wirksworth hundred/Derbyshire; this suggests that the Book of Orders was obeyed to the letter.[3] "All High Constables, Petty Constables, Churchwardens and Overseers" of Wallington hundred/Surrey were called to examine "the duties mentioned in the commission", and their names were separately listed by the JPs of Hertford and Braughing.[4] Phrases like

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[1] *Moir*, p.65; *Barnes, Somerset*, p.200.

[2] *Fletcher, Reform*, p.125; *Kent*, pp.189-92.

[3] SPD 16/188-102; 202-54.

[4] SPD 16/348-95; 189-80.

"gathered"[1], "called"[2], "summoned"[3], "assembled"[4], "convented"[5], or "attended"[6] and "appeared"[7], suggest that the mentioned officers had attended the meetings. Yet, only one in three of the JPs' certificates referred to the attendance of hundred and parish representatives at all, and the average figures are even lower in Devon, Essex, Hertfordshire, Kent, Monmouthshire, Norfolk, Shropshire, and Somerset.[8]

Do parish officers' accounts clarify the JPs' statements? In none of the eight surviving Churchwardens' accounts from Berkshire, the eleven from Dorset, eight from Essex, thirteen from Hampshire, six from Lincolnshire, or seven from Oxfordshire, we do find any reference to Petty Sessions. In Cheshire, only in three out of sixteen parishes, in Devon, in four out of thirty-three, in Derbyshire, in two out of five, and in Hertfordshire, in one out of eight did Churchwardens contact their local JPs at some stage during their term of office.[9] This could be explained by the predominantly ecclesiastical role of Churchwardens, and one might expect a higher turnout with Overseers, an office which was exclusively created to implement the Elizabethan Poor Laws. Nonetheless, none of the sixteen Overseers' accounts in Devon, and

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[1] e.g. Berkshire: borough of Abingdon SPD 16/192-14; Derbyshire: hundreds of Repton and Gresley 185-94; Sussex: North of Hastings rape 185-80.

[2] e.g. Huntingdonshire: Norman Cross hundred SPD 16/386-108; Leicestershire: West Goscote hundred 193-90; Northamptonshire: West division 290-18; Yorkshire: wapentakes of Agbrigg and Morley 386-107.

[3] e.g. Dorset: borough of Shaftesbury SPD 16/188-67; Essex: hundreds of Chafford and Barstable 190-70; Leicestershire: Goodlaxton hundred 193-20; Lincolnshire: Loveden hundred 272-99.

[4] e.g. Lincolnshire: hundreds of Gartree, Wraggoe, and the Soke of Horncastle SPD 16/342-105; Surrey: borough of Southwark and Brixton hundred 259-28.

[5] e.g. Lancashire: Leyland hundred SPD 16/273-57, Blackburn hundred 273-55; Sussex: Chichester rape 243-18; Warwickshire: Hemlingford hundred 293-65.

[6] e.g. Somerset: n.n. SPD 16/221-57; Staffordshire: Totmonslow hundred 266-17.

[7] e.g. Leicestershire: Goodlaxton hundred SPD 16/200-24; Lincolnshire: wapentakes of Corringham and Well 271-99; Shropshire: South hundred of Bradford 224-2; Sussex: Arundel rape 220-41.

[8] See Appendix, Table 6.1.6..

[9] ChesRO: Marbury CW, MF 283/29 (1631?); Tilston CW, P 18/3608 (1631); Whitegate CW, MF 283/64 (1631, 1640); DerbysRO: Marston-on-Dove CW, xm 1/331 item 8 (1631); Morton CW, xm 1/45 item 13 (1634-6, 1639-40); DevonRO(E): Buckland in the Moor CW, 2150 A/PW 1 (all years); Lapford CW (Sidemen), 2021 A/PW 1 (1639); Zeal Monachorum CW, 1095 A/PW 1 (1636); DevonRO(N): Kings Nympton CW+OV, 3330 A/PO 1 (1636); HertsRO: Ashwell CW, Mf 1018 (1632).

only two of three in Gloucestershire, one of seventeen in Somerset, and one of two in Warwickshire (but all in Leicestershire and Staffordshire) mention monthly meetings.[1]

Investigation of *how often* parish officers referred to monthly meetings presents a more fruitful line of enquiry. The result is disappointing: of fifty-nine parishes, the Churchwardens and Overseers of only Stathern/Leicestershire, Lyddington/Rutlandshire, Checkley/ Staffordshire, Fillongley/Warwickshire, and Melksham/Wiltshire, with an average of four to ten attendances at Petty Sessions, approached the required standard.[2] In 1639, the Overseers of Hanbury/Staffordshire spent 4d "at 2 severall tymes at the pores businesse".[3] The Churchwardens of Lapford/Devon and Wigston Magna/Leicestershire gathered also just twice a year, while sudden peaks of attendance in otherwise lethargic parishes, with as many as twelve attended sessions, such as Dursley/Gloucestershire in 1635, could be explained by the uncommon vigour of particular Churchwardens.[4] The Churchwardens of Marbury and Tilston/Cheshire, Stockton and Tong/Shropshire, and Bromsberrow/Gloucestershire, however, contacted their JPs only in 1631, when the Book of Orders possessed initial momentum.[5]

Other references to monthly meetings ceased after 1633, or, as in Hanbury, significantly waned. Most Churchwardens and Overseers attended Petty Sessions only once a year, and it would be not surprising if that was the induction session where JPs discharged old and swore in new officers. In 1631, the parish of Braunton/Devon spent 5s4d "for the dinn^{r} of the Churchwardens and Overseers fo^{r} the poore when they made theire Accounte at Barnstaple before the Justices", which, in subsequent years, became an annual event.[6] In Cratfield/

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[1] GloucsRO: Bisley OV, P 47 OV 2/21 (n.d.); Slimbridge OV, P 298 A OV 2/1 (1638); SomsRO: St.Decumans OV, DD/WY Box 37/7 (1638, 1640); WarwsRO: Fillongley OV, DR 404/87 (all years).

[2] LeicsRO: DE 1605/34; DE 1605/59; DE 1881/41; StaffsRO: D 113/A/PC/1; WarwsRO: DR 404/48 + 49; DR 404/87; WiltsRO: 1368/55.

[3] StaffsRO: D 1528/4/1; also in 1640.

[4] DevonRO(E): 2021 A/PW 1; LeicsRO: DE 384/36; GloucsRO: P 124 CW 2/4.

[5] ChesRO: MF 283/29; P 18/3608; GloucsRO: P 63 CW 2/1; SalopRO: 3067/3/1; 3848/CW/1; also SuffRO(I): Weybread CW, FC 99 E1/1.

[6] DevonRO(N): 1677 A/PW 1; also Bishops Tawton C (1631), 1469 A/PC 6.

Suffolk, "Cunstablls Overseers and Churchwardings were called before the Justices by vertue of a warrant" on 24 November 1632, and Churchwardens of Lewes (St.Thomas at Cliffe)/ Sussex appeared "at the Justices monthly meetinge, being commanded to be ther" in 1636.[1] The Constables of High Bray/Devon, Branston/Leicestershire, and Worfield/Shropshire once annually referred to their charges for accompanying Overseers and Churchwardens to the JPs.[2]

Although the Churchwardens' and Overseers' accounts suggest that most of the parish officers in the 1630s never saw their JPs, references to Petty Sessions prove their existence as the administrative forum of a division. This is confirmed by Constables' accounts. In Branston/Leicestershire, Marston Trussell/Northamptonshire, and Stockton/Shropshire, where the accounts are complete for the 1630s, Constables were involved in almost every monthly meeting.[3]

Year	Branston	Marston Trussell	Stockton
1631	8	no account	10 days
1632	11	no account	12 days
1633	14?	10	-
1634	9	9	-
1635	6	6	-
1636	6	8 or 9	-
1637	10	7	13s
1638	8	5	12s
1639	10	10	13s
1640	6	no account	-

The account of Branston for 1632 can be regarded as fairly typical in its style, yet untouched

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[1] SuffRO(I): FC 62 A6/162; SussexRO(E): XA 30/94 item 5; see also SomsRO: Cameley CW, D/P/cmly 4/1/1 (1631); Churchill CW, D/P/chl.4/1/1 (1639); StaffsRO: Betley CW, D 689/PC/1/1 (1635); WorcsRO: Elmley Castle CW, b 850 Elmley Castle 8883/5(vii).

[2] DevonRO(N): 815 A/PW 1; LeicsRO: DE 720/30; SalopRO: 1374/294-298.

[3] LeicsRO: DE 720/30; NorthantsRO: 206p/102; SalopRO: 3067/3/1; Stockton Constables, on average, spent 1s to 1s6d per attendance.

by any bureaucratic spirit: six times Constable Newton mentioned his "being before the Justices". Later that year, he specified the meetings with the dates of 26 January and 27 February, and afterwards named March and April. In 1631, the Constables of Stockton/Shropshire accounted "ffor goeinge one of us: 8: dayes to bridgenorth before the Justices concerninge the parishe" [and later] "boethe of us: 2: dayes moore". When the Constables of Worfield/Shropshire disbursed 6s6d for thirteen monthly meetings in 1634, and 6s for twelve in 1640, the sum of 4s suggets the attendance of only eight sessions in 1633.[1] Yet, almost nowhere did Constables attend all possible twelve meetings, either because they could not make it, or because the JPs did not meet themselves.[2] In Fillongley/Warwickshire, Waltham/Leicestershire, and Croft/Lincolnshire, the number averaged between four and seven, although the attendance pattern of High Bray/Devon, Cransley/Northamptonshire, and Pattingham/Staffordshire, with two to four conventions, seemed to be more typical.[3] Prior to 1633, the Constables of Donnington/Shropshire regularly attended the monthly meetings; thereafter they did not go again. In 1632 and 1633, the Constables of Nether Withacre/ Warwickshire referred to almost ten annual Petty Sessions, while the number subsequently declined to two or four, and in 1639, finally ceased altogether.[4] Norfolk Constables never seemed to attend Petty Sessions.[5]

In February 1637, JP William Leman of St.Albans endorsed his certificate with the remarks "East Barnett both Constables make default" and "The Churchwardens & Ovseers returne no psen^{t}m^{t}", added by "A warrant against them to answer their contempt at the next

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[1] SalopRO: 1374/297+298.

[2] See also *Kent*, p.192.

[3] WarwsRO: DR 404/85; LeicsRO: DE 625/60; LincsArch: Croft 12/1; DevonRO(N): 815 A/PW 1; NorthantsRO: 89p/100; StaffsRO: D 3451/2/2.

[4] SalopRO: 3793/Ch/1; WarwsRO: DRB 27/9.

[5] NorfRO: Gissing, PD 50/36 (L) (once in 1633?); East Harling, PD 219/126 (once in 1631 and 1632?); Shelton, PD 358/33.

meeting".[1] The Constable of Marston Trussell/Northamptonshire was penalised on 24 February 1638, and "paid the same day for a fine because I was absent the day before".[2] Yet, despite the apparently irregular attendance pattern of parish officers, JPs very rarely commented on absent officers, and there is no evidence as to the causes of their absence.[3]

Many accounts mentioned one or two annual meetings which were distinct from routine divisional sessions. In 1631, the Churchwardens of Bishops Tawton/Devon attended a meeting to discuss the corn situation, and one reminding butchers and alehousekeepers of the lent-regulations.[4] In 1634, a warrant ordered the Constables of Childwall/Lancashire to bring the list of the poor, and in Waltham/Leicestershire, one annual Petty Session was reserved for licensing alehousekeepers and maltsters.[5] In 1632, the Constables of Croft/ Lincolnshire, and in 1631, those of Donnington/Shropshire attended JPs with the beggars they had rounded up.[6] In 1632 and 1635, the Constables of Waltham appeared before JPs "with some neighbours" which, in 1636, turned out to be sessions for apprenticing poor children.[7] Many certificates of JPs confirm the existence of special purpose sessions besides monthly meetings, or Petty Sessions which had a special agenda.[8]

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[1] SPD 16/347-67.

[2] NorthantsRO: 206p/102.

[3] Fines: division of Bolton and Dean/Lancashire: SPD 16/334-16. Binding to the next Quarter Sessions: limit of Worcester: 194-63-III; Dorchester division: 250-38-I. *Fletcher, Sussex*, p.223, concludes from the few references to fines that negligent Constables were the exception. *Kent*, p.224, however, makes the important point that punishment of Constables, in any form, was counterproductive since all the JPs' work depended on their cooperation.

[4] DevonRO(N): 1469 A/PC 6.

[5] *Calendar of Moore Family*, p.202, no.1393; LeicsRO: DE 625/60; regarding alehousekeepers: LincsArch: Croft 12/1; WarwsRO: Nether Whitacre C, DRB 27/9; also NorfRO: Banham CW (1631), PD 552/15. See also *Fletcher, Reform*, pp.135 and 241.

[6] LincsArch: Croft 12/1; SalopRO: 3793/Ch/1.

[7] LeicsRO: DE 625/60; also e.g. StaffsRO: Pattingham C, D 3451/2/2.

[8] Devon: hundreds of Coleridge and Stanborough SPD 16/258-26; Dorset: Sherborne division 263-5; Lincolnshire: hundreds of Gartree, Wraggoe, and the Soke of Horncastle 294-13; Norfolk: n.n. 268-27, 349-46; Nottinghamshire: county 189-12; Suffolk: Harteswere hundred 224-24; Surrey: hundreds of Elmbridge and Kingston 269-23. The context suggests that the "Petty Session" at Atherston, Warwickshire Constables annually referred to, was a statute session regulating wages and labour-contracts of servants and labourers: WarwsRO: Fillongley C, DR 404/85 (1638); Nether Whitacre C, DRB 27/9 (1632, 1633?, 1636, 1637).

2.2.4. SELECTIVE ATTENDANCE

When JPs from Bedfordshire called "all High constables and the principal inhabitants", the latter could include all parish officers or only the Constables.[1] Phrases, such as "Constables and officers" in the Abingdon division/Berkshire, or "all officers" in the Buckingham hundred, are too imprecise to identify the officers present.[2] In Oxfordshire, only twice were Churchwardens mentioned with Overseers, and in the certificates of Framland hundred/ Leicestershire, we find the combination Constable/Churchwardens as well as Constable/ Overseers.[3] JPs of the Rydale wapentake/Yorkshire stressed that they met with Churchwardens and Overseers once a year, implying monthly meetings with Constables.[4] Whether it was references to Constables and Overseers in the Leicestershire hundreds, or to High Constables, Constables, Churchwardens, and "Overseers if needed" in a Derbyshire division, the evidence suggests that JPs required only selective attendance of local officers and their representation by the parish Constable.[5]

In 1637, the Constables of Stockton/Shropshire paid 6d "for A warantte for the Ouer seers of the Poore at bridgenorthe", obviously representing them, and in 1639, the Constable of Salwarpe/Worcestershire recorded 4d "for the makeing of my psentmt for the Overseers of ye poore, and the Alemen".[6] In 1633, the Churchwardens of Orton/Westmorland spent 3s "for nyne certificats to y^{e} Justices for y^{e} parish", suggesting a mere writing of reports which the Constables transmitted. In Biddulph/Staffordshire, the Headboroughs of 1639 disbursed

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[1] County SPD 16/186-92-I.

[2] SPD 16/314-79; 281-85.

[3] Oxfordshire: county SPD 16/258-31; hundreds of Lewknor, Pirton, and Ewelme halfhundred 291-81; Leicestershire: Framland hundred 210-43, 221-65; 202-52, 216-102.

[4] SPD 16/293-129.

[5] Leicestershire: Framland hundred SPD 16/202-52, 210-43, 216-102, 221-65; Goodlaxton hundred e.g. 193-20, 196-5, 198-68, 203-52; Derbyshire: hundreds of Appletree, Morleston, and Litchurch 218-6. Only in Surrey and many Shropshire divisions JPs apparently insisted on the attendance of *all* local officers at monthly meetings: Surrey: e.g. West division 248-61; Middle division 190-65; borough of Southwark 190-66, 259-28; hundreds of Copthorne and Effingham 272-22; Shropshire: North of Bradford hundred 188-68; South of Bradford hundred 224-2; borough of Shrewsbury 194-17-III; Condover hundred 215-63, 224-1; hundreds of Clun and Purslow 223-53, 246-39.

[6] SalopRO: 3067/3/1; WorcsRO: 850 Salwarpe 1054/2 Bundle D.

2s6d "to our Constable our part of ffoureteene p[r]sentmts".[1] In 1638, the Churchwardens of Mendlesham/Suffolk refunded 3s2d "to William Seaman [the Constable] when he went to Budsdale to passe the Overseers accompte".[2]

JPs' certificates are congruent with parish accounts insofar as both suggest that the officers whose presence could be expected were the Petty Constables. Yet, while the Constables in Leicestershire, Shropshire, and Warwickshire usually referred to Petty Sessions, this was not the case in Cornwall, Lincolnshire, Somerset, and Suffolk.[3] The "certificates by the Constables" JPs of the Reading and Theale division/Berkshire received, and the "presentments of Constables, Churchwardens and Overseers" of Aylesbury hundred/ Buckinghamshire, only prove that the JPs had gathered information about each parish, but not that the officers were present themselves.[4] Terms like "account"[5], "presentment"[6], "bill"[7], and "certificate"[8] only verify statements of local officers, but not their form. Similarly, "charges" or "orders" given by JPs to local officers did not necessitate their presence.[9] It is very likely that only High Constables attended the JPs, after they had gathered oral or written

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[1] CumbriaRO(K): WPR 9/i 1; StaffsRO: D 3539/2/1.

[2] SuffRO(I): FB 159/68; *Morrill, Grand Jury*, p.21, however, stresses the supervisory role of Grand Juries rather than Constables.

[3] CornwRO: Egloskerry C, DDP 53/9/2; St.Thomas by Launceston C, DDP 221/9/2; LincsArch: Addlethorpe and Ingoldness C, Addlethorpe 12; Algarkirk C, Algarkirk 12; SomsRO: Bicknoller TM, D/P/bic.13/2/1-11; Charlton Musgrove TM, D/P/ch.mu.12/2/1; Rode C, D/P/rode 12/2/1; SuffRO(I): Cratfield CW+C, FC 62 A6/158-174; Gislingham C, FB 130/I2/3-9; Horham C, FC 85/I2/8, 9, 13.

[4] SPD 16/272-45, 314-87, 347-72; 281-86.

[5] e.g. Derbyshire: hundreds of Morleston and Litchurch SPD 16/199-30; Hampshire: Kingsclere division 268-23; Leicestershire: Sparkenhoe hundred 193-89.

[6] e.g. Dorset: Bridport division SPD 16/250-38-II; Oxfordshire: hundreds of Wootton and Ploughley 291-42; Shropshire: Chirbury hundred 269-16; Sussex: Bramber rape 328-74.

[7] e.g. Hertfordshire: Broadwater hundred and Hitchin halfhundred SPD 16/351-113; Cambridgeshire: hundreds of Staploe, Flendish, Cheveley, and Staine 275-53; Warwickshire: Knightlow hundred 293-44.

[8] e.g. Berkshire: Forest division SPD 16/347-71; Cambridgeshire: hundreds of Whittlesford, Chilford, and Radfield 364-20; Sussex: wildish division of Bramber rape 383-85.

[9] e.g. Berkshire: Faringdon division SPD 16/314-132; Northamptonshire: West division 271-27; Shropshire: borough of Bridgenorth 316-43; Somerset: hundreds of Portbury, Hartcliff, and Bedminster 183-49; Sussex: Hastings rape 188-34.

information from their parishes. In the Chichester rape/Sussex, the JPs had "made inquirie and taken an exact Account of the Constables of every hundred wthin the Rape aforesaid, how every of the officers have done their dutyes".[1] JPs of Goodlaxton hundred/Leicestershire required "accounts" of Constables and Churchwardens, but mentioned that (only?) High Constables had to attend monthly meetings.[2] In the East division/Northamptonshire and Macclesfield hundred/Cheshire, High Constables were ordered to supervise Constables.[3] The High Constables of the Finsbury division/Middlesex presented the Constables' default of their duties, and JPs of the Forest division/Berkshire received "accounts" of High Constables.[4] The Constable of Branston/Leicestershire "payd to Abraham Bisshope for bill making and answerring for me before the Justisses three monthes maie, June, and July" 1634, and to the same person for representing him at the February-session of 1636.[5] Particularly entries of the Leicestershire Constables, usually referring to their "bills and charges" at monthly meetings, are open to interpretation.[6] Did "making my bill" mean, that the Constable showed up at the Petty Session *with* a piece of paper, or had he just written a statement and delivered it to the High Constable?[7]

What justification could JPs offer for minimising the attendance of parish officers?

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[1] SPD 16/382-71.

[2] SPD 16/197-52.

[3] SPD 16/194-9; 198-51.

[4] SPD 16/268-14; 196-90. *Fletcher, Reform*, p.135, and *Davies*, p.187, stress the importance of High Constables as coordinators between parish and county level. Lack of distinction in seventeenth-century accounts between (Petty) Constables and High Constables frequently impair the precise identification. See also the ambiguous phrase "officers of the hundred", as used by the JPs of Longstow and Armingford/Cambridgeshire:SPD 16/188-102.

[5] LeicsRO: DE 720/30; Bishop could have been a High Constable, or a fellow-parishioner.

[6] LeicsRO: Branston, DE 720/30 (e.g. 1637); Stathern, DE 1605/56 (e.g. 1632); Waltham, DE 625/60 (e.g. 1637).

[7] *Fletcher, Reform*, pp.139-40, stresses the limited value of written accounts as opposed to personal presence of parish officers. *Morrill, Grand Jury*, p.25, describes the process of information between Constables and Juries, and appears to suggest written returns. *Barnes, Somerset*, p.76, refers to problems the commonly illiterate Constables might have had composing reports. Most parish accounts, however, show the common use of parish scribes. See the example of four surviving warrants by the High Constable to the parish officers of Long Melford/Suffolk in 1601: SuffRO(B): FL 509/5/1/71; another example is the warrant to parish officers of Salwarpe/Worcestershire of 24 March 1634: Appendix, Document 6.2.2..

The certificates do not comment, presumably, because JPs were aware that their liberal interpretation of the orders would not have found the approval of the Privy Council. Travel inconvenience, loss of a whole work-day, and sheer distance may explain reluctance of parish officers to attend, and the JPs' willingness to dispense all except for the Constables or High Constables. Few officers were as lucky as those of Ilminster/Somerset, who knew that the JPs would come to their parish to meet with them, or those of Lyddington/Rutlandshire, who met at Bishopscastle, two miles away.[1] Constables of Bishops Tawton/Devon travelled either to Chulmleigh (12 miles), or South Molton (8 miles). The meeting places for Croft/Lincolnshire were Hagworthingham (13 miles), Spilsby (8½ miles), or Partney (7 miles). The location for Marston Trussell/Northamptonshire alternated between Wilbarston (8½ miles), Rushton (9½ miles), Rothwell (8½ miles), and Great Weldon (more than 15 miles).[2]

A stronger argument may have been, that, if all officers involved in the execution of the Book of Orders had assembled, the numbers would have been unworkable. Admittedly, there were JPs in charge of no more than nine parishes, as those of the West hundred of Cornwall, but the average in a division ranged between fifteen and twenty-five, and in Hinckford hundred/Essex, there were forty-eight towns, hamlets, and villages.[3] If one multiplies the number of parishes by the number of officers theoretically required, in the West hundred about sixty officers had to be present, and in Hinckford hundred more than three

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[1] SomsRO: D/P/ilm.4/1/2(1638); LeicsRO: DE 1881/41 (1637). Many divisions met at a constant place: Berkshire: hundreds of Ock, Homer, and Moreton SPD 16/347-49; Herefordshire:hundreds of Grimsworth and Huntingdon 330-96; Hertfordshire:Cashio hundred and the liberty of St.Albans 418-21; Lancashire: Leyland hundred 291-128, 334-16; Blackburn hundred 330-19; parishes of Bispham, Poulton, Kirkham, and Lytham 330-64; Lincolnshire: hundreds of Candleshoe and Bolingbroke 294-33; Northamptonshire: hundreds of Higham Ferres and Hamfordshoe 318-72, 348-18; hundreds of Huxloe and Orlingsbury 348-16; Surrey: hundreds of Copthorne and Effingham 349-13; Wallington hundred 268-43.

[2] DevonRO(N): 1469 A/PC 6 (1631); LincsArch: Croft 12/1 (1632, 1635, 1637); NorthantsRO: 206p/102 (1633-9).

[3] SPD 16/198-33; 269-109. Average figures: e.g. Cornwall: Trigg hundred 273-37 (12 parishes); North division of the East hundred 238-45 (13); hundreds of Penwith and Kerrier 230-47 (19); Devon: hundreds of Stanborough and Coleridge 257-95 (19); hundreds of Crediton, West Budleigh, and Wonford West 263-74 (16); Hampshire: hundreds of Fawley, Bountisborough, and Mainsborough 189-9 (28); Hertfordshire: Edwinstree hundred 190-44-V (34); Broadwater hundred and Hitchin halfhundred 190-44-IV (30); Hertford hundred 190-44-I (17). The parishes mentioned in the certificates were not necessarily complete; most likely they named only those, whose officers were present: see e.g. Salisbury division/Wiltshire: 250-17 (14), 263-85 (11), 278-112 (13).

hundred. If we assume that JPs usually scheduled only one day for each Petty Session, during which the agendas of all parishes had to be heard (as opposed to the two or three days Quarter Sessions required), it becomes obvious that gatherings of these dimensions would have caused organisational and practical difficulties. It is doubtful if the Privy Council was aware of these implications when it issued the Book of Orders.[1] JPs displayed common sense when they modified the directions to more manageable proportions on their own initiative.

2.2.5. CONCLUSION

Although in most counties stable divisions eventually evolved, they were not fully established everywhere in the 1630s, as frequent split-ups, mergers, and *ad hoc*-divisions prove. Obviously, they were only a tool for the organisation of Petty Sessions, and the goal was to have two JPs who felt responsible for a certain district. Except for some regions suffering from a shortage of local JPs, most divisions appeared to have a *quorum* of two magistrates. Elsewhere, neighbouring justices assisted lonesome colleagues, or temporarily redrew divison-boundaries. Although the institutionalisation of monthly meetings was essential for the enforcement of the Book of Orders in creating a forum coordinating the work of local JPs, most certificates do not mention these meetings, and there are indications that Petty Sessions were not held everywhere and at the prescribed intervals. Yet, parish accounts show that in most parts of the country they were an established concept. There were practical reasons for the irregular application, such as the plague, harvests, Quarter Sessions, and General Musters, but also the personal convenience and preferences of JPs who tried to dodge the ever-increasing administrative work-load of their job. If Petty Sessions were not held exactly each month, a division certainly did not plummet into chaos. Ultimately, it was at the discretion of local JPs to decide how frequently "monthly" meetings were of use to the division, and where to draw the line between obvious negligence and relaxation justified by better local

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[1] *Barnes, Somerset*, p.77, wonders whether the Privy Council ever recognised the magnitude of work the Book of Orders required, and, on p.200, emphasises the administrative burden of Petty Sessions.

knowledge. Nonetheless, the administrative state of the counties, their subdivision, and the institutionalisation of the out-of-session work of the JPs in the 1630s had reached a standard never before attained.

Not all returns of JPs mention the presence of local officers, which was vital for the enforcement of the Book of Orders. It would be wrong to conclude that the JPs attempted to conceal their own indifference, or not to attract the Privy Council's attention to the fact that most local officers did not bother to attend. Their omission in JPs' reports rather prove that the attendance of *some* local officers was self-evident and not worth mentioning. Both reports and parish officers' accounts indicate that JPs applied a scheme of selective attendance which only involved High and Petty Constables. Practical considerations suggested that routine matters could be presented by Constables monthly, while issues that could be dealt with periodically, such as alehouse-licensing, or apprenticing, required a more thorough examination and necessitated the presence of Churchwardens and Overseers once or twice per year. Some JPs abandoned even with the presence of Constables, and used High Constables as informants and coordinators. This flexible approach towards Petty Sessions helped JPs to avoid unnecessarily overburdening local officers by requiring monthly attendance, and creating an uncontrollable meeting. And while the extraordinary circumstances of 1631/2 and the initial enthusiasm for the Book of Orders necessitated the presence of all parish officers, the observation of monthly meetings depended on the initiative of JPs, which either faded after the relaxation of the economic crisis, or took into consideration the parish officers' administrative burden under Ship Money and the Scots' Wars. Yet, divisions and Petty Sessions were only means in order to enhance the performance of local officers in the substantive enforcement of the Book of Orders by constantly policing negligent Constables and Overseers. Although parish officers had to implement a large variety of issues under the Book of Orders, besides their routine functions of tax-collection and crime prosecution, the following two chapters will examine those areas in which the monitoring by JPs was weakest and the autonomy of local officers greatest - poor relief and the prosecution of vagrants.

2.3. POOR RELIEF

2.3.1. INTRODUCTION

Economic changes during the sixteenth century had increased poverty. Rising numbers of landless farmers, unemployed day-labourers, and rootless veterans returning from the continent, could not support themselves in a society which always had set limits on economic freedom. According to estimates, about two or three percent of the population lived in permanent poverty. Those were the domestic poor, usually unattached individuals, who could not support themselves - the aged, widows, orphans, sick, and disabled. In a typical community this was the normal, or structural level of poverty. In years of depression and harvest failures, however, this expanded by the level of conjunctural poverty, related to worsening economic conditions, which then could comprise fifteen to twenty percent of the population.[1] The directions of the Privy Council and observations by JPs reflected the widespread concern amongst the ruling elites about growing impoverishment and migration which threatened social stability.[2] Concentration in husbandry and chronic unemployment were not identified as causes of this misery.[3] Desperation for quick and easy solutions, and an awareness that traditional poor relief, based on allowances and donations, was inadequate, led to two initiatives: public, compulsory, and organised means to relieve the poor, and prioritisation of recipients.[4] Authors of administrative manuals distinguished between "poor by impotencie" entitled to public support, "poor by casualty" to be provided with work, and

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[1] *Slack, Poverty*, pp.39-41, 65-6; A. Beier, *Masterless Men; The Vagrancy Problem in England 1560-1640* (London/New York, 1985), pp.17-9. Paul Slack, "Poverty and Politics in Salisbury 1597-1666", eds. Peter Clark/Paul Slack, *Crisis and Order in English Towns 1500-1700* (London, 1972), p.166, has estimated a permanent level of poverty around four percent. W. Newman-Brown, "The Receipt of Poor Relief and Family Situation in Aldernham/Hertfordshire",ed. Richard Smith, *Land, Kinship, and Life-cycle* (Cambridge, 1984), p.416, supports the distinction between structural and marginal poverty. On the "nuclear family hardship": Tim Wales, "Poverty, Poor Relief and the Life-cycle: Some Evidence from Seventeenth-Century Norfolk", *ibid.*, pp.351-404; Peter Laslett, "Family and Collectivity", *Sociology and Social Research*, LXIII (1979), pp.432-42; *Slack, Poverty*, pp.75-80.

[2] *Beier, Masterless*, p.5; *Slack, Poverty*, p.17. See, for example, the order to Hertfordshire JPs, in 1631, for relieving the poor and for providing work after attacks on grain transports (APC 2/40, p.761), and the warnings of Gloucestershire JPs, in 1634, about the explosive situation due to unemployment of the cloth-workers (SPD 16/244-1, 269-10).

[3] *Slack, Poverty*, pp.18, 208.

[4] General monographs on the Poor Laws: *Leonard*; *Hill, Shropshire*; *Slack, Poverty*, pp.113-37, 149-60.

"thriftlesse poore" forced to work in houses of correction.[1] JPs' certificates prove that this discriminating approach was widely adopted by the public.[2] The distinction parish officers made was less academic and basically separated foreign and domestic poor. While resident paupers were relieved, homeless beggars roaming the country-side for a living, or striving for a more promising future in an urban centre, were harshly punished and returned to their parishes of birth or last habitation. Unlike the administrative organisation of local government, where the Book of Orders substituted missing legislation, poor relief was clearly defined in the poor laws of 1598 and 1601, and the Book had only the function of a reminder. The statutes had reacted to the changing economic circumstances, and instead of relying on traditional charity, sought to institutionalise poor relief and force all subjects to contribute. This was effected by ordering compulsory local taxation, the poor rates, which were to be levied weekly or monthly and administered by a new officer, the Overseer of the Poor.

Historians have tended to disagree about the success of the Poor Laws and the impact of the Book of Orders on their enforcement. While Leonard has celebrated the Privy Council's policies as necessary and a successful instrument of central interventionism, Fletcher has characterised the introduction of poor rates as "a triumph of local initiative".[3] The Book of Orders has been praised as an important impulse to confirm policies designed in previous decades, and a significant basis for poor relief during Civil War and Interregnum.[4] Some historians have recognised the institutionalisation of poor relief during the seventeenth century, but claim that abundant harvests and economic recovery were vital in tackling poverty

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[1] *Dalton, Justice 1618*, pp.76-7; see also *Beier, Masterless*, p.9; *Slack, Poverty*, pp.18-22; *Leonard*, p.139. The official borderline of destitution was an annual income of less than £ 2, or the inability to support oneself: *Slack, Poverty*, p.37; Joanna Innes, "Prisons of the Poor: English Bridewells 1555-1800", eds. Francis Snyder/Douglas Hay, *Labour, Law and Crime: A Historical Perspective* (London/New York, 1987), p.66.

[2] e.g. Cheshire: Broxton hundred SPD 16/198-56; Monmouthshire: Usk hundred 270-74; Yorkshire: wapentakes of Agbrigg and Morley 317-11.

[3] *Leonard*, pp.164, 238; *Fletcher, Reform*, p.187; see also discussion in *Sharpe, Personal Rule 1992*, pp.477-8.

[4] *Hill, Shropshire*, p.267; Alison Hems, "Aspects of Poverty and the Poor Laws in Early Modern England" (Liverpool Univ. Ph.D. thesis 1985), p.314; Gordon Forster, "The East Riding Justices of the Peace in the Seventeenth Century", *East Yorkshire Local History Society*, XXX (1973), p.46; a defense of poor relief during the Interregnum by A.L. Beier, "Poor Relief in Warwickshire 1630-1660", *Past & Present*, XXXV (1966), pp.77-100.

successfully.[1] Others, however, have argued, that the enforcement of the Book of Orders gradually shifted from poor relief to the prosecution of vagrants.[2]

Despite a number of studies on counties and poverty, a nationwide analysis of the methods and substance of poor relief at the local level is still missing. I will not examine the complexities of eligibility for and distribution of poor relief, or whether the Book of Orders ameliorated poverty. Methodological difficulties also prevent me from assessing the enforcement of local labour schemes and the apprenticing of pauper children.[3] I will investigate whether the Book of Orders played a developmental role in the establishment of the resources and methods that the Elizabethan Poor Laws had initiated thirty years earlier.[4] The main questions will be whether the Book of Orders institutionalised compulsory poor rates everywhere, and whether Petty Sessions were used by JPs to control parish officers in providing sufficient poor relief. While JPs' returns reported poverty and its relief in general terms, parish accounts described the effect poverty had on individual communities in greater detail.

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[1] *Slack, Poverty*, pp.205, 207; *Clark, Kent*, p.353; John Walter/Keith Wrightson, "Dearth and Social Order in Early Modern England", *Past & Present*, LXXI (1976), p.41.

[2] *Barnes, Somerset*, p.189; *Moir*, p.63.

[3] See discussion in *Langelüddecke, M.A.*, Chapters 6.1. and 6.2.. Although a number of certificates claimed that parishes provided work for their paupers, very few contained detailed information, but merely stated the enforcement of the article. Detailed: e.g. Hertfordshire: SPD 16/189-79, 344-30; Leicestershire: 193-89; Monmouthshire: 271-17; stereotypes, or less detailed: Berkshire: 191-40-II; Buckinghamshire: 201-13-I, 390-131; Cambridgeshire: 271-85; Derbyshire: 192-59; Hampshire: 188-45, 250-11-IV; Herefordshire: 193-53; Kent: 220-14; Lincolnshire: 294-33; Norfolk: 395-32; Suffolk: 329-87. Remarkably, almost no Overseers' account recorded purchases of work material, or the establishment of stocks (see Chapter 2.3.3); the only account which reliably indicated a working parochial labour scheme, was Little Waldingfield/Suffolk: SuffRO(B): FL 645/1/2. In that respect, the Book of Orders was completely ignored, and each pauper received doles or donations in kind. JPs' certificates suggest that apprenticing enjoyed the continuous attention of magistrates, and Overseers' accounts occasionally mentioned the placing of pauper children. Yet, statements of apprenticing in JPs' returns do not establish the impact of the Book of Orders on this aspect of poor relief. Most certificates merely mentioned apprenticing, or reported vague or rounded quantities. Precise figures are even scarcer than those on vagrants, and spread over lengthy periods. Moreover, figures do not necessarily reflect the diligence of JPs and parish officers, but were determined by demographic conditions and a saturation of the market after an initially voluminous swell of apprenticing in earlier years. Parish accounts are equally unsuitable for measuring the Book's success, since their geographic pattern is too dispersed, and apprenticing clearly was not the most relevant aspect of the Overseers' work.

[4] 43 Elizabeth I ch.2.

2.3.2. INFORMATION AND AWARENESS OF JPs

Poor relief was one of the crucial issues of the Book of Orders, and JPs' reports show that the acute crisis and its potentially serious consequences for law and order made it a focal point of the attention of magistrates, who were entrusted with its supervision.[1] Yet, poor relief, like other aspects of seventeenth-century government, highlighted the dependency of superiors on information from their subordinates, and the limitations of directly monitoring a policy.[2] The JPs' task was to investigate the numbers and state of poor in their division, and control relief measures taken by parish officers. Stressing the significance of charity during the sixteenth and seventeenth centuries in ameliorating poverty, Jordan has accused JPs of grave indifference to accounting for public poor relief:

> "In almost half the returns we are told that there were no poor who stood in need, that incidental fines levied and devoted to the poor were sufficient, or that local charities were quite adequate to carry the burden. Many justices reported most confidently that rates were about to be levied, which the Council seems to have taken as sufficient assurance. Other returns were stiffly and arrogantly couched, saying almost nothing save that local needs were being met by local resources and methods."[3]

The vagueness of information in their reports, indeed, is striking. The statement from Nantwich hundred/Cheshire in June 1631, that they had informed themselves about the number of poor, or of a Shropshire division in September 1632, where Churchwardens and Overseers had been directed to count the poor and describe their relief, do little to concretise the situation.[4] Equally imprecise is the declaration by JPs of the Andover division/Hampshire, in October 1638, that "although wee increased the rates for the Poore to a very greate prorcon yet this yeare past until Harvest wee found the Cuntry much burdened wth o^{r} owne Poore then

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[1] *Quintrell, Essex*, p.212; the latest proclamation reminding JPs and local officers of their duties connected with the Elizabethan Poor Laws in 1629: *Royal Stuart Proclamations*, no.115, pp.236-7.

[2] J. Gwynfor Jones, "Caenarvonshire Administration: the Activities of the Justices of the Peace 1603-1660", *Welsh History Review*, V/2 (1970), p.147, considers the enforcement of poor relief, for instance, next to impossible, solely on grounds of the vast distances JPs in North Wales had to cover.

[3] *Jordan, Philanthropy*, p.135.

[4] SPD 16/195-31; 223-46 (the Shropshire division is unnamed).

at any tyme formerly".[1] In October 1631, Huntingdonshire JPs dryly remarked that no one starved in their division, and in March 1637, their colleagues of Broadwater hundred/ Hertfordshire ominously referred to the "distressed" situation of the poor, but took some comfort in that, as far as they had been informed, relief was sufficient.[2] The description of the relief measures was even more obscure. In March 1631, Bedfordshire JPs bluntly stated that the poor would be relieved, and in June 1631, support in the Dorchester division was described as "competent" and "sufficient".[3] Hertfordshire JPs claimed that "The poore in every p[ar]ish [are] Releived wth corne and mony".[4] In June 1635, Lancashire JPs boasted that they spent a great deal of effort on enforcing the poor laws, while, in February 1637, apparently "some care" had been taken in the hundreds of Harlow, Ongar, and Waltham/ Essex.[5] Absolutely exceptional were returns which named each individual pauper and the size of their doles.[6]

Despite the fact that frequently the issue was merely ticked off, almost half of all certificates indicate that JPs concerned themselves with poor relief in some manner.[7] Although in all counties references peaked in 1631, they continued from Hertfordshire, Norfolk, and Suffolk until 1638, and from Shropshire at least until 1634. After 1634, the numbers dropped significantly, and divisions which earlier provided detailed information, later offered only stereotypical remarks. Whether number and content of reports on poor relief reflected the economic crisis in a division, or merely the JPs commitment, cannot be

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[1] SPD 16/400-57.

[2] Hurstingstone hundred: SPD 16/201-19; Broadwater hundred 351-113-I.

[3] Bedfordshire (county): SPD 16/186-92-I; similar: Cambridgeshire: hundreds of Longstow and Armingford 188-102; Cheshire: Macclesfield hundred 198-51; Essex: hundreds of Harlow, Ongar, and Waltham 246-91; Surrey: hundreds of Kingston and Elmbridge 262-46. Dorchester division: SPD 16/194-49, 233-44; similar: Cambridgeshire: hundreds of Chesterton, Papworth, and North Stow 216-45.

[4] Dacorum hundred SPD 16/198-14; Broadwater hundred and Hitchin halfhundred 198-11; see also Edwinstree and Odsey hundreds 238-37.

[5] Leyland hundred: SPD 16/291-128; Essex: 347-73; similar in Leicestershire: Gartree hundred 202-31.

[6] Nottinghamshire: hundreds of North and South Clay and Bassetlaw SPD 16/329-63.

[7] See Appendix, Table 6.1.7..

established. Yet, the stark contrast, for example, between the numerous, detailed, and concerned certificates from Norfolk, and the persistent lack of references to the poor in Kent, is remarkable.[1]

Poor relief was one area of the Book of Orders which was not only based on cooperation and information from local officers, but was enforced by them exclusively and, consequently, necessitated the trust of JPs.[2] The size of divisions, number of parishes, and multitude of paupers prevented the two to three divisional JPs from monitoring poor relief by personally inquiring about the applied methods and listing them in their accounts. A warrant to the parish officers of Salwarpe/Worcestershire, in March 1634, was probably representative in reflecting on the JPs' commitment. Very specifically it ordered:

> "to give up a iust and pfect accompte in wrightinge [...]of all such Somes of money [...] receyved & disbursed and assessed and not received for and towards the necessary releife of the poore of yt said pish and alsoe of such Stocke (to sett the poore on worke) as in ye hands".[3]

Yet, the date suggests that the warrant was part of the annual examination of the Overseers' accounts, before their term of office ended. There is evidence that Overseers usually were not present at Petty Sessions, and JPs were not continuously informed about individual paupers. But it was commonsense that each parish cared for its own poor, and JPs considered their role as merely supervisory, intervening only when local officers were negligent, or parishioners attempted to dodge contributions to poor relief.[4] This information probably was passed on by Constables via statements from the Overseers. In September 1633, the magistrates of

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[1] Examples: Norfolk: SPD 16/190-20, 191-78, 193-74, 193-88, 328-79; Kent: e.g. 186-6, 203-91, 246-34, 312-83, 347-68, 382-52, 425-93.

[2] The dependency on local information is reflected in many certificates by statements, like, "as the Overseers reported to us": Cambridgeshire: hundreds of Radfield, Chilford, and Whittlesford SPD 16/328-59, 364-20, 395-116; Herefordshire: hundreds of Stretford, Wolphey, and Wigmore 271-53; Hertfordshire: Dacorum hundred 319-85; Broadwater hundred 351-113-I. Felicity Heal, "The Idea of Hospitality in Early Modern England", *Past & Present*, CII (1984), p.90, stresses the fact that responsibility now had shifted to the parishes.

[3] WorcsRO: 850 Salwarpe 1054/2 Bundle H.

[4] Hertfordshire: hundreds of Edwinstree and Odsey SPD 16/193-2; Staffordshire: Offlow hundred 191-53. On the supervisory role of JPs see also: *Hill, Shropshire*, pp.230-1. *Beier, Warwickshire*, p.84, insofar is right by stating that poor relief was no issue at Petty Sessions. Yet, although the enforcement of poor relief was the responsibility of parish officer, Petty Sessions were the court in charge.

St.Albans, for example, announced that the "old and impotent are convenientlie relieved with bread and money as the Churchwardens and Overseers of the poore of o^{r} Towne doe certifie us".[1] The surviving presentments by Constables at Worcestershire Quarter Sessions show in what vague terms JPs were notified, and how matter of fact poor relief appeared to be at the local level. Most Constables did not refer to poor relief at all, and others only routinely stated that paupers received weekly payments.[2] The returns to the Sheriffs or Judges also claimed that poor relief was carried out smoothly all over the country. JPs could be sure that serious neglect sooner or later would reach their ears. By March 1638, previously numerous complaints by paupers had abated in the hundreds of Grimshoe, Wayland, and South Greenshoe/Norfolk, and in Shropshire and Worcestershire, JPs were angered by recurring grievances at Quarter Sessions, and harshly ordered the parishes to provide adequate poor relief.[3] Conversely, JPs of a Hampshire division expressed their surprise about the alleged lack of poor, assuming that paupers did not dare put forward their requests at Petty Sessions, although they had been asked to do so.[4] The certificates suggest a greater measure of supervision by the JPs, but while there may have been an increase in the burden on local officers in terms of the requirement of reporting and keeping files on paupers and taxes, it is much more difficult to determine if their local practices with respect to the poor changed much.

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[1] SPD 16/246-86.

[2] *Worcestershire County Records: Calendar of the Quarter Sessions Papers*, ed. J. Willis-Bund (Worcestershire Historical Society, 1900), part II, e.g. pp.563-4, 566, 570, 575. In 1634, JPs of a Lancashire division required the Constables [sic] to submit a list of the poor: *Calendar of Moore Family*, p.202.

[3] Norfolk: SPD 16/385-27; similarly positive responses: Berkshire: Forest division 196-90; Norfolk: borough of Lynn 195-46. Worcestershire: Worcester halfshire 194-63-II, Doddingtree hundred 194-63-IV; Shropshire: Overs hundred 244-60.

[4] SPD 16/188-85; see also *Hill, Shropshire*, p.129. Complaints about corn prices, neglect, etc.: Devon: hundreds of Colyton, Axminster, Cliston, East Budleigh, and Ottery St.Mary 185-5; Leicestershire: Sparkenhoe hundred 193-89; Norfolk: n.n. 265-63; Oxfordshire: hundreds of Lewknor, Pirton, and Ewelme halfhundred 291-81. Amy Mosley, of Hereford, despite imprisonment in the Bridewell, took up a long-lasting battle with the Mayor, and even petitioned to the Judges of Assize claiming poor relief: HerefsRO: Hereford City Quarter Session Papers, [1639?], n.p..

2.3.3. INFORMAL MEANS OF POOR RELIEF

Issuing begging licenses within parishes was still a legitimate means to help paupers, however uncommon it had become by the 1630s.[1] Lincolnshire JPs stressed their attempts to prevent begging by relieving paupers properly, and the JPs of Amounderness hundred/Lancashire emphasised that only foreigners begged in their district.[2] Yet, as many parish accounts prove, so-called "briefs of calamity" were issued to victims of extraordinary and sudden misfortune, such as ship-wreck or fire, permitting begging in the whole country.[3]

As long as the situation did not require regular financial contributions, local officers found "other convenient waies", as articulated by the JPs of Agbrigg and Morley/Yorkshire.[4] In the New Forest division/Hampshire, people were asked to abstain from Wednesday and Friday supper for the benefit of the poor.[5] Officers of Wells/Somerset suggested the use of municipal funds for supporting the poor rather than for superfluous popular feasts.[6] In February 1631, the City Council of York decided that Overseers were to demand donations from recently bereaved relatives. If they refused, the poor were "to be sett at libertie to goe to the funerall to begg releife".[7] In the wapentakes of Rydale and Buckrose/Yorkshire, the needy were granted buying-options before retailers could strike their deals.[8] In the markets of Arundel rape/Sussex and in Surrey's East division, two shopping hours were reserved for

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[1] 39 Elizabeth I ch.3; see also *Dalton, Justice 1618*, p.75; *Wales*, p.359; *Calnan*, pp.248-9; *Fletcher, Reform*, p.186.

[2] Horncastle division SPD 16/294-35, 342-107, 349-113; Amounderness hundred 336-37. See also: Berkshire: Newbury division 314-131; Buckinghamshire: borough of Buckingham 187-2-I, 189-60, 197-46, 201-13-I; Derbyshire: borough of Derby 193-5; Gloucestershire: borough of Gloucester 194-11-I; Herefordshire: hundreds of Stretford and Wormelow 193-12, 242-61; hundreds of Stretford, Wolphey, and Wigmore 194-41-I; n.n. 232-130; Lancashire: Oldham hundred 395-106; Wiltshire: hundreds of Chippenham, Malmesbury, Damersham North, and Calne 267-40. The only reference to begging licenses came from Wirrall hundred/Cheshire, where they were used as accompanying measure (197-19).

[3] *Beier, Masterless*, p.110; *Calnan*, p.248.

[4] SPD 16/317-11.

[5] SPD 16/190-38.

[6] SPD 16/194-19.

[7] City of York Archive: House Books (Council Minute Books), 35 (1625-1637), f.98, 17 February 1631.

[8] SPD 16/190-58. See also: Somerset: hundreds of Chew, Chewton, and Keynsham 192-49; Surrey: borough of Southwark 190-66; Yorkshire: hundreds of Strafforth and Tickhill 189-8-IX.

the poor.[1] Churchwardens of Stradbroke and Framlingham/Suffolk bought corn to supply the poor.[2] In Doncaster/Yorkshire, middlemen were punished for inflated prices and forced to sell their corn at 7s per bushel to paupers.[3] Bread not conforming with the assize was confiscated for the poor, or sold at a cheaper rate in Hertfordshire.[4] In Bramber rape/Sussex, butchers who had slaughtered during Lent were to give the meat to the poor free of charge.[5] Pragmatism would even shade into illegality, and conflicts between the law and sparing the poor funds frequently were resolved in favour of the latter. In April 1636, one owner of an unlicensed alehouse in St.Albans/Hertfordshire was reinstated, since he was very old, had a bad eyesight and to support two dependent sisters. Another was an old woman with a blind child, who otherwise would have had to be cared of by the parish.[6] JPs of the West Riding of Yorkshire admitted that an estimated two thousand licensed and five hundred unlicensed alehouses in their district were too many, but they expressed misgivings that closures would lead to a heavier burden for poor relief funds.[7]

Alternatively, poor relief could be subsidised by fines for misdemeanors, such as illicit

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[1] SPD 16/177-61; 185-6. Lifting the ban of buying corn straight from the producer: Cambridgeshire: hundreds of Thriplow and Wetherley 194-65; Hertfordshire: hundreds of Edwinstree and Odsey 193-2, 198-39; Lincolnshire: part of Holland 192-40; Norfolk: n.n. 210-61; Surrey: Middle division 192-66; Sussex: Hastings rape 190-51. See also *Fletcher, Sussex*, p.150.

[2] SuffRO(I): FC 83 E 1/1 (1632); FC 101 E2/20 (1630/1).

[3] SPD 16/189-8-IV. Other references to the establishment of grain stocks for the poor: Bedfordshire: borough of Bedford 189-7-II; Derbyshire: borough of Derby 193-5; Hertfordshire: Broadwater hundred and Hitchin halfhundred 206-73; Leicestershire: borough of Leicester 191-69; Norfolk: Norwich 186-26; hundreds of Earsham, Diss, Deepwade, and Henstead 191-79. Examples of lowering the corn price for the poor: Berkshire: borough of Abingdon 195-7; Cambridgeshire: hundreds of Radfield, Clifford, and Uttlesford 189-75; Essex: n.n. 187-10; Norfolk: hundreds of Clackclose, Freebridge citra, and Freebridge in Marshland 195-47; Sussex: Pevensey rape 192-99.

[4] Borough of St.Albans SPD 16/262-29; hundreds of Edwinstree and Odsey 193-3.

[5] SPD 16/239-4.

[6] SPD 16/319-26; see the apparently preferential treatment of poor alehousekeepers, in an order to the officers of Salwarpe/Worcestershire: WorcsRO: 850 Salwarpe 1054/2 Bundle H (see Appendix, Document 6.2.2.). See also Peter Clark, *The English Alehouse: A Social History 1200-1830* (London, 1983), p.82. The list of ten closed alehouses in the borough of Monmouth, in 1635, shows that most of the owners were labourers (310-107). See also *Wrightson, Concepts*, p.25.

[7] SPD 16/390-66; see also Keith Wrightson, "Alehouses, Order, and Reformation in Rural England 1590-1660", eds. Eileen Yeo/Stephen Yeo, *Popular Culture and Class Conflict 1590-1914; Explorations in the History of Labour and Leisure* (Brighton/Atlantic Highlands, N.J., 1981), p.3.

or disorderly alehousekeeping, absence from church-service, breaking the Sabbath, or harbouring vagrants.[1] Most JPs' certificates only vaguely reported the use of fines and rarely mentioned the total amount, their proportion in the budget, and the number of beneficiaries.[2] Yet, parish paupers were unable to survive on the fines of their neighbours.[3] Of all parish accounts, only six referred to the use of fines, and the sums involved were negligible. In 1634, for example, twenty-nine poor of Ashburton/Devon had to share 10s fined on "tiplers" and 12s on profaners.[4] The same year, the fines of £ 1 from Robert Ellis, a notorious drunk, and 5s from Constable Hawkherst for the same offence, were divided amongst sixteen paupers of Cranbrook/Kent.[5]

Jordan's studies have challenged the belief that charity in England suffered in the seventeenth century, due to an increasingly hostile attitude towards the poor, partly influenced by the Calvinist obsession with order, the work ethic, and discipline.[6] Indeed, JPs of Samford hundred/Suffolk and the hundreds of Holt, Eynsford, North and South Erpingham/ Norfolk reported the annual statutory surveys of bequests in land and money.[7] Most returns, however, highlighted particularly extraordinary benefactions. In Arundel rape/Sussex, two sponsors were featured who had erected a hospital for twelve poor with an annual rent of 100 marks

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[1] *Dalton, Justice 1630*, p.27.

[2] A few selected certificates naming the offences: Berkshire: Forest division SPD 16/265-36; Cornwall: Stratton hundred 191-46, 237-42, 243-39; Derbyshire: hundreds of Morleston and Litchurch 218-6; Dorset: hundreds of Bradbury, Cogdean, and Loosebarraw 189-83; Hampshire: Andover division 250-11-II; Basingstoke division 189-43; Lancashire: Blackburn hundred 330-19; Suffolk: Wangford hundred 196-62; Yorkshire: East Riding 189-9-IV. Also *Ashley Case Book*, p.110.

[3] Having studied Overseers' accounts, I must correct my statement regarding the significance of fines, made in *Langelüddecke, M.A.*, Chapter 5.2..

[4] DevonRO(E): 2660 A/PW 2.

[5] KentAO(M): P 100/5/1, see also: DevonRO(E): EDRO Chudleigh PO 1 (3s4d, 1636); EssexRO: D/P 192/5/3; LeicsRO: DE 667/62 (1637); KentAO(S): P 85/5/1 (6s, 1638); SomsRO: D/P/cmly.12/2/1.

[6] See *Jordan, Philanthropy*; *Clark, Kent*, p.352, and *Slack, Poverty*, p.166, however, are more critical. Contemporary complaints, e.g. by Matthew Hale, *A Discourse Touching Provision of the Poor* (London, 1683), p.2. Critical reports by JPs: Dorset: Dorchester division SPD 16/233-44; Shropshire: South of Bradford hundred 194-17-VII; Somerset: hundreds of Wells, Whitstone, and Glaston Twelve Hides 193-35.

[7] 39 Elizabeth I ch.5; 43 Elizabeth I ch.4. SPD 16/193-19; 193-74; similar in Hertfordshire: hundreds of Edwinstree and Odsey 189-13, 198-40.

and an almshouse for children, and the JPs of Chichester rape were so impressed by a donation of land worth £ 40 that they mentioned it in three certificates.[1] Individual benefaction generated 13s4d in Clawton/Devon, and 20s in Hentland/Herefordshire.[2] In 1633 and 1636, wills left 5-12-6 and £ 10 to the poor of Marbury/Cheshire.[3] Between 15 November 1630 and 9 June 1631, 30-6-4 had been collected in Waltham/Essex "in the time of scarcitie and dearth of corne".[4] Many parishes established a poor stock for difficult years, or expensive projects, such as apprenticeships or almshouses, and distributed the interest to paupers.[5] In Spelsbury/Oxfordshire, the reserve had grown from £ 3 in 1631, to 15-10-0 in 1638.[6] The stock of Somerton/Somerset increased from 35-6-8 in 1634, to 36-16-8 in 1636, and the Overseers of Bere Regis/Dorset relied on a proud sum of 86-16-8 in 1632.[7]

Parish accounts show the insignificance of charity in Churchwardens' and Overseers' budgets. The sums were either too small to enable all paupers of a village to survive on benefactions, or they were bound in stocks. In any case, out of more than five hundred parish accounts, only nineteen referred to charities in any form. Although a large proportion of Jordan's figures account for municipal benefaction and private charities of the gentry, and we do not know whether all charities were administered by Churchwardens or rather by private

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[1] SPD 16/191-45; 191-63, 243-18, 262-15; positive comments also from: Wycombe/Buckinghamshire: 177-50; hundreds of Newark and Thurgarton a-legh/Nottinghamshire: 349-85.

[2] DevonRO(E): EDRO Clawton PW 1 (1631); HerefsRO: Hentland N 13/1 (in 1633, three donations 59s10d, increased to 3-2-10 in 1635).

[3] ChesRO: MF 283/29; see also: SomsRO: Drayton CW, D/P/dton.13/2/1(1634-8); EssexRO: Saffron Walden CW, D/P 192-5/3 (1631-5, 1637); BedsRO: Bedford (St.John) CW, P 88/5/1; CambrsRO(C): Thriplow CW (1637-40), P 156/5/1. References to the use of communion money, for example, in: EssexRO: Waltham CW, D/P 75/5/1; LeicsRO: Loughborough CW, DE 667/62; SomsRO: Minehead (St.Mary) CW, D/P/m.st.m.4/1/1.

[4] EssexRO: D/P 75/5/1.

[5] e.g. BedsRO: Potton OV, P 64/12/1; CambrsRO(C): Burrough Green CW (1631-3), P 17/5/1; GloucsRO: Gloucester (St.Mary de Crypt) CW, P 154/11 CW 2/1 (e.g. 1631 + 1633); HerefsRO: Hereford All Saints BC 63/1 (all years); SomsRO: Wrington CW, D/P/wri.4/1/1(1634-40). There is no reference to using the stocks for parochial employment schemes.

[6] OxonRO: MS.D.D.Par.Spelsbury d.5.

[7] SomsRO: D/P/som.4/1/1; DorsetRO:PE/BER OV 3. Entries in Burrington/Somerset referred to an interest rate of 18d/£: D/P/bur.4/1/1(1631-33).

funds, the parish officers' accounts suggest that, by the 1630s, benefaction played only a minor role in poor relief in the average landed community.[1] There is no doubt that solidarity with the needy still played a vital role, particularly, when the individual beneficiary was "deserving". In a period of economic crisis, the exploitation of every source of relief was mandatory, and the use of fines, charities, and alternative relief methods challenged the resourcefulness of parish officers and established a close cooperation between Churchwardens, Overseers, and Constables. The Book of Orders did not alter the reliance of local officers on the traditional mix of resources.

2.3.4. THE ESTABLISHMENT OF POOR RATES

JPs' certificates are unreliable in determining to what extent compulsory rates had prevailed by the 1630s. The varying terminology often leaves it unclear if poor relief was funded by voluntary contributions or by regular taxation.[2] Poor rates had not been established everywhere under Elizabeth I and James I, but the returns are too fragmentary in their information to detect a geographic pattern. Monmouthshire JPs claimed that their poor had been supported by "stipends" in the past, and an undated certificate from Buckinghamshire JPs alluded to "raising the *usual* taxacons".[3] There still is indication that JPs had reservations about general taxation, or limited compulsory rates only to a certain period. The magistrates of Babergh hundred/Suffolk almost apologised for the pressing need which necessitated poor rates.[4] Their colleagues from West Goscote hundred/Leicestershire levied poor taxation only "from time to time", and in the hundreds of Blofield, Walsham, and Taverham/Norfolk, poor

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[1] See, however, the remarks in the memoranda of Banham/Norfolk, in 1636, that the donation by Thomas Herne gent. was to be administered by the minister, Churchwardens, and Overseers: NorfRO: PD 522/22

[2] *Langelüddecke, M.A.*, Chapter 5.2..

[3] Monmouthshire: SPD 16/191-47, 191-62, 191-52, 192-58, 202-29, 271-17, 271-24; Abingdon division/Buckinghamshire: BodL: Tanner MSS, 395, f.61v (my italics).

[4] SPD 16/329-42; similar in: Herefordshire: hundreds of Stretford and Wormelow 193-12; Somerset: borough of Taunton 200-48; n.n. 221-57.

rates were limited after the reception of the Book until April 1631.[1] Churchwardens' accounts equally do not qualify as useful source of information, since poor relief commonly was not mentioned, or only in the context of occasional charity. Overseers' accounts provide abundant data, but are unsuitable for ascertaining the establishment of poor rates, since the presence of Overseers is ample proof of the existence of this tax.

Yet, references to the poor rate in Churchwardens' accounts, and the prominent position Overseers held in the organisation of poor relief suggest that compulsory measures had superseded voluntary donations. In 1634, the Churchwardens of Cratfield/Suffolk paid 2s "to John Willms wife when the townsmen met to make the rate for the pore people", and their colleagues of Melksham/Wiltshire annually accounted for expenses during the "making the poor rate".[2] In Allestree/Derbyshire, Exeter (St.Kerrian), Modbury/Devon, Condover/ Shropshire, and Blagdon/Somerset, Churchwardens also explicitly referred to the organisation of taxation, or kept the account books.[3] The random survival of Overseers' accounts indicates that the office was known in every county, which does, however, not prove their existence in every parish. Yet, the officers' lists in the books of 108 out of 121 parishes (presumably a representative statistical sample) name Overseers, and prove that poor rates existed in over nine out of ten communities. Equally revealing is the role Overseers played in the organisation of poor relief. Churchwardens still handed out charities at their own discretion, as their accounts of Wilmslow/Cheshire, Clawton/Devon, Suffron Waldon/Essex, and Minehead/Somerset show.[4] Nonetheless, in Hornchurch/Essex, for example, the Churchwardens of 1636 surrendered three larger sums to the Overseers, and in Brington/ Northamptonshire, they paid several amounts in 1639 and 1640, whose smallness suggests that

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[1] SPD 16/349-35; 192-72.

[2] SuffRO(I): FC 62 A 6/166 [1634?]; WiltsRO: 1368/55.

[3] DerbysRO: xm 1/273 item 5 (1634); DevonRO(E): EDRO Exeter St.Kerrian PW 1 (1635, 1636, 1639); 269 A/PW 8 (1636); SalopRO: 1977/4/4 (1638-9); SomsRO: D/P/blag.4/1/1(1632).

[4] ChesRO: MF 240/36 (1631, 1632); DevonRO(E): EDRO Clawton PW 1 (1631, 1637); EssexRO: D/P 192/5/3 (1631-9); SomsRO: D/P/m.st.m.4/1/1(1637-9).

they were only subsidiary to the Overseers budget.[1] This merely supportive role of Churchwardens in poor relief seemed to have prevailed even in corporate towns, where they usually had retained their position as *primus inter pares* and were the leading figures in local government.[2] The marked absence of regular and significant doles in the majority of Churchwardens' accounts of the 1630s in itself suggests that poor relief had to be distributed by someone else. A remarkable exception is Suffolk, where the Churchwardens of Dennington and Framlingham undertook responsibilities beyond the distribution of parochial charities and organised the institutionalised poor relief.[3] In Mendlesham, where Churchwardens paid quarterly lump sums to the Overseers, the latter were degraded to mere recipients of shares of the Churchwardens' budget.[4] The names of the accountants show that, in nine out of ten cases, not only Overseers but also Churchwardens signed as responsible for the balance. In Buckland in the Moor and Colebrook/Devon, warrants for fixing the poor rate or for distraining refusers were received by Churchwardens, and Churchwardens orchestrated the suit against the refractory Sir Henry Mildmay in Chelmsford/Essex.[5] The closely knit social structure in rural communities hardly permitted jurisdictional conflicts, and it was obvious that Churchwardens and Overseers cooperated in the organisation of poor relief. Yet, as financial obligations always necessitated distinct responsibilities, and the budgets of both offices were clearly defined and separated, a more intricate pattern of cooperation evolved; Churchwardens received donations, and Overseers collected the poor tax, but both arranged the assessment and the distribution of doles.[6]

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[1] EssexRO: D/P 115/5/1; NorthantsRO: 49p/GB1.

[2] BerksRO: Reading, MF 221; D/P 97/5/3; BristolRO: P/AS/Chw 5; P/XCh/ChW 1(b); P/St.J./ChW/1(b); ChesRO: Chester, P 1/11; P 65/8/1; DevonRO(E): Exeter (St.John), DD 36774; EDRO Exeter St.Kerrian PW 1; LeicsRO: Leicester, DE 1564/1384; BIHR: York, PR/Y/J 17; PR/Y/MG 19; PR/Y/MS 5.

[3] SuffRO(I): FC 112 E1/1; FC 101 E2/19-25.

[4] SuffRO(I): FB 159 60-69; also in Tong/Shropshire in 1635 and 1636: SalopRO: 3848/CW/1.

[5] DevonRO(E): 2150 A/PW 1 (1634-6, 1638); EDRO Colebrooke PW 1 (1638); EssexRO: D/P 94/5/1 (1632-3).

[6] A more detailed discussion in: *Langelüddecke, M.A.*, Chapter 5.1.; *Hill, Welfare State*, p.15, stresses that, before 1601, Churchwardens were in charge of poor relief.

2.3.5. ASSESSING AND COLLECTING POOR RATES

In an age and country not used to permanent taxation, Overseers attempted to keep the burden on inhabitants as low as possible. Besides the financial capacities of their parishes, they had to be aware of possible national or local economic changes which required rapid reactions. Unlike in the age of charities, the art of being an Overseer was to assess the local demand for support in advance, to develop a reasonable and practicable taxation key, and to adapt this key to sudden changes. It is not surprising that, with respect to frequency, amount, and contributors, local taxation varied considerably and was by no means uniform.

Following the Elizabethan Poor Laws, the Book of Orders directed the weekly levying of poor rates, although in practice rates seemed to be levied monthly and doles distributed weekly.[1] Yet, only the Overseers' accounts of Harberton Feffees/Devon, Bere Regis/Dorset, Gressenhall/Norfolk, Pitney/Somerset, Rattlesden and Stonham Asphal/Suffolk prove the adoption of this system.[2] With 120 parishioners paying between 1d and 8s8d (an average of 1s), only a monthly rate could yield an annual total of 56-7-2 in Slimbridge/ Gloucestershire in 1637.[3] The Overseers of Haselbury Plucknett/Somerset, however, levied only four rates in 1637 and 1639, and five in 1636 and 1638, while, according to the dates of the assessments, in Stathern/Leicestershire and Chudleigh/Devon, only two rates were made each year.[4] Fourty-six parishioners of Burrington/Somerset paying rates varying from 2d to 6s (assumed average: 10d), totalling 6-15-5, suggest two or three rates in 1631.[5] In contrast, in neighbouring Drayton, with eighty raters assessed between 3d and 5s (assumed average: 10d)

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[1] See Appendix, Document 6.2.1. (*Direction* 5); 43 Elizabeth I ch.2 ordered taxation "weekelie or otherwise", but then ordered monthly meetings between Churchwardens and Overseers. It is indicative that JPs' certificates usually do not refer to the intervals of taxation.

[2] DevonRO(E): 1352 A/PO 1; DorsetRO: PE/BER OV 3; NorfRO: MR 236/242 MX 1; SomsRO: D/P/pitn.13/2/1; SuffRO(B): FL 500/7/1; SuffRO(I): FB 22 G1/1; weekly collections in Gloucester (St.Aldates) and Devizes (St.John): GloucsRO: P/154/6 OV 1/12; WiltsRO: 632/107.

[3] GloucsRO: P 298 A OV 2/1.

[4] SomsRO: D/P/ha.pl.13/2/1;LeicsRO: DE 1605/59 (1633, 1635); DevonRO(E): EDRO Chudleigh PO 1.

[5] SomsRO: D/P/bur.13/2/1.

and a total of 4-0-3, only one annual rate might have been collected in 1632.[1] The Overseers of Potton/Bedfordshire levied six rates in 1638, and four in 1640.[2] These selected examples show that not all parishes adopted the stringent system of monthly tax-collection, but applied a sequence which was determined by local convenience and necessity. Even where poor rates had been established earlier, local practice was not fundamentally altered by the Book of Orders.

This follows also from disparities in rating practices in different communities and the ways in which local rates adjust over the 1630s. Most Overseers accounts have data on the total amount spent per annum, but their interpretation is difficult, as the following table illustrates:[3]

	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640
St.Werburgh/ Bristol	58-1-5	55-13-0	61-0-11	51-15-8	124-19-5	64-3-0	62-8-8	58-9-3	ca.54-0-0	-
Amersham/ Buckingham-shire	45-18-17	48-10-3	40-9-6	43-4-11	41-4-1	42-19-8	39-19-5	53-13-4	39-14-10	49-10-0
Ashburton/ Devon	53-11-6	59-1-2	55-15-5	?	62-1-3	59-2-5	67-0-8	67-2-3	60-10-7	67-9-1
Bere Ferrers/ Devon	-	-	41-13-6	44-19-10	37-7-1	41-15-9	38-19-11	38-5-0	39-11-0	41-3-1
Chudleigh/ Devon	24-8-?	33-8-2	32-6-3	26-8-10	29-13-3	?	30-2-0	-	38-14-8	38-4-6
Churston Ferrers/ Devon	9-7-5	8-4-3	13-9-9	13-14-4	15-0-7	14-1-11	14-4-7	15-?-3	19-14-11	17-16-5
Dean Prior/ Devon	13-18-?	13-12-5	14-9-2	12-16-11	11-10-?	10-17-9	13-0-10	13-6-5	18-8-5	17-0-10
Frithelstock/ Devon	-	-	21-8-2	22-7-8	24-15-9	20-7-0	27-19-11	19-9-8	19-14?-7	22-7-9

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[1] SomsRO: D/P/dton.13/2/1.

[2] BedsRO: P 64/12/1.

[3] r. =received. BristolRO: P/St.W./Chw/3(b);BucksRO: PR 4/12/2; DevonRO(E): 2660 A/PW 2; 1237 A/PO 20; EDRO Chudleigh PO 1; 1235 A/PO 2; EDRO Dean Prior PO 1; DevonRO(N): 3788 A/PW 1; 1843 A/PW 2; 1892 A add 3/PO 1; DorsetRO: PE BE OV 1/1; PE/SWY OV 1/1; EssexRO: D/P 14/8/1A; D/P 60/8/1; D/P 75/5/1; GloucsRO: P 298 A OV 2/1; HantsRO: 1 M 70/PO 1; HertsRO: Mf 1120; KentAO: P 43/12/2; SomsRO: D/P/b.my.13/2/1; D/P/bur.13/2/1; D/P/ilm.13/2/1; DD/SAS/CH 20; D/P/tru.13/2/1; StaffsRO: D 113/A/PC/1; SuffRO(I): FC 62 A2/1; FB 123 E1/2; FB 121 E1/1; WiltsRO: 632/107. *Barnes, Somerset*, p.193, concludes from decreasing poor relief figures (money and paupers) the general success of the Book of Orders. Regarding JPs' statements on the amount of levies, see *Langelüddecke, M.A.*, chapter 5.2..

	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640
Northam/ Devon	64-11-10	61-0-5	49-2-7	-	68-12-0	71-6-6	80-4-11	74-9-7	60-3-11	61-9-7
Parkham/ Devon	29-4-5	27-10-6	26-17-3	26-10-3	24-11-3	26-13-6	26-8-5	26-7-4	26-6-7	28-10-3
Beaminster/ Dorset	-	-	-	-	66-15-4	67-4-5	67-10-8	91-10-11	67-11-10	65-1-10
Swyre/ Dorset	7-6-3	6-14-10	9-9-4	6-9-0	6-0-7	6-15-11	4-8-4	4-5-0	4-11-5	4-15-?
Finchingfield/ Essex	-	42-11-0	39-12-0	56-7-0	50-17-8	61-16-10	46-0-0	74-15-4	62-5-4	49-5-10
Roydon/ Essex	-	5-19-2	15-0-8	11-15-6	10-14-8	7-8-5	8-3-6	18-3-4	13-12-5	11-6-7
Waltham/ Essex	10-10-9	?	5-12-7	5-9-3	4-19-11	3-7-11	5-12-5	2-12-7	3-10-5	-
Slimbridge/ Gloucesters.	-	-	-	-	50-9-3	58-18-11	56-7-2	69-6-10	65-16-4	66-0-10
Chawton/ Hampshire	5-11-8	5-4-9	6-1-9	5-5-10	5-11-2	6-17-5	10-19-7	-	10-9-4	12-18-7
Totteridge/ Hertfordshire	14-4-0	15-19-2	12-1-4	14-4-6	11-18-10	12-16-6	17-5-8	r.14-15-6	14-2-0	13-12-4
Bredgar/ Kent	13-0-7	-	4-13-0	7-8-6	7-2-2	6-9-4	5-6-9	-	d.5-11-4	-
Buckland St. Mary/ Somerset	7-0-11	r.8-18-6	8-6-5	11-15-9	16-18-6	16-12-4	14-9-4	20-1-11	16-7-6	18-13-8
Burrington/ Somerset	6-15-5	5-18-7	6-18-9	7-9-8	6-3-1	4-10-1	5-19-1	3-0-6	4-6-2	8-9-4
Ilminster/ Somerset	62-13-11	70-0-4	56-8-7	61-9-7	72-3-7	72-19-9	85-15-10	111-19-1	104-10-0	124-7-1
Pitminster/ Somerset	r.42-6-3	29-1-2	32-3-3	38-9-4	31-17-3	36-4-8	-	-	-	-
Trull/ Somerset	21-15-8	17-14-9	14-12-3	18-3-3	14-8-10	12-9-6	21-8-10	23-6-1	21-15-5	24-11-10
Checkley/ Staffordshire	6-13-2	5-11-1	5-12-0	10-18-5	r.135-0	11-16-2	18-2-0	12-19-2	12-11-10	10-2-7+
Cratfield/ Suffolk	d.30-16-8	26-3-10	27-9-0	25-9-8	19-18-8	19-6-0	19-3-8	r.18-19-2	18-10-4	18-3-4
Mellis/ Suffolk	5-5-10	4-5-7	4-4-9	4-3-?	9-2-1	8-7-8	4-13-4	6-4-4	-	2-10-0
Rickinghall Superior/ Suffolk	15-7-5	14-14-5	11-11-8	18-4-7	13-15-11	13-18-0	12-4-4	-	-	-
Devizes (St.John)/ Wiltshire	33-7-7	32-18-1	49-0-3	46-13-5	32-13-6	35-1-8	47-18-4	36-18-5	39-14-5	39-16-9

If we compare the entries for 1631 with those for 1640, we cannot discern a general increase

in poor relief expenditure.[1] Admittedly, in Churston Ferrers, Roydon, Chawton, and Ilminster, the sum in 1640 was almost twice as high, and the rises in Ashburton, Slimbridge, and Pitminster were significant. Inflation may explain the slight growth in Finchingfield, Burrington, and Devizes (St.John).[2] In Northam, Swyre, Waltham, and Mellis, we find even nominal decreases of poor relief. Yet, many parishes show a marked increase of poor relief during the years of hardship following the harvest failures of 1637 and 1638, suggesting local initiative in response to crises. Yet, this seemed not to be the case everywhere. Otherwise, the data follow an apparently erratic pattern, as in Chulmleigh and Dean Prior, or Finchingfield and Trull, to point out a few extreme examples.

JPs' certificates and Overseers' accounts show that rates varied locally and chronologically and were adapted to economic circumstances. In Bredgar/Kent, in 1632, and in Burrington/Somerset, in 1640, the rate was 1d/acre land, while in Algarkirk/Lincolnshire, in 1638, it amounted to 4d/acre.[3] In 1633, the assessment in Stathern/Leicestershire was specified at 4d/oxgang land, 2d/common pasture beasts, and 4d/score sheep.[4] In April 1633, the JPs of Hurstingtone hundred/Huntingdonshire intervened when they considered the assessments in their division too low.[5] Yarmouth/Norfolk adapted levies to the effects of the hard winter of 1635, and in November 1633, the borough of Bradwich/Devon justified increased taxation by the scarcity of corn and other victuals.[6] In 1631, the Churchwardens of Great Bookham/Surrey dryly remarked that "This weekly seasmente was doubled".[7] Particularly during the spring and early summer of 1631, rates dramatically rose twofold or

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[1] *Sharpe, Personal Rule 1992*, p.475, suggests a significant rise of poor relief from the 1620s to the 1630s.

[2] See also *Beier, Warwickshire*, p.84.

[3] KentAO(M): P 43/12/2; SomsRO: D/P/bur.13/2/1;LincsArch: Algarkirk 13.

[4] LeicsRO: DE 1605/59; see also the detailed assessment lists in BedsRO: Pulloxhill OV, P 13/5/1; CambrsRO(H): Great Stoughton CW, 2735/5/1.

[5] SPD 16/237-70; also in Wiltshire: Malmesbury division 267-72; borough of Devizes 216-66.

[6] SPD 16/328-79; 251-26; similar in the East division/Northamptonshire 194-9.

[7] SurreyRO(G): PSH/BK.G./8/1.

threefold, in Buckingham even fivefold.[1] Besides locally varying economic circumstances, these dramatic changes reflected either insufficient poor rate assessments prior to the proclamation of the Book of Orders, unrealistic assessments due to inexperience during the first Petty Sessions, or underestimation of the impact of the crisis of 1630/1.[2] The harvest failure of 1637, however, was so serious that, in March 1638, JPs of Hitchin halfhundred were alarmed that "It is not possible to pcure mayntenance for all these poore people and their famylyes, by Almes, *nor yet by Taxes*".[3] Overseers responded to increased demand or temporary relaxation of the poverty situation by expanding or contracting the assessment range as demonstrated by the following table:[4]

	Assessment range/total		
Year	**Broadwoodkelly/Devon**	**Churston Ferrers/Devon**	**Frithelstock/Devon**
1631	3d-16s4d tot. 7-1-2	4d-22s tot. 9-7-5	-
1632	7d-14s tot. 8-4-9	? tot. 8-4-7	-
1633	6d-12s tot. 6-10-3	4d-12s tot. 13-9-9	-
1634	7d-14s tot. 7-11-8	4d-12s 13-14-4	1s-26s tot. 22-7-6
1635	7d-19s2d tot. 10-16-4	-	9d-28s tot. 24-15-9
1636	6d-23s tot. 13-4-1	6d-28s tot. 14-1-11	9d-26s tot. 20-7-0
1637	11d-21s6d tot. 12-15-5	-	10d-24s tot. 27-19-11
1638	-	-	-

[1] Buckinghamshire: borough of Buckingham SPD 16/187-2-I; Gloucestershire: borough of Gloucester 194-11-II; Lincolnshire: hundreds of Hill and Calceworth 190-14; Norfolk: hundreds of Shropham and Guiltcross 193-88; Somerset: hundreds of Ilchester, Yeovil, Longport, and Somerton 192-50; Surrey: Middle division 190-65; West division 190-48. *Barnes, Somerset*, p.182, mentions JPs doubling or trebling parish rates.

[2] Parish officers also refused to agree to taxes, or sabotaged their collection: KentAO(M): QSO W 1, f.70 ; *NRQSR*, III, 345; IV, 17.

[3] SPD 16/385-43 (my italics).

[4] DevonRO(N): 1772 A/PO 1; 3788 A/PW 1; DevonRO(E): 1235 A/PO 2.

Assessment range/total			
Year	**Broadwoodkelly/Devon**	**Churston Ferrers/Devon**	**Frithelstock/Devon**
1639	-	-	1s-26s tot. 19-14-7
1640	-	-	9d-30s tot. 22-7-9

Although accounts frequently contain the list of payers, they do not classify professions and wealth in ways that would permit conclusions on the social profile of contributors. Magistrates of Bridgenorth/Shropshire merely stated that "we had much care for the reliefe of the poor of o^{r} town, as the ability of our Town would pmit".[1] When, according to some Norfolk JPs, the large number of needy in New Buckenham mandated the contribution of "all able", it is likely that all landowners, tenants, and professionals were liable.[2] Due to a lack of demographic data, counting numbers of tax-payers does not define who was exempt from paying poor rates. It would be interesting to know whether the more than fifty names in Broomfield/Somerset, the eighty in Bere Regis/Dorset, and the more than 120 in Slimbridge/Gloucestershire included all householders.[3] In Mellis/Suffolk, the assessment was comprehensive, since, besides thirty-five parishioners, five "outsitters" were taxed in 1634.[4] Although this data is fragmentary, it shows that Overseers established assessment-keys taking into account all sorts of income. Particularly towns might have taken first steps towards progressive taxation. Officers of Norwich stated that they had tripled the assessment of themselves and the "better ranks", and only doubled that for other parishioners.[5] Of the seventeen contributors in Gloucester (St.Aldates) one was an Alderman and nine were

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[1] SPD 16/316-43; similar in the borough of Taunton/Somerset 200-48.

[2] Hundreds of Shropham and Guiltcross SPD 16/193-88. *Slack, Poverty*, p.178, suggests that about half the population paid poor rates.

[3] SomsRO: D/P/broo.13/2/1;DorsetRO: PE/BER OV 3+4;GloucsRO: P 298 A OV 2/1.

[4] SuffRO(I): FB 123 E1/2.*Leonard*, p.168, referredto taxing "outsitters" in the West Riding of Yorkshire. In Burton Latimer/ Northamptonshire, eleven cottagers paid for the reimbursement of the Constables in 1638: NorthantsRO: 55p/504; outdwellers also in: NorfRO: Gressenhall OV (1635), MR 236/242 X1; SuffRO(B): Rattlesden OV (1639), FL 500/7/1; SuffRO(I): Stonham Asphal OV+CW(1631), FB 22 E1/1.

[5] SPD 16/186-26. In Harteswere hundred/Suffolk, the wealthier were assessed twice as much (224-24).

gentlemen.[1] According to changing demand and budget, Overseers also could increase or lower the number of contributors:[2]

Payers/total			
Year	**Bredgar/Kent**	**Broomfield/ Somerset**	**Drayton/ Somerset**
1631	52 tot. 13-0-7	-	-
1632	48 tot. ?	-	80 tot. 4-0-3
1633	41 tot. 4-13-9	-	78 tot. 4-1-7
1634	55 tot. 7-8-6	-	79 tot. 6-11-1
1635	54 tot. 3-13-4	-	78 tot. 6-5-6
1636	57 tot. 6-9-4	51 tot. 9-15-8	83 tot. 13-1-4
1637	54 tot. 5-6-9	-	85 tot. 7-6-8
1638	-	53 tot. 13-13-4	83 tot. 13-19-4
1639	51 tot. 7-6-4	58 tot. 15-5-6	87 tot. 17-13-10
1640	48 tot. ?	-	83 tot. 11-14-0

Another table shows the varying numbers of beneficiaries which might have determined the alteration of assessment-keys and numbers of taxpayers:[3]

Year	**St.Werburgh/ Bristol**	**Beaford/ Devon**	**Dean Prior/ Devon**	**Swyre/ Dorset**	**Burrington/ Somerset**	**Ilminster/ Somerset**	**Trull/ Somerset**
1631	31	?	16	15	8	39	10
1632	32	?	11	14	13	37	11

[1] GloucsRO: P 154/6 OV 1/14 (1638). "Sufficient men" bore the taxation in: Norfolk: hundreds of Blofield, Walsham, and Taverham SPD 16/192-79; Oxfordshire: borough of Banbury 191-19.

[2] KentAO(M): P 43/12/2; SomsRO: D/P/broo.13/2/1;D/P/Dton.13/2/1

[3] BristolRO: P/St.W./ChW/3(b); DevonRO(N): 2215 A/PO 1; DevonRO(E): EDRO Dean Prior PO 1; DorsetRO: PE/SWY OV 1/1; SomsRO: D/P/bur.13/2/1;D/P/ilm.13/2/1;D/P/tru.13/2/1.

Year	St.Werburgh/ Bristol	Beaford/ Devon	Dean Prior/ Devon	Swyre/ Dorset	Burrington/ Somerset	Ilminster/ Somerset	Trull/ Somerset
1633	36	?	15	12	15	30	8
1634	35	7	8	16	10	33	9
1635	35	8	11	13	7	42	8
1636	35	17	7	14	7	41	5
1637	33	17	8	16	9	41	12
1638	30	10	9	14	5	44	12
1639	35	10	10	13	3	49	?
1640	?	?	10	11	11	45	8

In Montacute/Somerset, we can corelate the number of poor relief recipients with the varying total spent in ameliorating poverty:[1]

Year	Number of Poor	Total Disbursed
1636	15	13-12-5
1637	15	13-13-11
1638	17	20-1-0
1639	12	17-12-0
1640	14	18-2-2

Thus, swift changes, as in Beaford, between 1635 and 1636, or in Dean Prior, between 1633 and 1634, were recognised by increasing or decreasing the annual poor rate. Overseers also had to take into account sudden or seasonal poverty. In Algarkirk/Lincolnshire, five parties (individuals or families) were relieved from Easter to August 1635, increasing to six from September to November, and to seven after December. Moreover, George Robinson's payment was enlarged from 2s8d to 4s in September, since he now was eighty years old and had to care for two (grand?)children.[2] In 1638, the number of poor in Haselbury Plucknett/Somerset oscillated between seven and nine per month, and in Drayton, the list of

[1] SomsRO: DD/S/PN 1.

[2] LincsArch: Algarkirk 13.

1637 carried at least three new names compared to the previous year.[1] Changes in the scope of weekly allowances within parishes not only reflected the Overseers' attempt to keep pace with inflation, or take into consideration changing need, but also their individual generosity or parsimony:[2]

Broadwoodkelly/Devon	6d-4s (1636)	1s-8s (1637)	1s-7s4d (1639)
Beaminster/Dorset	1s6d-4s (?)	2s6d-5s (1637)	1s-6s (1639)
Slimbridge/Gloucestershire	1s-5s (1635)	1s4d-6s (1637)	1s-19s (1639)
Haselbury Plucknett/Somerset	1s4d-6s (1637)	?-4s (1639)	2s-5s4d (1640)

It is difficult to evaluate how the introduction of continual poor rates was received by communities. One to four pence per acre per quarter, or even per month, would not have hurt most of the yeomen and husbandmen. Yet, the cumulative effect of local taxation, with contributions to Churchwardens' and Constables' expenses, the church-fabric, militia, purveyors of the crown, and Ship Money, did not meet with the approval of all parishioners.[3] Disagreements over assessments and tax-refusals establish three facts: they prove the existence of compulsory poor rates; they necessitated the involvement of JPs; and they meant an additional administrative burden for Overseers who had to enforce payment. In spring 1631, Devon JPs reported complaints of high poor rates, and officers of Wells heard anxious rumours of tax rises.[4] Elsewhere, certificates also testified to refusals to accept the poor rate.[5] In Shepton Mallet/Somerset, Overseers' accounts had on average 15s to 20s missing

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[1] SomsRO: D/P/ha.pl.13/2/1; D/P/dton.13/2/1. The account of Mendlesham/Suffolk exhibits biological reasons for decreasing numbers. In 1637, the Churchwardens paid 1s "to Kember being verey syck", and, a little later gave 1s "to Kember being very syck and very lycke to dye". One of the last entries of the year dryly remarked that 16s were "Payde to the widdoe Kember for hare howse": SuffRO(I): FB 159/67.

[2] DevonRO(N): 1772 A/PO 1; DorsetRO: PE/BE OV 1/1; GloucsRO: P 298 A OV 2/1; SomsRO: D/P/ha.pl.13/2/1. Yet, only a comparison of individual payments in relation to the number of poor, and the total amount spent or received could perhaps disclose particular motives.

[3] Admittedly, poor relief was one of the few local contributions which was based on statutes. *Fletcher, Reform*, pp.184, 187, 228, claims that the institutionalisation of poor relief and poor rates were generally unwelcome.

[4] Hundreds of Cliston, Axminster, East Budleigh, Colyton, and Ottery St.Mary SPD 16/189-5; Wells: 194-14.

[5] SPD 16/185-47; 234-86; 310-107; 393-55; JPs of Ealing/Middlesex complained that people moved to evade the rising poor rates: 398-72.

from the balance, classified as "not paid" or "in arrear".[1] In 1638, the Churchwardens of Colebrooke/Devon paid for a warrant "to straine for the money for the poore", and in 1636, the Overseers of Henley/Suffolk "laide oute for A warrante for such as would not pay".[2] Upon information by parish officers, JPs attempted to punish delinquent ratepayers. Cheshire JPs tried to quell a tax rebellion by threatening to send refusers to the house of correction - a vain attempt, since everybody knew that it had not even been built yet.[3] In Framlingham/Suffolk, Churchwardens as early as 1631 required warrants to distrain for the poor rate, to no avail, and eventually, the Churchwardens were forced to expend 7s at the Summer Assize of 1632 "for drawing a peticon to Justice Heath aboute the order for rating for the poor".[4] In 1637, several suits were pending against those who "obstinately refuse to pay their layes" in Tilston/Cheshire. Two years later, the Churchwardens called for a general assembly in order to double the rates and when they met with the curate, they had to realise that "yet none have appeared".[5] The Overseers of Crondall/Surrey for 1639/40 made a case at the Summer Assize "against Stephen Hunt and George Soane for refuseing to pay theire Rate to the poore".[6] Assize-cases in the Western Circuit, however, show that some ratepayers did not immediately comply, and that poor rates were subject to disputes similar to those about Ship Money.[7] Dramatic as these cases are, their frequency suggests that they were the

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[1] SomsRO: D/P/she.13/1/1. In York (Holy Trinity Goodramsgate), in 1638, more than fifteen of about two hundred contributors were booked with the remark "not paid": BIHR: PR/Y//HTG 12, vol.1.

[2] DevonRO(E): EDRO Colebrooke PW 1; SuffRO(I): FB 49 G 1/1. See also GloucsRO: Slimbridge OV, P 298 A OV 2/1 (1637, 1639); SomsRO; Cameley OV, D/P/cmly.12/2/1(1635); Burrington OV, D/P/bur.13/2/1(1637-9; see the crossed-out names in the lists of 1636 and 1637!).

[3] SPD 16/195-21, 195-31.

[4] SuffRO(I): FC 101 E2/23.

[5] ChesRO: P 18/3608.

[6] SurreyRO(G): PSH/CRON/6/2.

[7] Disputes over value or size of land as assessment-key: Wiltshire Summer Assize 1632, Assi 24, f.56v; Hampshire Lent Assize 1635, Assi 24, f.91v; Hampshire Summer Assize 1638, Assi 24, f.182v. Indictments: Somerset Lent Assize 1632, Assi 24, f.51; Wiltshire Summer Assize 1632, Assi 24, f.56; Hampshire Lent Assize 1633, Assi 24, f.69v; Hampshire Summer Assize 1634, Assi 24, f.82v; Hampshire Lent Assize 1636, Assi 24, f.114; Hampshire Lent Assize 1637, Assi 24, f.134v; Devon Summer Assize 1638, Assi 24, f.179v.

exception rather than the rule. The frequent complaints of poor, assessment disputes, and refusals of individual taxpayers at Quarter Sessions, however, indicate that many parishioners were reluctant to contribute to local taxation particularly in the late-1630s.[1]

2.3.6. CONCLUSION

In traditional communities, poor relief was a matter of course which commonly had rested on charities. Demographic growth and economic crises threatened to endanger the social peace and motivated central and local governors to develop novel schemes. The revival of the Elizabethan poor rate under the Book of Orders was indication that charity was no longer considered sufficient or predictable. Despite Jordan's impressive figures on charities, I argue that, at least in Churchwardens' and Overseers' accounts, both benefactions and fines for misdemeanors did not play a significant role, although the traditional mix of resources was still applied. The institutionalisation of regular taxation for poor relief replaced voluntary donations and formed the backbone of poor relief in the average landed community. Further research is needed to establish whether poor rates prevailed during the 1640s and 50s, or had been introduced in the 1610s and 20s. The comparatively close monitoring of poor relief by JPs, and the striking sophistication of Overseers' accounts during the 1630s suggest that, after the issuance of the Book of Orders, poor relief was at the core of county and parish government and enjoyed the unprecedented attention of the political elites.

We do not know, whether the combined efforts were sufficient to ameliorate the state of the poor. Slack has stressed the necessity of support in kind, in addition to pensions, but Wales has questioned the impact of public poor relief and assumed that the main burden was still carried by the families.[2] Certainly, poor relief enabled most paupers merely to survive,

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[1] Disputes over local taxation:

	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640
Nottinghamshire	38	11	21	28	26	19	29	37	48	49
Somerset	5	5	7	-	6	12	9	10		
North Riding	10	11	11	14	4	18+	21	13	11+	30+

[2] *Slack, Poverty*, p.82, 189; *Wales*, pp.382-4.

but so did most husbandmen's incomes. The limited scope of this thesis did not enable me to examine poor relief in terms of payments and distribution of supplies. The sums of individual allowances, the existence of progressive apportionments, and the fact that the 1630s did not experience significant rises in poor relief expenditure, however, suggest that parishes were able to maintain their paupers. Poor rates, in combination with charity, informal support, and occasional work, prevented the consequences unprepared communities otherwise would have faced in the 1630s - mass starvation, increasing crime, and complaints by the poor.

Poor relief under the Book of Orders was characteristic for the Caroline reform policies insofar, as it formalised institutions which heretofore had been considered optional - poor rates and the office of the Overseers. Yet, like in the case of divisions and Petty Sessions, the Book of Orders introduced poor rates where they had not been established before, but not on the terms it demanded. Although the office of Overseers, and their prominent role in poor relief prove the existence of poor rates, they were not everywhere levied monthly. And the disparities in local rating practices and the way in which local rates adjusted over the 1630s, suggest a momentary enhancement of concern for bureaucratic procedures, but no fundamental shift in the highly localised practice in relation to the Poor Laws.

Economic crisis and the attempt at reform established the Overseership and its increasingly demanding and burdensome tasks. Flexibility and cleverness were necessary to react to the changing pattern of parish resources and demand for support, and required qualified men for the office. In addition, their job mandated ingenuity to find alternative sources, communication with the tax-paying community and Churchwardens, and authority to deal with tax-refusers. The annual examination of their accounts by JPs and random questioning of Constables at Petty Sessions sharpened Overseers' sense of duty and their administrative procedures and account-keeping.

JPs' certificates and Overseers' accounts prove both the inability of county governors to monitor poor relief closely, and the striking success of Overseers to deal with poverty upon their own responsibility and capability. Yet, there was no need for excessive supervision of

this issue of the Book of Orders, since poor relief was a matter of course and believed to be safe in the hands of parish officers who were interested in the preservation of social stability in their communities. Poor relief under the Book of Orders is probably the only policy of the many ultimately enforced by parish officers, whose accomplishment came close to the intentions of the Privy Council. Although not innovative in itself, Caroline social policy, due to its bureaucratic approach and emphasis on institutionalisation and enforcement, established "a level of effectiveness never achieved before".[1]

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[1] *Higgins, Cheshire 1973*, p.104, see also *Sharpe, Personal Rule 1992*, pp.475, 478.

2.4. THE RESPONSE OF PARISH OFFICERS TO VAGRANCY

2.4.1. INTRODUCTION

Poverty and unemployment were the roots of migration and vagrancy. Poor relief was available only to the "deserving poor" who could not support themselves, due to illness, disablement, or death of the family breadwinner. Able-bodied young men who lost their tenancy or employment in manufacturing trades, took to the streets because they were excluded from the Overseers' funds and needed to travel to find work.[1] Migration, however, was discouraged by legislation and the reluctance of parishes to welcome unemployed foreigners. Minimum wages under the Statute of Labourers, and the parochial employment schemes under the Book of Orders emphasised tackling unemployment locally, and aimed at the prevention of migration. The futility of sponsored employment, however, forced the landless and unemployed to take to the roads. Varying interpretation of the laws of settlement meant that parish officers ran the risk of becoming legally chargeable for newcomers if residence was generously granted, and Quarter Sessions and Assizes frequently dealt with unjustified allegations of vagrancy and settlement disputes between parishes.[2] An additional problem was that many poor considered begging a viable alternative to inadequate wages and insufficient poor relief, and large numbers moved from parish to parish without necessarily looking for employment.[3] This group, referred to as "vagrants", "rogues", or "travellers",

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[1] *Beier, Masterless*, pp.29-38, 51-8.

[2] *Calnan*, p.235; Philip Styles, "The Evolution of the Law of Settlement", *University of Birmingham Historical Journal*, IX/1 (1963), p.45. The contemporary term was "likely to become chargeable". The widely accepted span of residence to be entitled for Overseers funds, after 1662, was one year (p.46); also: *Forster, Local Government*, p.202. Prior to that, it had been three years (*Beier, Masterless*, p.32). The "Resolutions of the Judges" of Norfolk, in 1633, however, had ruled two to three months as sufficient: SPD 16/255-46 (*Resolution 12*). *Fletcher, Reform*, p.201, points out that the Poor Laws did not take into account mobility. Regarding disputes: *Styles*, p.40; *Fletcher, Sussex*, p.168. Cases at the Western Circuit Assizes (all PRO Assi 24): Allegations of vagrancy: Devon Lent Assize 1631, f.29v; Dorset Summer Assize 1632, f.57; Somerset Summer Assize 1633, f.73; Devon Lent Assize 1634, f.79; Hampshire Lent Assize 1639, f.185. Settlement disputes: Devon Summer Assize 1631, f.38v; Hampshire Lent Assize 1635, f.92v; Cornwall Lent Assize 1635, f.96; Somerset Lent Assize 1635, f.102v; Somerset Summer Assize 1636, f.127v; Dorset Lent Assize 1637, f.136; Cornwall Lent Assize 1637, f.144; Cornwall Lent Assize 1638, f.172v. Obviously, innumerable disputes are recorded in the various surviving Quarter Sessions Orders. Selected settlement cases in Somerset until 1636: *SomsQSR*, e.g. pp.140, 147, 149, 162, 171, 223, 227, 242, 248.

[3] *Beier, Masterless*, p.27. Regarding the migration pattern, see Paul Slack, "Vagrants and Vagrancy in England 1598-1664", *Economic History Review*, 2nd series, XXVII (1974), p.370. According to *Slack, Poverty*, p.92, almost half of all vagrants were found guilty of criminal offences; see also *Beier, Masterless*, pp.123-46.

became the epitome of social instability, and provoked the concern and perplexity of county governors and local officers.[1] Everyone who did not carry a passport signed by the authorities and stating a destination, or a "brief of calamity" permitting begging, was considered a member of this outlawed group.[2] The statutes demanded their corporal punishment, the issue of passes, and conveyance from Constable to Constable to their place of birth or last habitation. "Incorrigible vagrants" were imprisoned until the next Quarter Session, branded, and then sent back. Once returned to their domicile they were locked up in the local house of correction. Harbouring vagrants and building illegal cottages equally were punishable offences.[3]

Consequently, the Book of Orders merely confirmed existing legislation. Its distinction was the determination of the Privy Council to stamp out negligence and lenience of local officers and exterminate the outrage of vagrancy once and for all. Vigilance and punishment aimed at deterring vagrants from wandering, and Petty Sessions were to enable JPs to monitor the progress of the enforcement. Only the persistent and ubiquitous supervision by JPs could ensure the continuous enforcement of the Book by local officers. While vagrancy has been studied in recent years, few historians have examined the impact of the Book of Orders on the prosecution of vagrants, although this was one of its main objectives. Barnes has claimed the successful containment of vagrancy in Somerset during the Personal Rule, and suggested that the JPs' attention actually shifted from caring for domestic poor to harassing travellers.[4] Kent has observed a significant rise of vagrants punished in comparison to the 1620s in the parishes

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[1] For example the JPs of the hundreds of Tintinhull, Somerton, Martock, Coker, Stove, Pitney, Berwick, and Hansborough SPD 16/176-55. Vagrants were also feared for their spreading of the plague: see Nottinghamshire: hundreds of Bispham, Broxtow, Rushcliff, and part of Thurgarton a-legh 329-57, and the Constables' account for 1630 in Manchester: *Manchester Constables' Accounts*, pp.269-70.

[2] *Dalton, Justice 1618*, pp.97-8; *Beier, Masterless*, p.89.

[3] Legislation: 5 Elizabeth I ch.4; 36 Elizabeth I ch.4; 39 Elizabeth I ch.4; 43 Elizabeth ch.2; 1 James I chs.17+31; 7 James I ch.24; 21 James I ch.28. See also *Lambard, Duty*, pp.25-6; *Dalton, Justice 1618*, pp.96, 102; *Justice 1630*, p.125; also *Beier, Masterless*, pp.64-70. Branding of incorrigible vagrants: Winchester/Hampshire: SPD 16/188-11; *NRQSO*, III, 317, 327, 345; imprisonment in the house of correction: IV, 45. Forceful recruitment for the Swedish army in 1631: SPD 16/194-32, 195-38; APC 2/41, 78; SPD 16/202-20.

[4] *Barnes, Somerset*, p.189, 192; see also *Higgins, Cheshire 1973*, p.241.

she studied, but has admitted a lack of uniform application of the law. Slack has assumed that only ten percent of wanderers received due punishment.[1]

This chapter will review parish officers' accounts and JPs' returns in examining whether the prosecution of vagrancy was conducted according to the letters of the Book of Orders, and whether the JPs successfully utilised Petty Sessions to supervise and coerce parish officers.

2.4.2. SUPERVISION BY JPs

In 1632, the Lord Keeper's charge to the Judges stressed the need of vigourous and uniform supervision in all counties, since "unlesse execution be done in all, it will but drive them from one countie to another".[2] Yet, the success must be questioned, when Lancashire JPs complained of negligent colleagues, and when JPs of a Derbyshire division claimed that "so as very fewe are there to be found unles they came forthe of some other divisions of our County where the statute is neglected".[3] Careless JPs risked jeopardising parish officers' vigilance and commitment. Although JPs had the authority to influence the performance of their subordinates, they only could do so if they were provided with data on vagrancy. This depended not only on parish officers regularly attending Petty Session, but also on the honesty and willingness of High and Petty Constables to forward information. A sample account from Leicestershire demonstrates how vaguely JPs' certificates described the prosecution of vagrancy. In West Goscote hundred, wandering was "not tolerated"; Leicester claimed to punish all vagrants; Sparkenhoe hundred ensured vagrants were "taken care" of; and, after

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[1] *Kent*, pp.204-5, 219; *Slack, Vagrants*, p.361; *Slack, Poverty*, p.92. Positive assessment by *Sharpe, Personal Rule 1992*, p.479-80; *Fletcher, Reform*, p.207.

[2] BodL: Rawlinson MSS A 128, f.26.

[3] Leyland hundred: SPD 16/291-128, 334-16; hundreds of Morleston and Litchurch/Derbyshire 218-6.

April 1632, Goodlaxton hundred provided only stereotypical platitudes.[1] Before 1635, approximately one-half of the certificates from Essex and Yorkshire mentioned vagrancy. In Cornwall, however, only Stratton hundred regularly passed comment on this issue, and despite constant references to watch and ward, most reports from Dorset and Suffolk contain no detailed information.[2] Only one Cambridgeshire division accounted for the number of vagrants, while reports from Derbyshire, Oxfordshire, Warwickshire, and Staffordshire, are characterised by very general statements.[3] Figures are usually missing, and quantitative descriptions range from "diverse", to "some", "few", "less", or "many".[4] Yet, while in Cornwall, Derbyshire, Dorset, Norfolk, Northamptonshire, Suffolk, and Wiltshire, silence, stereotypes, or general statements dominated after 1634, returns from Devon, Hertfordshire, Kent, and Sussex changed towards detailed and classified accounts.[5]

The apparent lack or vagueness of statements in JPs' certificates suggest indifference and ignorance of magistrates about the level of vagrancy in their divisions. The inability to monitor the prosecution personally made JPs aware that the enforcement of the Book of Orders entirely depended on the cooperation of local officers. Distrust of subordinates induced both legislators and JPs to find the truth with oaths and fines.[6] In July 1631, JPs of

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[1] SPD 16/193-90; 191-69; 216-103; 190-3, 200-24, 219-49, 222-51. Mode of punishment mentioned only in: Hampshire: Kingsclere division 290-8; Kent: hundreds of Chart, Longbridge, Calehill, and the township of Ashford 220-34; Norfolk: hundreds of Clackclose, Grimshoe, Wayland, and South Greenshoe 191-78; Staffordshire: Offlow hundred 330-7.

[2] A few selected examples: Stratton hundred: SPD 16/237-41, 243-39, 265-51; Dorset: 189-82, 193-60, 194-49, 196-44, 233-44, 260-111; Suffolk: 215-25, 216-104, 224-24, 271-56.

[3] Cambridgeshire: hundreds of Staploe, Flendish, Cheveley, and Staine.

[4] "Diverse": Buckinghamshire: Stoke hundred SPD 16/269-40; Dorset: Dorchester division 233-44; Hampshire: Andover division 285-70; Hertfordshire: Cashio hundred and liberty of St.Albans 204-103. "Some": Berkshire: Faringdon division 314-132; Suffolk: liberty of St.Etheldred 187-92. "Few": Berkshire: Cottesloe hundred 390-131; Northamptonshire: Fawley division 191-67; Wiltshire: hundreds of Potterne, Cannings, and Swanborough 262-33. "Less": Hampshire: Kingsclere division 250-11-IV; borough of Winchester 188-101; "Many": Buckinghamshire: Buckingham hundred 281-85; Cambridgeshire: hundreds of Staploe, Flendish, Cheveley, and Staine 364-26; Herefordshire: hundreds of Greytree and Wormelow 330-98; Shropshire: hundreds of Clun and Purslow 263-47; Staffordshire: Offlow hundred 330-7.

[5] A few selected examples: Devon: SPD 16/290-32, 364-28, 395-21, 397-99; Hertfordshire: 344-30, 351-112, 351-113, 383-57, 418-21; Kent: 319-64, 328-48, 348-14, 363-100, 364-124; Sussex: 328-82, 348-43, 363-122, 425-85, 426-20.

[6] 7 James I ch.4; see also *Dalton, Justice 1618*, p.103, and *Hill, Shropshire*, p.243.

Ashenden hundred/Buckinghamshire claimed that, despite oaths taken at five consecutive Petty Sessions, the Constables insisted that there were no vagrants.[1] In some divisions, High Constables were explicitly ordered to police parish officers, and Middlesex JPs resorted to interrogating local inhabitants as a more reliable source of information.[2] Other JPs insisted on bringing vagrants to the next Petty Session.[3] In June 1631, a report by the JPs of Framland hundred/Leicestershire suggested that the Book of Orders provided an impulse which parish officers had not been used to, since they found "at y^{e} first some remisnes and neglect in y^{e} petty constables in not punishing vagrants coming wthin their libertyes".[4] Yet, few certificates complained of negligent Constables.[5] From 1630 to 1640, only four North Riding Constables were presented at Quarter Sessions for negligence, and three in Nottinghamshire, one of whom had been careless enough to permit ten vagrants escape.[6] Small as these number are, historians must wonder whether they were only the tip of the iceberg and the consequence of the JPs' inability to prove their subordinates' negligence. Declarations of JPs claiming success in combatting vagrancy, should also be read with caution. As early as 1631, Appletree hundred/Derbyshire and Banbury/Oxfordshire notified their superiors that

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[1] SPD 16/197-40; other references: Cornwall: Lesneth hundred 287-61; North division of the East hundred 284-62; Lancashire: Leyland hundred 369-94; Leicestershire: Goodlaxton hundred 193-20; Shropshire: North hundred of Bradford 315-26; Derbyshire: hundreds of Morleston and Litchurch 218-6; Herefordshire: Rudlow hundred 272-35; hundreds of Stretford and Wormelow 275-37-I; Hertfordshire: hundreds of Edwinstree and Odsey 218-22; Kent: hundreds of Eyhorne and Maidstone 377-179; Monmouthshire: hundreds of Caldicot and Carne 270-17; Usk hundred 270-74.

[2] High Constables: Huntingdonshire: Norman Cross hundred SPD 16/193-13; Shropshire: hundreds of Clun and Purslow 263-47; inhabitants: Middlesex: Finsbury division of Ossulton hundred 268-14; Tower division of Ossulton hundred 268-13.

[3] Essex: Ongar hundred, halfhundreds of Harlow and Waltham SPD 16/347-73; Leicestershire: East Goscote hundred 223-51; Yorkshire: Pickering liberty: 260-2 (only each Easter Quarter Session).

[4] SPD 16/193-33.

[5] e.g. Shropshire: hundreds of Clun and Purslow SPD 16/263-47. Regarding fines, see 39 Elizabeth I ch.4 (10s for neglect to search) and 1 James I ch.7 (20s for omitting to punish); also *Dalton, Justice 1618*, p.102 and *Lambard, Duty*, p.27.

[6] *NRQSR*, III, 309, 316, 335; IV, 80; NottsRO: QSM 1/74/2, pp.158, 284; 1/76/1, p.41. Similar cases in Bristol and Scarborough: BristolRO: City Quarter Sessions Minutes, O 4446, f.21 (6 April 1635); *Scarborough Records 1600-1640, A Calendar*, ed. M.Y. Ashcroft (North Yorkshire County Record Office Publications, XLVII, 1991), p.285 (10 October 1635).

"wandering" no longer was a problem.[1] In July 1636, a Nottinghamshire division found that "reformation hath beene beyonde expectation", and in February 1637, Northamptonshire JPs announced "that this part of the countrie hath not beene soe free these many yeares".[2] Yet, a division without vagrants was inconceivable, and JPs either were naive to believe Constables' statements, or deliberately attempted to pacify the Privy Council with success-stories. Remarkably, a number of divisions later corrected their initial optimism.[3] The commonplaces we find in returns, and the obvious policy of keeping figures as vague and general as possible indicate that most JPs did not have the faintest idea about the extent of vagrancy in their division, not to mention the precision of the measures applied by parish officers. And while it was already impossible for JPs to monitor the relief for several hundred paupers, it was absurd to expect them to enforce the prosecution of a highly mobile menace. JPs had to rely on the parishes' understanding that it was in their own interest not to attract numbers of destitute who became a burden on their Overseers' funds. JPs were unable, however, to guarantee that vagrants were treated according to the law. We need to ask, whether Constables were only reluctant or incapable to account for their activities, or failed to enforce the Book of Orders altogether.

2.4.3. APPREHENDING VAGRANTS

Although Petty Constables enjoyed a prominent position in organising the prosecution of vagrancy, the Book of Orders took into consideration their general work-load, and reminded

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[1] SPD 16/193-30; 191-19.

[2] Hundreds of Bingham, Broxtow, Rushcliffe, and Thurgarton a-legh SPD 16/329-57; hundreds of Wymersley, Spelhoe, and Nobottle 348-30 (as they had been informed); see also Shropshire: n.n. 199-18.

[3] Wiltshire: SPD 16/188-33, 218-41, 267-72, 269-73; later certificates with less than ten vagrants: 289-19, 289-73, 377-183; Corrections: Hertfordshire: Cashio hundred and liberty of St.Albans 239-52 and 247-71 *vs.* 319-107, 344-30 and 347-67; Shropshire: North hundred of Bradford 271-97 *vs.* 315-26; Ford hundred 221-36 *vs.* 269-15; Pimhill hundred 200-23 *vs.* 248-94; Condover hundred 247-10 *vs.* 272-97.

JPs of the keeping of local town guards day and night.[1] John Earle illustrated the vigilance of Constables and watches:

> "Beggers feare him more than the Iustice, and as much as the Whip-stocke,[...] He is neuer so much in his Maiesty as in his Night-watch, where hee sits in his Chayre of State, a Shop-stall, and inuiron'd with a guard of Halberts, examines all passengers. Hee is a very carefull man in his Office, but if hee stay vp after Midnight, you shall take him napping."[2]

The available sources offer a rather conflicting picture of the implementation of watch and ward. Only in Berkshire, Derbyshire, Herefordshire, Hertfordshire, Monmouthshire, Staffordshire, Suffolk, and Worcestershire, did the majority of JPs' reports state observance of parochial watches.[3] Certificates from Buckinghamshire, Devon, Essex, Kent, Leicestershire, Northamptonshire, and Yorkshire, occasionally referred to watches, but Cornwall never mentioned them. Many certificates leave no doubt that all JPs could do was to "order", "cause", or "take care" that watch and ward were kept.[4] Hertfordshire JPs trusted Constables' assurances at Petty Sessions, and elsewhere supervision was delegated to the High Constables.[5] Admitting the novelty of watches in their districts, some JPs acknowledged their

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[1] *Lambard, High Constable*, pp.22-4 defined these watches as manned by at least four parishioners serving from dusk to dawn, during the period from Ascension day to Michaelmas. The Book of Orders, however, ordered Constables to establish "Watches in the night and warding by day, and to bee appointed in every towne and village" throughout the year: see Appendix, Document 6.2.1. (*Direction* 7); explicitly confirmed by the Lord Keeper's charge in 1636: BodL: Rawlinson MSS C.827, f.40v. Regarding Constables: Monmouthshire: Abergavenny hundred SPD 16/293-82; Yorkshire: Knaresborough division 293-11. Regarding the varying size of watch and ward: Yorkshire: Rydale wapentake: 190-97; Hertfordshire: Hitchin halfhundred 349-70; Surrey: borough of Southwark 417-25. Legal foundation: 5 Edward II ch.14, and 5 Henry VII ch.5.

[2] John Earle, *Micro-cosmographie, or, A Peece of the World Discovered; In Essayes and Characters* (London, 1628), Chapter 20: A Constable (no pagination).

[3] See Appendix, Table 6.1.8.;explicit praise only in: Lincolnshire: wapentakes of Corringham and Well SPD 16/294-12; Surrey: borough of Guildford 191-42.

[4] e.g. Berkshire: Wantage division SPD 16/267-38; Buckinghamshire: Stoke hundred 269-40; Devon: hundreds of Witheridge, South Molton, and North Tawton 252-23; Dorset: Sherborne division 263-5; Hampshire: Portsdown division 250-31; Staffordshire: Totmonslow hundred 223-2.

[5] Hertfordshire: Broadwater hundred SPD 16/262-72; Hitchin halfhundred 351-113; Berkshire: Faringdon division SPD 16/314-132; Huntingdonshire: Norman Cross hundred 329-80; Oxfordshire: hundreds of Bampton and Chadlington 293-9. See also the Durham Easter Quarter Session of 1635 ordering High Constables "to looke to and see the keepeing of them" (i.e. the watches): DurhamRO: Q/S/OB/2, f.174 (8 April 1635).

belated or merely temporary introduction under the Book of Orders.[1] Many certificates only referred to either "watch" or "ward", and it remains unclear whether they deliberately employed the technical terms.[2] An added "at day" or "at night" proves that some JPs encouraged either day-wards or night-watches only.[3] In November 1632, for example, JPs of St.Albans reported that wards were continuously kept, while watches were abandoned after Michaelmas, and, in 1631, their colleagues in neighbouring Edwinstree and Odsey "discontinued watches ffor this tyme of Winter, by reasone of the tediousne of the weather and length of the nights; But the warde in the day tyme we do continue".[4]

Parish officers' accounts, unfortunately, rarely mentioned watch and ward which can be explained by their compulsory and unpaid character and their allocation by rota. Every service which did not involve payment naturally does not show in accounts. Churchwardens of Pilton/Somerset only in 1631 referred to vagrants "brought to us by the watchmen", and the Constables of Tortworth/Gloucestershire mentioned watches in 1638.[5] In 1637, Cransley/

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[1] Not before 1630: Berkshire: SPD 16/192-14; Monmouthshire: 191-62, 192-58, 202-29; parish of Northaw/Hertfordshire: 344-30 (not before January 1637); Staffordshire: Pirehill hundred: 223-38 (in 1632, only during the summer); Norfolk: hundreds of Tunstead, Happing, East, and West Flegg 364-50 (some weeks in 1637).

[2] Watch: e.g. Devon: hundreds of Ermington and Plympton SPD 16/258-35; Dorset: Bridport division 196-44; Hampshire: borough of Winchester 189-11; Hertfordshire: borough of St.Albans 225-83; Sussex: wildish part of Bramber rape 265-33; Chichester rape 314-43; Wiltshire: all certificates. Ward: e.g. Cambridgeshire: hundreds of Chesterton, Papworth, and North Stow 216-45; Derbyshire: Appletree hundred 185-41; Hertfordshire: hundreds of Edwinstree and Odsey 251-11; Huntingdonshire: Hurstingstone hundred 201-19; Leightonstone hundred 237-71; Alternating references: Huntingdonshire: Leightonstone hundred 237-71 (ward), 329-81 (watch); Sussex: Chichester rape 190-67 (ward), 314-43 (watch).

[3] Day: Devon: Sublaste division SPD 16/251-19; Gloucestershire: borough of Gloucester 194-11-I; Hertfordshire: Broadwater hundred and Hitchin halfhundred 210-16; Lincolnshire: Folkingham division 349-105; Norfolk: hundreds of Blofield and Walsham 329-33; Somerset: Taunton division 248-83. Night: Herefordshire: borough of Leominster 194-41-III; Suffolk: Babergh hundred 329-42. Both: Hertfordshire: hundreds of Edwinstree and Odsey 186-98; Leicestershire: Gartree hundred 202-31; Sparkenhoe hundred 193-89; Lincolnshire: Caistor and Kirton sessions 281-82; Worcestershire: hundreds of Pershore and Evesham 194-63-I. See also the frequent references to day and night watches at the Nottinghamshire Quarter Sessions: e.g. QSM 1/74/3, p.349, 357, 419, 444, 486.

[4] SPD 16/225-83; 203-77. In the hundreds of Holt, Eynsford, North, and South Erpingham/Norfolk, watch and ward were only kept in parishes visited by the plague (197-13). Only in major towns: Cambridgeshire: hundreds of Staploe, Flendish, Cheveley, and Staine 395-115; Derbyshire: Appletree hundred 293-114; hundreds of Repton and Gresley 293-113; Norfolk: hundreds of Clackclose, Freebridge Lynn, and Freebridge Marshland 329-13. Only in some parts of the division: Cambridgeshire: hundreds of Flendish, Cheveley, and Staine 285-99; Somerset: hundreds of Portbury, Hartcliff, and Bedminster 194-20; n.n. 248-71. Explicitly everywhere: Berkshire: hundreds of Ock, Homer, and Moreton 314-49; Derbyshire: hundreds of Repton and Gresley 293-113; Hertfordshire: Hertford hundred and Braughing halfhundred 189-80; Lincolnshire: division of Horncastle session 294-33.

[5] SomsRO: D/P/pilt.4/1/3;GloucsRO: P 338 CO 1/1.

Northamptonshire invested 4d "for the making of the towne watchstaffe".[1] Other parish accounts suggest that watches were kept only periodically and were paid. In Worfield/ Shropshire, 10s were spent "for wardinge about the p[ar]ish 3 weekes for the avoydinge of beggers" in 1632.[2] Due to the plague, weekly watches were kept in Manchester from October 1631 to January 1632, and the two watchmen obtained the princely salary of 2s per night. In 1637, more money was spent on watches, and three men kept "winter-watch" from 23 November 1638 to 2 February 1639. Costs escalated during the summer of 1639, when up to twelve men guarded Welsh militia contingents on their march to Scotland.[3]

An agreement between the parishioners of Burton Latimer/Northamptonshire and their parson and restless JP, Dr. Sibthorpe, made on 31 May 1635, highlighted common abuses of duties, and demonstrated the influence JPs had on monitoring watches. Suggesting the introduction of professional watchmen, it commented:

> "That whereas the said Watch hath manie tymes bene laid downe and his Ma^{te} service neglected in arestmente of Rogues, Vagaboundes, and sturdie beggars, and pformance of other duties wch belongs thereto; by reason of husbandrie, trades, vocations, and other affaires; and oftentymes through unwillingness, and forgettfullnes. ffor which delinquencie some (uppon iust cause) have bene p^{r}sented by the Constables to the Justices at theire 3 weeke meetings, to their great troble, and Charge., Which said Watch otherwise ought to be dulie, and daily observed by two sufficient menn vizt., one of ev[er]y house respectively in theire turnes. [They agreed] to have one sufficient man of o^{r} Towne to observe, and keep the said daie watch daie after daie for the wholle yere; and from yere to yere According to his Charge given him by the Constables; And to have iiii^{d} the daie allowed him - To be paid him by the handes of ev[er]y two Inhabitants respectively by equall porcons, as theire houses shall goe in Order, and formerly have used to Watch - (the Constables for the tyme being to be excepted)."[4]

The parish accounts of 1635 and 1636 show that this agreement was realised, since 10s were spent "ffor a Redcoate garded wth blue Say for Mathew Whitlark appointed and made the

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[1] NorthantsRO: 89p/100.

[2] SalopRO: 1374/295.

[3] *Manchester Constables' Accounts*, I, 275-8, 298; II, 33, 42, 57, 75; A six-man day-watch in Nottingham, due to the plague in May 1636: *Records of the Borough of Nottingham* (London/Nottingham, 1900), V, 175.

[4] NorthantsRO: M 288, f.127. In the borough of St.Albans/Hertfordshire watches also were paid: SPD 16/225-83.

Common Watchman for the townesmen by their entreaty and consent, and by the direccon of Justices at the 3. weeke meeting at Kettering".[1] In 1631, Ross Greene of Stathern/ Leicestershire received a weekly salary of 10d to 14d for watching, and Richard Bacon 2s in 1632 and 1633. The meticulous entries prove that this scheme was continued at least until 1639.[2]

Yet, complaints of JPs, several orders of Quarter Sessions, and indictments of watch-neglectors imply that magistrates attempting to institutionalise watches met the stubborn indifference of parishioners. JPs of the hundreds of Chippenham, Calne, Malmesbury, and Damersham North/Wiltshire repeatedly complained about "much neglect and unwillingness" of the watches.[3] The only surviving Petty Session records reveal serious deficiencies in four out of nine parishes of Rowbarrow and Winfrith hundreds/Dorset in June 1638. The comment on the parish of Warmwell reads: "They must sett up ther watches".[4] At the Lancashire Easter Quarter Session of 1631, the hundreds of Derby and Leyland were admonished to set watch and ward, and at the Midsummer Session, Salford hundred was reminded that all parishioners below the rank of esquire and the soldiers of the trained bands were obliged to serve.[5] JPs sometimes found the fault with the Constables, who either had not bothered with watches, or sabotaged their efficiency, like the Constable presented at the North Riding Epiphany Session of 1637 for compelling a blind man to patrol.[6] But often it was the Constables themselves who had to bear the brunt of apprehending vagrants, and complained

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[1] NorthantsRO: 55p/504.

[2] LeicsRO: DE 1605/56; rigid rotas also in Beckenham/Kent: SPD 16/220-33, and Southwark/Surrey: 415-95, 417-25.

[3] SPD 16/250-10, 267-40; see also Dorset: Dorchester division 250-38-I; Hampshire: borough of Portsmouth 185-47; Leicestershire: Goodlaxton hundred 196-5.

[4] DorsetRO: D/PLR D 320/X 4.

[5] LancsRO: QSO 2/6, pp.44, 64. See also the warrant of 7 May 1639 to the Constables of the Basingstoke division/Hampshire: HantsRO: Herriard MSS, Jervoise Papers, 44 M 69 G3/220. Indictments: Devon: hundred of East Wonford and parts of Exminster and West Wonford hundreds SPD 16/290-32; Hertfordshire: hundreds of Edwinstree and Odsey 364-48; Huntingdonshire: Toseland hundred 201-21; Kent: hundreds of Bromley and Beckenham 220-53; Lancashire: Leyland hundred 291-28; Rochdale division 385-15, 397-8; Somerset: n.n. 265-72. Among the fifteen neglectors in Rochdale hundred were two women! (385-15).

[6] *NRQSR*, III, 316; IV, 69.

to their JPs. Constables of Fillongley and Nether Whitacre/Warwickshire repeatedly denounced watch-neglectors, and in 1635/6, the Constables of Burton Latimer spent 6d "at Kettering in carrying of Thomas Clerk the Baker for not watching vizt. not-paying the watchman his wages for his turne".[1] Although the numbers of presented watch-refusers at the Nottinghamshire and North Riding Quarter Sessions varied and are difficult to interpret, they indicate that some officers were willing to indict their negligent fellow-parishioners:

Year	Nottinghamshire	North Riding
1631	23	1
1632	4	-
1633	4	-
1634	16	-
1635	8	-
1636	10	7
1637	15	2
1638	25	-
1639	6	-
1640	9	4

JPs' certificates suggest that watches and wards were not established uniformly and according to the Book of Orders. JPs, unable to control the existence and vigilance of town guards, appeared to rely on the judgement of parishes and their officers whether it was worthwhile undergoing the burden of this institution. As so often, the enforcement of central directions was sacrificed on the altar of local sentiment and willingness of communities to accept them. And unless increasing numbers of vagrants, or ardent JPs compelled parishes to institute temporary or professional watches, the apprehension of vagrants rested with the Constables.[2]

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[1] WarwsRO: DR 404/85 (twice in 1638); DRB 27/9 (1636); NorthantsRO: 55p/504. See also City of York Archive: City Quarter Sessions, F 7, ff.23-4.

[2] Watches and wards could be reinforced by periodic Privy Searches, which were not directed by the Book of Orders: 7 James I ch.4; *Dalton, Justice 1618*, p.103; see *Beier, Masterless*, p.76. I did not cover the use of Provost Marshals, since they were usually hired by Quarter Sessions and not by parish officers; see also *Beier, Masterless*, pp.2-3, 153; Lindsey Boynton, "The Tudor Provost Marshal", *English Historical Review*, LXXVII/304, (1962), pp.437-55; *Higgins, Cheshire 1973*, p.93. For Privy Searches and Provost Marshals see also Appendix, Table 6.1.8.; discussion in

2.4.4. QUANTIFYING VAGRANCY

It is difficult to prove whether the prosecution of vagrants under the Book of Orders was consistently enforced by Constables and supervised by JPs. One possible approach is to quantify vagrancy and establish whether the numbers of apprehended vagrants reflected the diligence of local officers and successful implementation of the Book. JPs' certificates are largely unsuitable for this purpose, because the intervals between returns, the instability of divisions, changing attendance patterns of local officers at Petty Sessions, the seasonal character of vagrancy, and the geographic location of divisions and counties, prevented a continuous flow of data which would permit a reliable interpretation. Consequently, it is pointless to compare, for example, the 753 vagrants reported by Sparkenhoe hundred/Leicestershire in June 1631, to the two apprehended in Toseland hundred/Huntingdonshire in October 1631.[1] Where the flow of data was steadier, local variations are considerable, as simultaneous Shropshire accounts from June 1631 show:[2]

Borough of Shrewsbury	38
North hundred of Bradford	no data
South hundred of Bradford	"clear"
Munslow hundred	"none"
Chirbury hundred	10
Ford hundred	119
Pimhill hundred	143
Condover hundred	164
Stottesden and Brimstree hundreds	300
Oswestry hundred	12

The example of the hundreds of Staploe, Flendish, Cheveley and Staine/Cambridgeshire demonstrates how the number of apprehended vagrants varied over time:[3]

Langelüddecke, M.A., Chapter 7.1..

[1] SPD 16/193-89; 201-21.

[2] SPD 16/194-17, 194-17-II, VI, VII, V, IX, VIII, II, I, IV, 194-42.

[3] SPD 16/269-64, 271-41, 274-45, 274-53, 285-99, 328-67.

June 1634	32
July 1634	18
August 1634	13
September 1634	9
October 1634	6
March 1635	140
July 1636	160

How much the Constables' performance in the prosecution of vagrants depended on the supervision by JPs was evident in Essex. Between 1636 and 1639, several divisions denied the existence of vagrants and suggested that vagrancy was not a problem. Continuously large numbers reported by a neighbouring division, whose JPs appeared to be more diligent, show that the opposite was the case.[1] The notoriously round figures we find in many certificates support the assumption that most JPs were not informed about the exact numbers of vagrants in their division and attempted to conceal their ignorance.[2]

Despite their greater accuracy and reliability, parish accounts do not always truly depict the volume of vagrancy and the officers' achievement. While the Constables of Tortworth/ Gloucestershire, Horbling/Lincolnshire, Hilgay/Norfolk, and Pattingham/Staffordshire were preoccupied with conveying travellers, Devon Constables, in Dartington, North Tawton, and High Bray, and their colleagues in Bicknoller/Somerset and Fillongley/Warwickshire predominantly engaged in routine administrative matters and in training the militia, and their accounts contain comparatively little information about vagrants.[3] Constables of Branston/Leicestershire and Stockton/Shropshire failed to account for the exact numbers of

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[1] SPD 16/347-73, 357-102, 351-116, 393-97, 335-18, 424-58, 423-100, 423-106; but hundreds of Chafford, Barstable, and Becontree halfhundred 329-48, 364-83, 395-35, 426-67.

[2] e.g. Lincolnshire: division of Horncastle session SPD 16/342-107 (20 vagrants), 349-115 (100); Suffolk: Harteswere hundred 329-31 (50), 349-12 (50), 395-63 (40); Nottinghamshire: wapentakes of Newark and the North part of Thurgarton a-legh 349-85 ("about sixty"); see also *Quintrell, Essex*, p.61.

[3] GloucsRO: P 338 CO 1/1; LincsArch: Horbling 12/9; NorfRO: PD 382/85; StaffsRO: D 3451/2/2; DevonRO(E): EDRO Dartington PW 2; 2914 A/PW 1; DevonRO(N): 815 A/PW 1; SomsRO: D/P/bic.13/2/1-11;WarwsRO: DR 404/85.

travellers passing through their village.[1] Less detailed records in the second half of the 1630s marked the preoccupation of the Constables in Branston/Leicestershire, Nether Whitacre/ Warwickshire, and Salwarpe/Worcestershire with Ship Money and the Scots' Wars.[2] The low numbers of vagrants in the Constables' accounts of Charlton Musgrove/Somerset before 1635 can be explained by the abundance of entries in the Churchwardens' accounts.[3]

Figures could depict changes in either economic developments, attitudes towards vagrancy, vigilance of local officers, or supervision by JPs. These factors determined whether, in 1638, for example, nine travellers were registered in Fillongley/Warwickshire, forty-five in Marston Trussel/Northamptonshire, and 143 in Tortworth/Gloucestershire.[4] Moreover, the figures only testified to those vagrants that had caused expenses, but not all that had passed through the parish. A random selection of parishes demonstrates the varying number of registered travellers:[5]

Parish	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640
Woodbury/Devon	48	16+	45	6+	8	21+	33			8
Langton Long Blandford/Dorset						7	8	6	-	1
Tortworth/ Gloucestershire						185		143	123	
East Harling/ Norfolk	31	17	24	52	67	23		80	54	
Shelton/Norfolk		5	10	14	4	1	7	8	8	6
Brington/ Northamptonshire	15			2	13	13	5	-	4	2
Marston Trussel/ Northamptonshire				39	43	95	67	45	48	
Weybread/Suffolk	8	15	6	8	7	49	37	43	24+?	27+?

[1] LeicsRO: DE 720/30; SalopRO: 3067/3/1; indicative for the sloppyness with which some Constables kept their accounts, is an entry in Shelton/Norfolk, in 1637, which reads: "payd to tooe travilers whose names we have for got": NorfRO: PD 358/33.

[2] LeicsRO: DE 720/30; WarwsRO: DRB 27/9; WorcsRO: 850 Salwarpe 1054/2 Bundle D.

[3] GloucsRO: P 338 CO 1/1; LincsRO: Horbling 12/9; StaffsRO: D 3451/2/2; SomsRO: D/P/ch.mu.12/2/1and 4/1/1.

[4] WarwsRO: DR 404/85; NorthantsRO: 206p/102; GloucsRO: P 338 CO 1/1.

[5] DevonRO(E): EDRO Woodbury PW 1; DorsetRO: PE/LAL CW 1; GloucsRO: P 338 CO 1/1; NorfRO: 219/126; 358/33; NorthantsRO: 49p/GB1; 206p/102; SuffRO(I): FC 99 E1/1; WarwsRO: DRB 27/9.

Parish	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640
Nether Whitacre/ Warwickshire		39	12		-	7	15		3	

The figures are difficult to interpret and do neither show a rapid, nor a consistent, nor a uniform increase of registered vagrants. Only Woodbury and East Harling seemed to respond to the increased pressure of the issuing of the Book of Orders in 1631, the transfer of overall supervision to the Judges of Assize in 1633/4, and the harvest failures of 1637/8 which might have initiated some local response. Marston Trussel and Nether Whitacre, however, did not follow this pattern, and the sudden increase in Weybread only can be explained by changes in the parish officers' work ethics, or in the JPs' policy. Yet, this interpretation is speculative, and the incompleteness of the sources prevent reliable conclusions.

Several JPs' returns which have broken down the number of prosecuted vagrants per hundred or parish, transcribed parish officers' presentments, or simply attached them to their reports, are revealing. Some of the figures are surprisingly small. In July 1632, Kent JPs reported that three vagrants had been apprehended in Dartford over the past three months, two in Axton hundred, nineteen in Little and Lesness, and none in Ruxley hundred.[1] In July 1634, the hundreds of Staploe, Flendish, Cheveley, and Staine/Cambridgeshire registered eighteen vagrants for the past six month-period, and in February 1636, only fourteen vagrants were registered in the downish division of Bramber rape/Sussex.[2] All twenty-three townships of Warrington and Winwick/Lancashire did not punish more than between three and nine

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[1] SPD 16/220-14.

[2] SPD 16/271-41; 314-103; other hundredal data: Berkshire: Newbury division 314-131; Essex: hundreds of Chafford, Barstable, and Beconstree 363-83; Huntingdonshire: Norman Cross hundred 329-80; Kent: Lathe of Shepway 319-64, 347-68, 348-14; hundreds of Calehill and Chart 328-7; Isle of Sheppey 363-64; Lincolnshire: wapentakes of Gartree, Wraggoe, and Horncastle 272-23; Manley wapentake 315-23; Nottinghamshire: wapentakes of Bingham, Rushcliff, and South Thurgarton a-legh 349-83; wapentakes of Newark and North Thurgarton a-legh 349-85; Shropshire: Condover hundred 194-17-I; North of Bradford hundred 315-26; Surrey: West Division 328-78; Sussex: Chichester rape 328-53; Hastings rape 363-122, 425-85; Arundel rape 426-20.

vagrants each month between January 1633 and March 1634.[1] Even more striking is the proportion of parishes which claimed the complete absence of vagrancy. In the Petty Session minutes of the Purbeck division/Dorset only one of the nine presenting parishes reported vagrants in 1638.[2] In May 1635, the list of a Devon division showed blank columns for fifteen out of thirty-seven parishes; seven recorded only one vagrant.[3] In December 1635, twenty-six out of thirty-four parishes of Barkston wapentake/Yorkshire denied the existence of vagrants.[4] Twenty-nine out of fifty-eight in Bassetlow hundred/Nottinghamshire stated "no vagrants" in March 1637.[5] It is not only surprising that JPs accepted the Constables' presentments apparently without questioning, and once again demonstrated their dependence on the subordinates' information and cooperation. Particularly remarkable is the discrepancy between this alleged absence or insignificance of vagrancy in the JPs' returns, and the consistent (and often large) numbers of vagrants we find in parish accounts.

2.4.5. THE TREATMENT OF VAGRANTS

Once vagrants had been apprehended, the examination and further treatment was the responsibility of the Constables or other parish officers. Unless the stranger had a passport,

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[1] SPD 16/267-39-I; other examples: Buckinghamshire: Ashenden hundred 328-6; Cottesloe hundred 382-18; Cornwall: Stratton hundred 237-41, 284-27; hundreds of Penwith and Kerrier 287-51; Devon: hundreds of Bruton, Ferris Norton, Catsash, and Horethorne 220-48; hundreds of Teignbridge, Exminster, South Wonford, Haytor 260-129; n.n. (Colyton hundred?) 265-34; hundreds of Colyton and Axminster 395-21; Hampshire: Portsdown division 250-31, 288-102; Hertfordshire: Braughing hundred 197-69; Hitchin halfhundred 198-11; borough of St.Albans 246-86; Cashio hundred, liberty of St.Albans 344-30-I to VI, 347-67; Lancashire: Blackburn hundred 319-74; Bolton division 364-123; Amounderness hundred 395-105; Rochdale division 397-8; Nottinghamshire: hundreds of North and South Clay, and Bassetlaw 329-63; Somerset: hundreds of Bath Forum, Wellow, liberties of Bathampton and Norton St.Philips 289-30; Surrey: West division 248-61, 364-17; Middle division 250-69, 382-28; hundreds of Kingston and Elmbridge 262-46, 314-25; hundreds of Copthorne and Effingham 363-132; Wiltshire: Salisbury division 250-17, 278-112.

[2] DorsetRO: D/PLR D 320/X 4.

[3] Hundreds of Black Torrington, Shebbear, Hartland, and Winkley SPD 16/289-43.

[4] SPD 16/304-100.

[5] SPD 16/351-115; other examples: Devon: hundreds of Braunton, Sherwill, Fremington 291-124; hundreds of Coleridge and Stanborough 364-28; hundreds of Crediton, West Budleigh, and Wonford West 385-77; Hertfordshire: Dacorum hundred 319-85; Cashio hundred, liberty of St.Albans 418-21-I to IX; Lancashire: Bolton division 395-46, 397-36; Surrey: hundreds of Kingston and Elmbridge 383-31; hundreds of Tandridge and Reigate 349-86, 386-112, 395-116.

according to the law the subsequent whipping, issuing of a passport, and conveying to the neighbouring parish Constable was inevitable. Yet, only few parish accounts used the word "vagrant", or described their punishment, and merely recorded a few pennies given to "poor passengers", "travellers", or "poor people". Parish officers employed a surprisingly complex classification, and carefully discriminated various classes of vagrants. Yet, the locally varying jargon does not disclose who was a "good" or a "bad" vagrant, or imply their treatment. The accounts from East Harling/Norfolk demonstrate that even Constables of the same parish and period used entirely diverging terms:[1]

1633	1635	1636	1638
3 losses (briefs) 7 soldiers 2 lame/blind 3 poor 8 passengers 3 conducted	1 soldier 1 cripple 1 passenger 9 (names) 5 travellers 1 passed to 1 taken vagrant	5 losses 6 (names) 12 vagrants	3 soldiers 6 Irish 66 (names) 2 travellers 1 carried 2 vagrants

This ambiguity is further illustrated by three entries in the Constable's account of Egloskerry/ Cornwall in 1633. First, a woman with a child was recorded, who had "a lawful past [pass] to travell". Then, 1d was paid "for drinke for one Jone Lense w^{ch} was taken up as a wandering pson". Did he have a pass? Eventually, 3d were spent on bread and drink for a couple who were "conveyid from Constable to Constable". Had they been punished as vagrants earlier and passed on by a neighbouring Constable? Or had they been detected by the Constable of Egloskerry, received their due (but unmentioned) whipping, before they were conducted?[2] Few statements are as precise as that by the Constable of Nether Whitacre/ Warwickshire reporting "one Martha Hunt a begger wth two children, whom I apphended,

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[1] NorfRO: PD 219/126; there are two accounts for 1635; I chose that of Constable Matthew Everett. In the joint account of the Constables Thomas Tawney and John Smith of Hilgay of 1638, Tawney usually recorded the names of the vagrants, while Smith only stated their numbers: NorfRO: PD 382/85/16.

[2] CornwRO: DDP 53/9/2. References to passing on vagrants without mentioning their punishment also in the JPs' certificates: Shropshire: Ford hundred 194-17-VIII; hundreds of Brimstree and Stottesden 194-17-IV.

punished & passed away wth passe & guyd" in 1633.[1] While the Constables from East Harling seemed to suggest that "passengers" carried a valid passport, and "vagrants" did not and probably had been whipped, we wonder who the "poor", "travellers", and the unspecified people were, whose mere names had been entered into their accounts.[2] If we assume that "vagrants" were the true, "undeserving" beggars, the statistics of Waltham/Leicestershire and Croft/Lincolnshire indicate that their overall proportion was relatively small:[3]

WALTHAM	1630	1631	1632	1633	1634	1635	1636	1637	1639
Whipped/ Passes Made	20	0	6	7	3	10	3	6	1
Passes/ Requests	46	22	18	18	40	24	22	38	9
Poor	3	2	8	4	5	31	18	24	7
Cripples	9	5	2	4	16	10	6	5	0
Irish	8	0	7	2	17	5	7	8	1
Soldiers	8	2	19	11	15	16	5	10	8
Bedlam	2	1	0	0	0	0	0	0	0
Briefs	12	7	20	4	13	36	2	5	7

CROFT	1632	1634	1635	1637
Whipped	1	1?	1	2
Passengers	8	1	3	7
Poor	1	0	7	8
Cripples	2	0	1	1
Soldiers	6	0	6	6
Irish	1	1	0	0
Briefs	11	4	4	4

If the reference "passes made" indicated punished vagrants, the ratio in Stathern/Leicestershire

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[1] WarwsRO: DRB 27/9.

[2] In 1635, they ominously referred to a "passenger that had a passe"!

[3] LeicsRO: DE 625/60; LincsArch: Croft 12/1. *Slack, Vagrants*, p.377, claims that only the unfortunate were punished.

was similar:[1]

STATHERN	1631	1632	1633	1634
Total Passengers	76	33	26	27
Passes Made	16	6	2	1

Yet, parish accounts are not always reliable and often contradictory. In 1630, the Constable of Manchester registered thirty-three soldiers, sixteen cripples, eleven poor, thirty-two passengers, ten Irish, and three "briefs", but issued passes for only two people, apparently vagrants. He claimed reimbursement, however, for the large sum of 12s paid to his deputy for punishing vagrants.[2]

The arrangement of jurisdictions between parish officers also suggests a distinct classification of travellers. The fact, that some Churchwardens' accounts recorded small numbers of travellers, sometimes only in certain years, or unusually generous donations, emphasises that the responsibility usually lay with the Constables.[3] In Preston/Rutlandshire and Upton/Nottinghamshire, Churchwardens underlined their disbursements with remarks on the temporary absence of the Constables, or stressed the Constables' consent, as in Honiton/ Devon.[4] In North Tawton and Washfield/Devon, Cerne Abbas/Dorset, Chawton/Hampshire, Charlton Musgrove/Somerset, and Seale/Surrey, however, Churchwardens seemed to monopolise the care for travellers.[5] Payments to Constables for conveying or feeding

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[1] LeicsRO: DE 1605/56.

[2] *Manchester Constables' Accounts*, I, 256-72.

[3] Few entries: BerksRO: Stanford CW, MF 274; ChesRO: Frodsham CW, P 8/13/1+2;DevonRO(E): Lapford CW, 2021 A/PW 1; StaffsRO: Betley CW, D 689/PC/1/1. Only certain years: CornwRO: St.Neot CW, DDP 162/5/1; DerbysRO: Morton CW, xm 1/45 item 13; EssexRO: Writtle CW, D/P 50/5/1; KentAO(M): East Farleigh CW, P 142/5/1;SalopRO: Albrington CW, P 7/B/2/1;SomsRO: Monksilver CW, D/P/mon.4/1/1.Generous sums: BristolRO: All Saints CW, P/AS/ChW 5; CambrsRO(C): Cambridge (Holy Trinity) CW, P 22/5/2+3;DorsetRO: Wimborne Minster CW, PE/WM CW 1/41; GloucsRO: Twyning CW, P 343 VE 2/1; SussexRO(E): Lewes (St.Michael) CW, PAR 414/9/1/1c.

[4] LeicsRO: DE 2461/39; NottsRO: PR 1709; DevonRO(E): 1639 A/PW 1; see also CambrsRO(H): Great Paxton CW (1631), 2119/3/1.

[5] DevonRO(E): 2914 A/PW 1; 1146 A/PW 1; DorsetRO: PE/CEA CW 1; HantsRO: 1 M 70/PW 1; SomsRO: D/P/ch.mu.4/1/1;SurreyRO(G): PSH/SEA/2/1.

travellers in Bere Ferrers, Colebrooke, Exeter (Heavitree), and Zeal Monachorum prove that many Devon Churchwardens were general paymasters and Constables mere executors.[1] Both account types suggest a general division of labour according to the classification of migrants, with Constables apprehending, whipping, and conveying vagrants, and Churchwardens occasionally accommodating and providing for passengers.[2]

Although the correct mode of treatment is rarely mentioned, many parish accounts indicate that *some* vagrants were whipped and conveyed.[3] Again, much of the JPs' slackness in extracting more detailed information of Constables can be explained by the certainty that parishes, in any case, were determined not only to get rid of semi-criminal vagrants, but of all migrants who would be attracted by over-generous hospitality.[4] In 1637, St.Thomas by Launceston/Cornwall disbursed 4d to ten Irish and "for tow men to goe with them".[5] In 1633, the Sidemen of Dartington/Devon paid money "for the watching of the cripple and A leamen [lame] Irish people at the Church howse and for the sending them from tithing to tithing".[6] The more suspicious the origins and intentions of travellers were, the more determined officers were to ensure that they did not settle in their parish. In 1638, the Constables of Burton Latimer paid 9d "To Katherine Johnson whoe fell in travell of Childbirth in o^{r} towne she having another woman with her whome she *called* her sister", and then made sure that "a woman of o^{r} towne to goe with her in the Carte to Barton".[7] In 1639, the Constables of

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[1] DevonRO(E): 1095 A/PW 1; D 1815; EDRO Colebrooke PW 1; 3004 A/PW 4/1; also SurreyRO(G): Woking CW, PSH/ WOK.P./7/3.

[2] References in 169 out of more than 400 Churchwardens' accounts and Vestry Minutes Books; the Churchwardens of Bale/Norfolk, for example, persistently referred to donations given to "licensed travellers": NorfRO: Accn. Stone 9.2.70 R 155 D.

[3] Use of Deputies to whip vagrants: SalopRO: Worfield C, 1374-297+298; WarwsRO: Fillongley C, DR 404/85; SuffRO(I): Gislingham C, FB 130/I2/5; *Manchester Constables' Accounts*, I, 292, 298; II, 16, 49; see also the Lancashire Midsummer Quarter Session of 1631: LancsRO: QSO 2/6, p.45.

[4] NorthantsRO: Burton Latimer C, 55p/504; Marston Trussel C, 206p/102; SalopRO: Worfield C, 1374/294-298; SuffRO(I): Cratfield CW, FC 62 A6/158-174.

[5] CornwRO: DDP 221/9/3.

[6] DevonRO(E): EDRO Dartington PW 2.

[7] NorthantsRO: 55p/504 (my italics). See also *Slack, Vagrants*, p.362, and *Styles*, p.60.

South Kyme/Lincolnshire encountered "a poor man no body knows who", and quickly gave him 6d to move on.[1] Often their suspicions were confirmed, as in Burton Latimer, where, on 20 August 1638, the Constables made:

> "foure hue and cryes to send east west north and south after a rogue one Giles Tompson whoe was whipped in o^{r} towne for taking widdow Toothills pettiecoate off of the hedge, and was sent with a passe to Rothwell where he said he last dwelled. And in o^{r} feild gave Whetbarke o^{r} bedle a box on the Eare and ran away from him".[2]

Yet, most accounts display a great deal of hospitality and compassion. In February 1637, the Constables of Elstree/Hertfordshire admitted that "John Etheridge was taken up but being very sicke was not punished but sent home to his own pish".[3] In 1638, Manchester Constables expended 4d "ffor dyate and lodginge of ffrancis Matchill a souldiar wth one Arme", and the accounts of Algarkirk and Croft/Lincolnshire usually referred to "supper" and "bed and breakfast".[4] In 1637, Mary Wadhil of Cransley/Northamptonshire received compensation "for lodging poore folke", and in 1638, the Constables of Burton Latimer/ Northamptonshire allowed 1s to "Shrive and Arch o^{r} two Alehousekeepers for theire straw which have been used for this yere past about lodging of criples and other vagrants [sic] whom wee have brought into them".[5] Mercy extended even to notorious beggars. In 1631, the Churchwardens of Melksham/Wiltshire reimbursed "Henry Kyneton, for victualls to vagrants y^{t} were corrected".[6] In 1632, the Constable of Branston/Leicestershire accounted for 2d "geven to a pore boy that was whipped and his passe making", and their colleagues of Worfield/Shropshire gave 6d "to 4 poore people that we punnished".[7]

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[1] LincsArch: South Kyme 12. See also Somerset Lent Assize 1632, Assi 24, f.49; and *Beier, Masterless*, p.70.

[2] NorthantsRO: 55p/504.

[3] SPD 16/347-67-VI.

[4] *Manchester Constables' Accounts*, II, 67; LincsArch: Algarkirk 12; Croft 12/1.

[5] NorthantsRO: 89p/100; 55p/504.

[6] WiltsRO: 1368/55.

[7] LeicsRO: DE 720/30; SalopRO: 1374/295; also: DevonRO(N): High Bray C (1633), 815 A/PW 1. Vagrants at Quarter Sessions: NottsRO: QSM 1/74/2, p.224; *NRQSR*, IV, 45.

It is even more remarkable that all accounts entered sums paid *"to"* travellers, suggesting that they not only received accommodation and meals, but also some pocket-money. Obviously, we do not know whether these payments reflected the sympathy of officers, or were in fact bribes. The latter certainly was the case in plague-threatened Manchester in 1630, where the Constables gave £ 1 [!] to "ffornace Allen &c. to cause them to retorne whence they Came because they were Suspected to haue beene in Some Infected place".[1] Donations usually ranged from 2d to 6d, but some parishes were extraordinarily generous. Travellers received between 6d and 8d in Ilminster/Somerset; between 9d and 10d in Thaxted/Essex; 1s in Bristol (All Saints) and Wimborne/Dorset; and up to 2s in Biddenden/Kent.[2]

Details of vagrants' *curricula vitae* testify to the officers' compassion and curiosity which accounted for their generosity. One might suspect that vagrants were aware of this effect and assumed that the more pityful or exotic their story was, the more likely they could squeeze out some pennies from goodhearted or naive parish officers. Favourite beneficiaries of parish doles were travelling veterans returning from the Continent, such as the "2 souldiers that was hirt in the warrs" who received 6d in Waltham/Leicestershire, or the "3 soldiers from the king of Swedens army" who passed through Tenterden/Kent in 1633, although their numbers often prompt suspicion as to their *bona fides*.[3] Protestant refugees, victims of Turkish captivity, and foreign castaways always deserved pity, such as the "ministers widdow which had her husband killed in ffraunce, for standing for o^{r} religion" travelling through

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[1] *Manchester Constables' Accounts*, I, 270.

[2] SomsRO: D/P/ilm.4/1/2;EssexRO: T/P 99/3; BristolRO: P/AS/ChW 5; DorsetRO: PE/WM CW 1/41; KentAO(M): P 26/5/1. *Beier, Masterless*, p.27, estimates a possible income of 6d per day (i.e.£ 9 p.a.), which might be too optimistic; I assume that a moderately lucky traveller perhaps managed to receive 4d, three times a week, which would generate 2-12-0 annually, still a respectable income. My examination of the Overseers' accounts established that a resident pauper received between £ 2 and £ 6. A servant had about £ 2 wages.

[3] LeicsRO: DE 625/60; KentAO(M): P 364/5/14; see also DevonRO(E): Exeter (Heavitree) CW (1640), 3004 A/PW 4/1; HerefsRO: Madley CW (1632), MX 806; KentAO(M): Loose CW (1635), P 233/5/1; SuffRO(I): Cratfield CW + C (1633), FC 62 A/165; Framlingham CW (1632), FC 101 E2/22; Mendlesham CW (1636), FB 159/66; WarwsRO: Nether Whitacre C (1632), DRB 27/9. Anxious Yarmouth magistrates described large numbers of disembarking veterans in 1636 and 1637: SPD 16/328-79 (thirty veterans), 364-37 (sixty-five); see also *Beier, Masterless*, pp.93-4. JPs of Arundel rape/Sussex reported numerous forged discharge papers in 1636: SPD 16/314-115.

Cheddar/Somerset; the man "who had ben taken with the Turkes & had his tongue cutt out his ffett & hands dismembered", found in Exeter (Heavitree); or the "black more" in Charlton Musgrove/Somerset.[1] Utter destitution also motivated parish officers to exercise pity. In 1631, Constables of Burton Latimer gave money "to an impotent creature wth a passe", and in 1638, to "a pore wench who was found near Isham planck sick and almost starved".[2] In 1635, the Churchwardens of Cratfield/Suffolk, handed out 1s "to twoe poore men w^ch^ were mighttlily maimed".[3]

In this context the assurance of Kent JPs sounds improbable, that the Constables' of Bromley had "taken noe rogues w^th^out a passe and such as had passes they have conveyed to the next officer accordinge to the lawe".[4] And the Constables of Great Gaddesden/ Hertfordshire did not really lie when they claimed that "no Rogues or vagrants [have been] punished in that p[ar]ish w^th^in 6 Monethes last past, their p[ar]ish ioyning upon Bucks, but there were divs came w^th^ passes and soe were sent away".[5] They merely interpreted the facts in their favour and insinuated that all travellers had passes. All parish accounts, however, discredit the statement of Huntingdonshire JPs, that thirty-seven vagrants had been punished in their division, but "*some fewe* upon their psentmte have beene certified to us to travell wth passes" - suggesting that the majority of travellers were corrected.[6]

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[1] SomsRO: DD/SAS SE 14 (1631); DevonRO(E): 3004 A/PW 4/1 (1636); SomsRO: D/P/ch.mu.4/1/1(1631); other examples: NorthantsRO: Burton Latimer C (1638), 55p/504; SalopRO: Donington C (1632), 3793/Ch/1; DevonRO(E): Exeter (Heavitree) CW (1639), 3004 A/PW 4/1; Manchester C (1632): *Manchester Constables' Accounts*, I, 297.

[2] NorthantsRO: 55p/504.

[3] SuffRO(I): FC 62 A6/165 (1633), 168 (1635); Regarding the movements and ingenuity of vagrants see also: *Beier, Masterless*, pp.37, 42-3, 45, 70-1; *Slack, Vagrancy*, pp.361-2, 368-76. See forged passports in: NorthantsRO: Burton Latimer C (1635), 55p/504; WarwsRO: Nether Whitacre C (1632), DRB 27/9. *Beier, Masterless*, p.143, points out that it was easier to forge a passport than a "brief of calamity".

[4] SPD 16/220-33.

[5] SPD 16/319-85.

[6] Norman Cross hundred SPD 16/329-80 (my italics).

2.4.6. CONCLUSION

Did the Book of Orders succeed in containing and channelling vagrancy? In 1634, a letter of the Privy Council to the JPs of Kent complained that "it seemeth the care thereof is much remitted as the Streetes & Highwaies are soone after as much pestered with them as ever", and stated that "we do observe at this tyme an extraordinary confluence of Rogues & beggars in the highwaies about London".[1] Similarly concerned missives of subsequent years can be explained by Whitehall's expectation that the Book of Orders was about to stamp out vagrancy. In addition, the Privy Council practiced the unfair routine of using the Home Counties as yardstick of information, which, due to their proximity to London, were more ridden with travellers.[2]

The JPs' reports reflect a great deal of ignorance about the extent of vagrancy in many divisions. The combat against vagrancy once again plainly demonstrated to both the Privy Council and local governors, how dependent they were on the parish officers' cooperation. Although Petty Sessions were designed to improve the control of local officers and enhance the enforcement of the Book of Orders, all JPs could do was to take the numbers of vagrants Constables reported at face-value, and to accept the frequent *"omnia bene"*-statements. The Book of Orders was based on delegation of responsibilities, which entailed mutual trust and an understanding that the realisation of its agenda at least was not harmful to communities. JPs were never able to prove negligence of parish officers, and if they wanted to *guarantee* the correct enforcement, they had to provide such a tight supervision that they either had to be resident in a parish, or do the job themselves.

Although parish accounts are unsuitable for a quantitative analysis of vagrancy under the Book of Orders, they disclose the practical application of the measures the Book directed and the treatment vagrants received. They are congruent with the JPs' returns insofar, as they

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[1] KentAO(M): Dering MSS/U 350/O 10 (19 March 1634).

[2] APC 2/49, 273; 2/50, 181. *L.Hill*, p.81, claims that under the Book of Orders vagrants felt the range of the law for the first time since Elizabeth I.

prove that - in the parish officers' eyes - only a minority of vagrants qualified for the status the law described as punishable. Although the certificates suggest a certain ambition of JPs to contain vagrancy, parish accounts indicate that migration was considered normal in early-seventeenth century England. Vital for the understanding of prosecution of vagrants under the Book of Orders is the fact that the definition of a vagrant entirely dependend on the discretion of parish officers. The vast majority of people recorded in the accounts as "traveller" or "passengers" certainly did not have passports, or possessed forged papers, but were not subjected to the brutal punishment the law prescribed. Some parish officers established continuous or even professional watches, corrected vagrants without passports, and passed on travellers according to the Book. Others, however, employed watches only when convenient, or when vagrants became too numerous and bold. They offered travellers temporary hospitality, and, by warning or bribing them, merely ensured that foreigners did not settle in their parish. Usually only vagrants who overtly offended popular sentiment or abused hospitality made acquaintance with the Constable's whip. The migration laws were unrealistic insofar as they attempted to eradicate vagrancy and did not take into account that migration was a socio-economic fact. The regulations were undesirable for both concerned parties - parish officers and vagrants. Constables were compelled by the law to subject travellers to the laborious procedures of interview, punishment, issue of a passport, and conveyance to the next village, expecting that its Constable equally would pass them on. This procedure was too abstract, bureaucratic, and unrealistic, besides the fact that vagrants did not want to go back to a place that they had fled in the first place. The donations (or bribes) to travellers, on the other hand, satisfied both parties; rural parishes counted on the migrants' decency to move on, while the travellers were happy to have a couple of pennies which sustained them for a few more days. Consequently, parish officers were the only authorities who took into consideration the economic necessities even though they had to bend the law.

The Book of Orders was accepted by local governors and officers because it was in the interest of every community to prevent the settlement of unwanted paupers and the

offensive begging of vagrants. Yet, the awareness of the economic hardship, pity, and administrative lethargy prevented the successful elimination of migration and vagrancy. Moreover, the meshes of the administrative net were too wide to enforce continual punishment and settlement of those that were desperate, or adopted vagrancy as a life-style and begging as a lucrative profession. Thus, in the purist view of Westminster the enforcement of the Book of Orders failed. The quantitative and qualitative evidence suggests that the Book of Orders did not generate any kind of long-term or temporary changes in the perception and prosecution of vagrancy. Although the institutionalisation of supervision, through Petty Sessions and presentments by attending Constables, suggests that the parish officers' awareness of vagrancy had been sharpened during the 1630s, their work ethics had not undergone dramatic changes. Essentially, the uniform and perfect enforcement and hierarchical supervision failed, and local judgement still seemed to be at the heart of the process. JPs obviously failed to convey the threat they perceived to parish officers. The law was only applied, and migrants were classified and punished as vagrants, when communities felt threatened by their numbers or behaviour. Their pragmatism was best summed up by the Constable of Long Melford/Suffolk, who, in 1610, entered a sum into his account with the remark: "for the relef of diuers vagrantes, for whiping some, for cariing some to the iustice, and sending all out of the towne".[1]

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[1] SuffRO(B): FL 509/5/1/69.

3. SHIP MONEY

3.1. INTRODUCTION

3.1.1. ENGLISH FOREIGN POLICY AND THE GENESIS OF SHIP MONEY

In 1618, the events in Prague escalating into the Thirty Years' War had shattered the fragile stalemate between various antagonistic forces in Europe: Catholics and Protestants in Germany; Huguenots and the French crown; Habsburg and Bourbon; and Spain and the Netherlands. Except for a marginal interest in the recovery of the Kurpfalz (Palatinate) for Charles I's brother-in-law, England's role during the reign of James I had been that of a spectator and unsuccessful peace-negotiator. Personal motives, an attempt to provide a digression from controversial domestic issues, and popular opinion, induced Charles I and Buckingham to wage a two-front war against Spain and France in 1625. Lack of military tradition, experience, and organisation led to humiliating defeats and fruitless peace agreements in 1629 and 1630. During the Personal Rule, English foreign policy was determined by the absence of Parliament, rival pro-French and pro-Spanish factions in the Privy Council, and general indifference of European powers to England's involvement. Without parliamentary subsidies, however insufficient they might have been in the past, active conduct of foreign policy was impossible, and England was limited to merely continuing her diplomacy. Neither Wien, nor Paris or Stockholm shared Whitehall's concern about the Kurpfalz, an issue which was not settled until 1648. The erratic pattern of English foreign policy and the realisation of the combatants that the Personal Rule implied a self-imposed departure from international affairs, made England an unreliable ally.

Geographical position and a growing interest in international and colonial trade determined the increasingly maritime orientation of England. Spain's political and naval decline left England, besides the Netherlands, as the only considerable force in the North Sea and Atlantic. This position was challenged by expansionist French ambitions, and commercial rivalry with the newly independent Netherlands. Plans for an expansion of the English fleet were motivated by these recent threats, by dreams of grandeur after the embarrassing

performance during the 1620s, and by the idea of establishing an attractive bargaining-chip in international diplomacy. In 1632/3, Madrid eventually attempted to conclude a utilitarian secret alliance with England, mainly to bolster its own naval weakness. Yet, since Spain failed to give assurances regarding the Kurpfalz, and England did not want to loose her neutrality by openly joining Spain, this diplomatic initiative collapsed and was not resumed until 1638. However exaggerated subsequently propagated invasion-fears were, the French commitment against Spain, Franco-Dutch partition plans of the Spanish Netherlands, harassment of English merchant ships by Dunkirk privateers on the Channel, and raids by North African pirates on coastal villages, were real and required a response.

During the 1620s, optimistic plans proposed to increase the English fleet from twenty-six to one hundred ships, and to refurbish the dockyards of Chatham, Deptford, and Portsmouth. Denial of Tonnage and Poundage, and Charles I's struggle with Parliament prevented the realisation of the intended financing, shared by crown and Parliament. Although the Duke of Buckingham initiated some limited modernisation, corruption and administrative deficiencies frustrated England's naval rearmament. Despite the collapse of the Anglo-Spanish treaty which proposed the Spanish subsidisation of twenty ships, Whitehall was determined to establish a standing fleet, albeit of reduced size. In March 1634, a committee of the Privy Council was instituted to determine the costs of the project. After some deliberation, it agreed with the king to revive the medieval precedent of Ship Money, last successfully applied under Elizabeth I. Despite the Petition of Rights and the negative experience with the Forced Loan, but backed by the legal expertise of his advisers, Charles I based the funding of the new English fleet upon yet another financial scheme justified by his prerogative and an alleged state of emergency.[1]

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[1] On English foreign policies preceeding and during the Personal Rule, and the genesis of Ship Money, see: *Sharpe, Personal Rule 1992*, pp.3-9, 65-104, 509-36, 545-56; Alison Gill, "Ship Money during the Personal Rule of Charles I: Politics, Ideology and the Law 1634 to 1640" (Sheffield Univ. Ph.D. thesis 1990), pp.31-56. On the previous Caroline attempt at Ship Money: Robin Swales, "The Ship Money Levy of 1628", *Bulletin of the Institute of Historical Research*, L/122 (1977), pp.164-76. Studies on the navy: C.D. Penn, *The Navy under the Early Stuarts and its influence on English History* (Leighton/Buzzard/Manchester,1913), Chapter 9; Kenneth Andrews, *Ships, Money, and Politics; Seafaring and Naval Enterprise in the Reign of Charles I* (Cambridge, 1991); David Hebb, "The English

The project had several inherent problems, which the crown never managed convincingly to resolve. Firstly, England was not in imminent danger of war or even invasion, and the new fleet was merely preventive. Secondly, in the past, Ship Money had always affected coastal towns only, while in 1634, all coastal counties, and after 1635, the whole country contributed. Thirdly, despite confusing statements in the royal writs, the crown intended to use the money to build new ships, not the traditional leasing of ships. Consequently, nation-wide Ship Money could be regarded as unparliamentary taxation. Finally, Ship Money was not, as traditionally, a one-shot levy, but was raised annually after 1635, and promised to become a permanent national tax.

3.1.2. THE PROBLEMATIC NATURE OF SHIP MONEY

Ship Money was touted to the public as a rate or service. Unlike a tax, the contributors were not individual citizens, but counties and corporate towns, which had to pay fixed sums, determined by the Privy Council. The county-quotas were to be proportionally divided across hundreds and parishes by their local officers, after subtracting the quotas of the corporate towns. The assessment was to be completed within thirty days, and the Privy Council expected the levy to be collected within a few months. Stressing the immediate purpose of Ship Money, its recipient was not the Exchequer, but the Treasurer of the Navy.[1]

The distinctive character of Ship Money, in terms of its amount, the number of tax-payers, and the officers involved in assessment and collection, is evident. Ship Money created a considerable financial burden, particularly since it was levied annually. Although the local level of taxation varied, this rate equalled several annual subsidies. Its composite quota-character meant that not individual (and usually substantial) villagers contributed, as for subsidies, but the entire community. Like local taxes for poor relief or church repairs, all

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Government and the Problem of Piracy 1616-1642" (London Univ. Ph.D. thesis 1985), Chapter 10.

[1] See, for example, the Ship Money-writ of 1635: APC 2/45, pp.71-80; see also *Historical Collections*, II, 213-6, 257-64, 335-43; a good introduction to the systems of Subsidies, Tenths, and Fifteens in *Quintrell, Essex*, pp.307-17.

parishioners, except cottagers and recipients of poor relief, were assessed. Local studies have shown that Ship Money affected more of the population than any other national tax.[1] After considering several options, Whitehall had decided not to use commissions, traditionally involved in assessing and levying national taxes. Commissioners, as well as JPs, or Deputy Lieutenants, although competent and experienced in these matters, were considered to be preoccupied with their regular duties, and their local and political interests presented a risk for a relentless implementation of Ship Money. Using commissions also would imply that Ship Money was a tax and not a rate. Like local taxes, the Privy Council instead relied upon High Constables and parish officers, supervised by Sheriffs whose eroded power and position experienced an unexpected revival.[2]

The role of Ship Money in shaping public opinion about the Personal Rule as "Stuart Absolutism" or "Eleven Years' Tyranny" was significant. Except for the ecclesiastical issues, no other element of Charles I's policies aroused as much debate and controversy at the time, and recently amongst historians.[3] Ship Money-Sheriffs were indicted in the Long Parliament. Courageous aristocrats asked the king to abandon the rate. Hampden, a Buckinghamshire gentleman, made legal history by questioning the legality of Ship Money. Crown court judges no longer unanimously supported Charles I's "judicial absolutism". Most significantly, unlike in any other tax, the majority of tax-payers refused to pay, or paid only under immense

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[1] Notably on Essex, by William Hunt, *The Puritan Moment: The Coming of Revolution in an English County* (Cambridge, Mass., 1983), pp.3-21; basis of his research was the assessment list of *all* Essex contributors in SPD 16/358. See also: *Ship Money Returns for the County of Suffolk 1639-1640*, ed. Vincent Redstone (Suffolk Institute for Archaeology and Natural History, 1904).

[2] Regarding the choice of officers see: *Gill*, pp.48-51; A. Hassell Smith, "Militia Rates and Militia Statutes", eds. Peter Clark/Alan Smith/Nicholas Tyacke, *The English Commonwealth 1547-1640: Essays in Politics and Society presented to Joel Hurstfield* (Leicester, 1979), p.107; Elaine Marcotte, "Shrieval Administration of Ship Money in Cheshire, 1637: Limitations of Early Stuart Governance", *Bulletin of the John Rylands Library*, LVIII (1975), pp.165-9. The best study of the Sheriff still is: Cyrus Karraker, *The Seventeenth-Century Sheriff: A comparative Study of the Sheriff in England and the Chesapeake Colonies 1607-1689* (Chapel Hill, N.C., 1930). Two case studies: Philip Ralph, *Sir Humphrey Mildmay: Royalist Gentleman; Glimpses on the English Scene 1633-1652* (New Brunswick, 1947); *Life of Humphrey Chetham*, eds. Francis Raines/Charles Sutton (Chetham Society, 2nd series XLIX/1, 1903), I. Regarding the administration of the Forced Loan, see Richard Cust, *The Forced Loan and English Politics* (Oxford, 1987).

[3] The most popular contemporary critic was Prynne: William Prynne, *An Humble Remonstrance to His Maiesty, Against the Tax of Ship-money imposed, laying open the illegalitie, abuse, and inconvenience thereof* (London, 1641), written probably in 1634.

pressure. It was not difficult for Whig-historians to identify Ship Money as one of the main causes of the Civil War.

The success of Ship Money can be measured by comparing the expectation (the general assessment) with the actual payment (the degree of successful tax-evasion). Balances, however, only evaluate the financial success of a tax, but do not take into account the political cost under which payment was achieved. Political cost can be defined as the degree of acquiecense, or resistance, of payers to the tax.[1] This degree depends on the acceptance of the purpose of the tax, its financial burden, and the methods with which it is levied. Opposition to Ship Money was precipitated by its unconstitutional character, oppressive financial burden, and technical problems. Despite the lack of a platform to express opposition to central policies in the absence of Parliament, the unconstitutional character of Ship Money was on the minds of many Englishmen, certainly amongst the politically aware and active. The sheer quantum of the rate, its extension to all classes, and its annual levying, incited the disapproval of even the politically unaware. This was exacerbated by only gradual recovery from harvest failures, economic recession, and increasing local taxation for the enforcement of the Book of Orders and the upkeep of the militia. Technical questions eventually highlighted the fragmentation, backwardness, and inefficiency of English local government, and provided opportunities to use technical objections to disguise political attacks on Ship Money. The sums imposed by the Privy Council on counties frequently were considered unfair and unjustified. In an age obsessed with privilege and precedent, the struggle to involve as many payers as possible led to bitter diputes between counties and corporate towns, and between parishes. A myriad of varying local assessment-schemes confused Sheriffs, who, whatever they did, found objectors, claiming the legality of precedents. Incompetent or corrupt High Constables and parish officers grossly distorted the fairness of the levy by favouring some and hammering others. Rivalling factions in communities declared their

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[1] See also *Gill*, p.341.

assessments to be the true ones. The ruthless behaviour of bailiffs and personal servants of the Sheriffs collecting or distraining for Ship Money, whether true or alleged, added to the problem. Lastly, unwilling tax-payers capitalised on the insufficient communication between Sheriffs and the Privy Council, between succeeding Sheriffs, and between Sheriffs and their subordinates, who blamed each other for shortcomings and failures.

In political, financial, and administrative terms, Ship Money differed fundamentally from the Book of Orders. The Book addressed an economic and social crisis which was real and felt by everyone. The European crisis leading to Ship Money, was vague, abstract and distant. The Book of Orders promoted social discipline and immediately benefitted average citizens and local communities. Ship Money reflected an intrusive attitude of central government, and only maritime regions might have seen the economic and military value of a fleet. Sanctions executed by local officers under the Book of Orders only affected outsiders: engrossers, vagrants, and the selfish, refusing to take apprentices or to pay their poor rate. Ship Money itself was considered a penalty, and its victims were the respectable neighbours of parish officers. Most significantly, the Book of Orders was based on pre-existing parliamentary legislation, supposedly enforced for the past three decades. Ship Money was justified by dubious medieval precedents and a dangerous theory of the prerogative. The Book of Orders had no financial implications, except routine expenses for poor relief and apprenticing. Ship Money had significant and unprecedented financial effects. The Book of Orders was enforced by several JPs in charge of a comparatively small district for a lifetime. The sole coordinator of Ship Money was the Sheriff, who was in charge of a whole county, without local experience or judicial authority, and who served for merely one year. JPs under the Book of Orders were closely supervised by Sheriffs or the Judges of Assize - at least in theory. Ship-Money Sheriffs found their only assistance in the mighty, distant, impatient, and overworked Privy Council. JPs controlled their subordinates and received their information in monthly Petty Sessions. The contact between Sheriffs and local officers was random, depending heavily on the initiative of the individual Sheriff. JPs referred problematic cases

to Quarter Sessions or Assizes. Sheriffs usually had only the Council Board as an effective arbitration centre. Lastly, under the Book of Orders, the Privy Council was informed by quarterly certificates of the JPs, while the communication between Whitehall and the counties concerning Ship Money relied on requests of the Privy Council, or the willingness of Sheriffs to report.[1]

3.1.3. HISTORIOGRAPHY

Whig-historians perceived the source of Ship Money in the absolutist approach of some Privy Councillors, who, represented by Wentworth and Laud, intended to introduce permanent, unparliamentary general taxation. They stressed the subversive effect on the fundamental laws and rights of Englishmen, and the legal debates around Hampden's case.[2] Although subsequent historians were equally captivated by constitutional aspects, Ship Money did not seem to play any major role in the fierce debates during the 1940s and 1950s on the ideological, social and religious causes of the Civil War.[3] The discussion about the role of the gentry was largely untouched by Ship Money. To localist historians, who dominated the discussions of the 1970s, Ship Money was merely another factor illustrating the alienation between court and country.[4] Yet, county studies for the first time addressed the

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[1] Order to all Sheriffs to report fortnightly: APC 2/48, 468 (17 December 1637); a reminder: 2/50, 100 (17 February 1639).

[2] Notably, Samuel Gardiner, *History of England from the Accession of James I to the Outbreak of the Civil War 1603-1642* (London, 1884), VIII, 67, 80-5; George Trevelyan, *England under the Stuarts* (14th edn., London, 1928), pp.156-94; Thomas MacAulay, *The History of England from the Accession of James the Second* (edn. Charles Firth, London, 1913), I, 71-83.

[3] Nelson Bard, "The Ship Money Case and William Fiennes, Viscount Saye and Sele", *Bulletin of the Institute of Historical Research*, L/122 (1977), pp.177-84; Kenneth Fincham, "The Judges' Decision on Ship Money in February 1637: the Reaction of Kent", *Bulletin of the Institute of Historical Research*, LVII/136 (1984), pp.230-7; D.L. Keir, "The case of Ship-Money", *Law Quarterly Review*, LII/208 (1936), pp.546-74; L. Reeve, "Sir Robert Heath's Advice for Charles I in 1629", *Bulletin of the Institute of Historical Research*, LIX/140 (1986), pp.215-24; Conrad Russell, "The Ship Money Judgements of Bramston and Davenport", *English Historical Review*, LXXVII/303 (1962), pp.312-8. A transcript of Hampden's case is in: *A Complete Collection of State Trials*, ed. T.B. Howell (London, 1816), III, 826-1315.

[4] For example *Morrill, Revolt*, pp.24-8, stated the absence of constitutional opposition and the full payment of Ship Money, but stressed its "disruptive social effect".

administrative aspect of Ship Money.[1] Local Ship Money studies followed in the late 1970s and early 1980s, notably on Cheshire, Hampshire, and Herefordshire.[2] Analysing the chronological development of Ship Money in their counties, they emphasised the importance of the Sheriffs as coordinating officers, and the complicated and frustrating pattern of information and recrimination between Sheriffs and the Privy Council. By then, it was apparent that the extent and formation of opposition towards Ship Money was far more complex than Whig-historians had asserted. Yet, county studies varied in their assessment of the success of Ship Money, and the origin and dating of its collapse. While some historians have denied the existence of political opposition and claimed the successful administration of Ship Money, disintegrating only under the strains of Hampden's case and the Scots' Wars, others stressed the early strains on local government and the disguise of political opposition with technical arguments.[3] Only Barnes examined a variety of aspects, and revealed the pattern of resistance and gradual disintegration of Ship Money in Somerset.[4] A virtually

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[1] Eugene Andriette, *Devon and Exeter in the Civil War* (Newton Abbot, 1971), pp.33-6; *Barnes, Somerset*, Chapter 8; *Clark, Kent*, pp.358-61; John Cliffe, *The Yorkshire Gentry; From the Reformation to the Civil War* (London, 1965); Jill Dias, "Politics and Administration in Nottinghamshire and Derbyshire 1590-1640" (Oxford Univ. D.Phil. thesis 1973), pp.381-90,433-40; John Evans, *Seventeenth-Century Norwich; Politics, Religion, and Government, 1620-1690* (Oxford, 1979), pp.81-4; *Fletcher, Sussex*, pp.202-8; *Higgins, Cheshire 1973*, Chapter 5; *Holmes, Lincolnshire*, pp.130-6; *Hughes*, pp.104-15; *Hunt*, pp.268-73; Robert Ketton-Cremer, *Norfolk in the Civil War; A Portrait of a Society in Conflict* (London, 1969), Chapter 5; *Lee*, pp.30-3; *Morrill, Cheshire*, pp.28-30; *Quintrell, Essex*, Chapter 9; A. Thomson, "Hertfordshire Communities and Central-Local Relations c.1625-1665" (London Univ. Ph.D. thesis 1988), Chapter 4i; William Willcox, *Gloucestershire; A Study in Local Government 1590-1640* (New Haven, 1940), pp.120-32.

[2] C. Clifford, "Ship Money in Hampshire: Collection and Collapse", *Southern History*, IV (1982), pp.91-106; M. Faraday, "Shipmoney in Herefordshire", *Transactions of the Woolhope Naturalists' Field Club, Herefordshire*, XLI, pt.2 (1974), pp.210-29; Patricia Haskell, "Ship Money in Hampshire"; eds. John Webb/Nigel Yates/Sarah Peacock, *Hampshire Studies, presented to Dorothy Dymond*, (Portsmouth City Record Office, 1981), pp.73-106; Peter Lake, "The Collection of Ship Money in Cheshire during the Sixteen-thirties: a Case Study of Relations between Central and Local Government", *Northern History*, XVII (1981), pp.44-71; *Marcotte*, pp.137-72.

[3] Positive evaluation: *Clifford*, pp.92,96, 101; *Dias*, pp.438,440; *Evans*, p.83; *Fletcher, Sussex*, 205-8; *Haskell*, pp.92, 100-4; *Hunt*, p.273,278; negative evaluation: *Andriette*, p.34-5; Esther Cope, *Politics without Parliament 1629-1640* (London, 1987), pp.115, 118; *Gill*, 336-7; *Holmes, Lincolnshire*, pp.131-4; *Quintrell, Essex*, p.340. Peter Lake does find it difficult to prove political opposition, but refutes suggestions that Ship Money collapsed only due to the Scots' Wars: *Lake*, pp.68, 71. *Thomson*, pp.148, 154, stresses that opposition was effective before 1639, but then quotes the surprisingly low arrears prior to 1638. Derek Hirst, *Authority and Conflict; England 1603-1658* (London, 1986), pp.178-9, claims that political opposition was barely camouflaged with technical arguments, but emphasises the frustration of the members of the Providence Island Company who conceded Ship Money's success.

[4] *Barnes, Somerset*, pp.201-43, particularly pp.209-10.

unnoticed paper by Gordon from 1910 explained the supervisory role of the Privy Council, and delivered some statistics on the payment-performance of counties, which seem to support a positive evaluation of Ship Money.[1] Her findings were utilised by Kevin Sharpe, one of the first historians to concentrate on the Personal Rule, who has consistently argued the success of Charles I's unparliamentary government, and particularly of Ship Money. Denying the seriousness or singularity of the opposition to Ship Money, in his latest work he refers to it as "one of the most successful taxes, indeed governmental enterprises, in early modern history". Basing his argument on Gordon's figures he claims that ninety percent of each annual Ship Money levy was paid.[2] Parallel to Sharpe, Alison Gill produced a doctoral thesis on Ship Money, which represents the first nationwide study of this tax.[3] Using Ship Money as an example, Gill has illustrated the diverging notions of government by Whitehall and the political elites in England, and the rhetoric and ideology propagated by the crown on "new counsels" and the prerogative. Her thesis examines the genesis of Ship Money and its administration and enforcement by Privy Council and Sheriffs, and in the geographical and descriptive scope it is currently the most comprehensive analysis of Ship Money.

Yet, Gill has admitted that "it is quite difficult to know how the service was routinely managed", and her thesis failed to describe the geographic and chronological pattern of Ship Money.[4] Only few historians have recognised the importance of local officers in the assessment and collection of Ship Money, or studied their work and performance during this critical period. While Clark, Fletcher, Hunt, Quintrell, and Sharpe did not address this problem at all, others depended on locally limited source material and commented only in

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[1] M.D. Gordon, "The Collection of Ship-Money in the Reign of Charles I", *Transactions of the Royal Historical Society*, 3rd series IV (1910), pp.141-62. Gordon particularly dissolved the myth that Ship Money was used for the revenue of the crown.

[2] *Sharpe, Personal Rule 1992*, pp.545-95, 717-23; cf. p.585; see also *Sharpe, Personal Rule 1983*, pp.69-74.

[3] Alison Gill, "Ship Money during the Personal Rule of Charles I: Politics, Ideology and the Law 1634 to 1640" (Sheffield Univ. Ph.D. thesis 1990).

[4] *Gill*, p.290.

general terms.[1] Following Barnes' more critical line, Holmes and Lee blamed the insufficient machinery of local government for the breakdown of Ship Money.[2] Gill also has concentrated her study on the national aspect of this tax and the coordinative work of the Sheriffs, and did not examine the work and performance of parish officers, who solely were in charge of assessment and collection.[3] Kent examined the Constables of a number of parishes, but failed to recognise the impact Ship Money had on communities and the role parish officers had during its enforcement. Kent appears to down-play the burden and antagonism Ship Money caused for the lowest tier of government, and merely concedes that "by 1640 a number of them [Constables] defaulted in the payment of ship-money".[4]

Part 3. of my thesis, with chapters on the assessment, collection, and emerging frictions, will demonstrate that, like the Book of Orders, the administration of Ship Money entirely depended on the cooperation of local officers. Without the assistance of High Constables and particularly parish officers, not a single penny could be assessed, collected, and paid, and no refuser punished. Yet, the enforcement of the collection was determined by the willingness of communities to pay or resist. Ship Money, like no other project of the Personal Rule, illustrated the dilemma of conflicting loyalties which dominated the work of parish officers. Assessors and collectors constantly moved between the Scylla of growing reluctance of their neighbours to pay, for political or financial reasons, and the Charybdis of the Privy Council's and the Sheriffs' determination to achieve complete payment. The enforcement of Ship Money displayed the insufficiency of the traditional machinery of local government, unable to cope with the ambitious and controversial schemes of the Personal Rule. The administrative complexity, the question of loyalty and resistance, and the inability

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[1] Comments on local officers and Ship Money: *Faraday*, p.222, 225, 228; *Haskell*, p.81; *Lake*, pp.62, 64; *Marcotte*, pp.155-6; *Thomson*, pp.152-4; *Willcox*, pp.131-2.

[2] *Barnes, Somerset*, pp.228-31, 237-42; *Holmes, Lincolnshire*, pp.131, 134; *Lee*, pp.31-2.

[3] References to local officers in *Gill*, pp. 116, 144, 155, 214, 250, 280-7.

[4] *Kent*, pp.162-6, cf. p.174.

of superiors to monitor and coerce local officers, added to the burdens of the Book of Orders and the Perfect Militia, eventually resulting in the collapse of English local government.

3.1.4. SOURCE MATERIAL

As with the Book of Orders, most sources on Ship Money can be found in the "Acts of the Privy Council", representing the perspective of central government, and in the "State Papers Domestic", reflecting the views of county governors, local officers, and rate-payers. These are supplemented by the surviving personal archives of several Sheriffs.[1] Most of the "State Papers" were written by Sheriffs (or their deputies), arbiters acting in the name of the Privy Council, or distressed petitioners. Since my approach focuses exclusively on the activities and sentiments of hundredal and parish officers, sources are scarce. Obviously, many reports of High Constables, assessors, and collectors to the Sheriffs, and their petitions and apologies directed to the Privy Council, do exist.[2] While these may be insufficient for a comprehensive and reliable study, Sheriffs' statements provide valuable information about the performance of their subordinates. Clearly, one has to acknowledge their subjectivity and tendency to down-play own deficiencies and blame inferiors. Yet, blatant lies were relatively easily uncovered by the Privy Council or by enraged representations from High Constables and parish officers. Comparing Ship Money to the Book of Orders, Sheriffs' reports must be regarded as more reliable than certificates by divisional JPs. While the enforcement of the Book of Orders only can be measured in individual parishes, at which it aimed, the administration of Ship Money concerned an entire county and was orchestrated by the Sheriffs.

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[1] *The Ship-Money Papers of Henry Chester and Sir. Will. Boteler, 1637-1639*, eds. F. Emmison/M. Emmison (Bedfordshire Historical Record Society, XVIII, 1936), pp.43-88; DerbysRO: Gell Papers, D 258/28, 31, 56 (Sir John Gell, Sheriff of Derbyshire 1634/5); BL: Harley MSS 454, Diary of Sir Humphrey Mildmay, 1633-1651 (Sheriff in Essex, 1635/6); CUL: Buxton MSS, Box 96 (John Buxton esq. replacing the deceased Sheriff Sir Francis Astley in May 1638); JRL: English MSS 1091, "The booke of all the proceedings of all busines this yeare, 1637, by Thomas Cholmondeley, Esquier, Highe Sheriffe of the Countie of Chester, who tooke his oathe the xiiith day of October 1637". Richard Buller's notes (Sheriff in Cornwall, 1636/7) unfortunately, are fragmentary and irrelevant: CornwRO: DD BU 394.

[2] See Appendix, Table 6.1.9..

Whether the poor were relieved and vagrants punished, ultimately was decided by and was known to parish officers only. Information about the payment of Ship Money, about administrative problems and opposition, however, was easily, and usually accurately, available to the Sheriffs. Parish officers' accounts supply additional information about the impact of Ship Money in local communities.

Like the execution of the Book of Orders, payment of Ship Money was determined by local attitudes and administrative structures, which varied considerably. Neither the raw figures, as produced by Gordon and Sharpe, nor county studies provide sufficient insight into the nationwide and regional implementation of Ship Money. Outlining the performance of parish officers during assessment and collection, I will describe individual responses to Ship Money and the collection pattern in each county, which, in their combination, will provide a more precise picture of its enforcement and the opposition it met.

3.2. ASSESSMENT DISPUTES BETWEEN ADMINISTRATIVE DISTRICTS

3.2.1. INTRODUCTION

Assessment is the first and most crucial stage of the taxation process. To be effective, its methods must be accepted by the tax-payers, and assessors must be perceived as competent, fair, and equitable. In theory, Ship Money assessment was logical, simple, and tied to a hierarchical process. The Privy Council set a quota for each county and corporate town, and within thirty days (after 1636 forty days) the Sheriffs met with agents of the corporate towns and all High Constables to confirm or alter the borough rates, and establish the proportion for each hundred. Town magistrates and High Constables then summoned representatives of each parish to further divide the rate within boroughs and hundreds. Subsequently, they nominated assessors who established each parishioner's contribution. The assessment lists were confirmed by the Sheriff who appointed collectors for each hundred and parish.

This procedure provoked controversies, since counties, boroughs, hundreds, parishes, and individuals tried to ease their share. The scope of this thesis prevents me from discussing the variety of assessment methods, or the financial burden of Ship Money on the individual payer. The following two chapters will highlight the causes and types of disputes, and the role they played in concealing political opposition. I will emphasise the administrative frictions they generated and the involvement of parish officers as tax-payers, assessors, and spokesmen of their communities.

Assessment disputes fall into three categories. First were jurisdictional disagreements with parishes, hundreds, and counties disputing both their geographic boundaries and the proportion of their rates, which will be examined in this chapter. These disputes were exacerbated by outdated Books of Rates, and arbitrary attempts by Sheriffs to update them. Unless local officers happened to be the spokesmen, they played no active role in these disputes and waited for the final outcome, leaving the argument to prominent representatives or mass-petitions. The collection of Ship Money usually ceased during arbitration. The

second type, outlined in Chapter 3.3.2.and 3.3.3,were disputes over erroneous, unreasonable, or unfair assessments, caused by incompetent or overzealous local officers who indiscriminately taxed everyone and everything, and used their arbitrary discretion to assess individual financial capacities. This was aggravated by parishes refusing to assist their officers in setting an equitable and acceptable assessment. Despite their disruptive consequences, local officers usually could not be accused of deliberately provoking disputes. The third type of assessment disputes was based on corruption, when local officers underassessed themselves, friends, or superiors, or maliciously overassessed their enemies and impotent parishioners, which will be described in Chapter 3.3.4..[1]

The source material provides abundant references to assessment disputes which can be attributed to one or more of the three categories. Yet, our interpretation of sources is based on the bias of their authors. References to arbiters were already interpreted by the Privy Council, and Sheriffs' reports all too frequently blamed incompetent subordinates and refractory taxpayers for deficient collections. Conversely, petitions by wronged parishioners or affidavits by irritated officers disregarded the other side, and often the final decision is missing. Were local officers, whose assessment caused uproar in a parish, driven by malice, or did they merely encounter the determination of a community to undermine Ship Money? Did assessors favour their friends, or were these people overcharged and deserving of mitigation? Were assessors zealous and petty by assessing poverty-stricken tenants, or were they attempting to sabotage the tax? Were assessment disputes in parishes merely the continuation of feuds by other means? Unless we take the documents at face-value, the intention behind letters and the description of "facts" is at best concealed, at worst disguised. Were assessment disputes really assessment disputes? Was it about borders, outdated Books of Rates, vindictive Sheriffs, parish politics, or obsession with financial precedents? Rather, did these arguments conceal general disapproval of Ship Money, motivated by a reluctance

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[1] Regarding assessment disputes see also *Gill*, pp.193-9, 265-9.

to part with money, and/or political arguments?[1] Identification of motives is difficult, and by quoting specific cases, I can only draw conclusions based on circumstantial evidence, possibly doing injustice to one of the involved parties.

3.2.2. JURISDICTIONAL DISPUTES BETWEEN COUNTIES AND CORPORATE TOWNS

The simplest type of assessment disputes were disagreements about boundaries between parishes, hundreds, and counties, and between corporate towns and the county. With the help of arbiters they could be settled. Since usually only single estates or parishes were disputed, a ruling did not have grave financial consequences for the defeated party. Unlike quarrels about the proportional distribution of the assessment, jurisdictional disputes did not leave bitter feelings and there were no real losers. Yet, those claiming additional territory were interested in incorporating as many tax-payers as possible, while their adversaries either preferred the financial advantages of belonging to another jurisdiction, or were concerned about establishing a potentially disadvantageous precedent.

Most border disputes were fought between parish officers, High Constables and Sheriffs on the one side, and the magistrates of boroughs on the other side, and Ship Money provided the opportunity to revive traditional rivalries between towns and the country-side.[2] Although most claims were staked with the first writs, in 1634/5 or 1635/6, conflicts emerged throughout the entire period of Ship Money. In 1635, Ipswich and Newcastle demanded Ship Money from parishes which claimed to be chargeable for Suffolk and county Durham only.[3] In 1635, Maidstone tried to extend its jurisdiction into neighbouring parishes, which was denied by the Privy Council.[4] Three years later, Kent was disturbed by two arguments

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[1] e.g. the anonymous "Consideracons touching the shipp moneyes", BL: Harley MSS 3796, f.71; see also *Gill*, p.204; *Hirst, Authority*, p.178.

[2] See the case of Chester: *Lake*, pp.45-55; *Marcotte*, pp.150-2; see also *Higgins, Cheshire 1973*, pp.187-90.

[3] SPD 16/306-79; 535-157.

[4] APC 2/44, 347-8; SPD 16/299-56, 299-56-I; APC 2/45, 156-7.

between Hastings and New Romney and their neighbouring parishes of Beaksborne and Broomhill. While the Privy Council ordered Hastings to reimburse Ship Money formerly paid by Beaksborne, Broomhill was attached to New Romney. The parishioners of Broomhill, however, insisted on their affiliation with the county, and joined by Hythe, they moved the lords to refer judgement to the Lord Warden of the Cinque Ports. In December 1638, the matter was still unsettled.[1] In October 1637, the borough of Higham Ferrers in Northamptonshire clashed with the High Constables over two hamlets. The intervention of the Privy Council, who referred the dispute to the Sheriff, frustrated the High Constables' intent to establish a precedent by quickly distraining the parishioners' goods.[2]

Claims were not always unsubstantiated or designed to sabotage Ship Money. In 1637, Sheriff William Walter of Oxfordshire mediated between the county and the corporate towns of Chipping Norton and Burford. After some inquiries, he established that the disputed parishes paid some rates with the hundred, and others with the boroughs, which complicated matters considerably.[3] In 1635, the city of York assessed adjacent parishes which argued that they were within the jurisdiction of their wapentake. Corresponding orders of the Lord Lieutenant and the Lord President of the Council of the North were ignored by the city magistrates because, as Sheriff Wentworth discovered, these parishes paid some municipal rates to York.[4] To cities hosting bishops and their chapters, it was unintelligible that cathedral closes had the status of liberties, and were nominally part of the county. Clashes between the chapters and Mayors of Canterbury, Winchester, Chichester, and Lichfield ended in draws, confirmed the chapters' status as part of the county, and denied the cities the

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[1] APC 2/48, 394; 2/48, 469-70; 2/48, 603; 2/49, 106; 2/49, 581.

[2] APC 2/48, 313-4.

[3] Eventually, the case had to be referred to the Attorney and Solicitor Generals: APC 2/47, 221; SPD 16/349-92, 352-10; APC 2/47, 313-4; 2/47, 347; SPD 16/356-59, 361-25; APC 2/48, 149-50.

[4] The Lord Chief Justice and Attorney General examined the case, could not make up their minds, and referred the decision back to the lords, who ruled for the city: SPD 16/306-68, 306-68-I, 312-81; APC 2/45, 400-1; SPD 16/313-35; APC 2/45, 433-4.

clergy's proportion.[1]

3.2.3. JURISDICTIONAL DISPUTES WITHIN COUNTIES

Jurisdictional disputes between landed communities were comparatively rare and usually involved two counties. In late-1635, the Sheriffs of Essex and Suffolk amiably agreed to add £ 50 to the county that received Ship Money of the Earl of Rivers.[2] In December 1636, Matthew Nicholas asked his brother, the Secretary to the Admiralty, about the assessment of his glebe by both Hampshire and Wiltshire. He had met both claims, but required a future settlement.[3] In March 1636, the Privy Council answered the petition of the Bishop of Ely, assessed by London and Middlesex for his house in Holbourn, and found that, despite the Bishop's payment to London the previous year, the property was within the jurisdiction of Middlesex.[4] In February 1636, Thomas Dacres kt. protested that his meadow in the parish of Cheshunt/Hertfordshire had been assessed by neighbouring Waltham Abbey/Essex.[5]

Despite their apparent pettiness, arbitration of jurisdictional disputes was often time-consuming. In December 1635, the merchant Randolph Crewe complained that his manor house was assessed by both the Sheriffs of Kent and Surrey. The Privy Council referred the case to the Judges of Assize, who took almost two years to rule for Surrey.[6] In February 1637, the Sheriff of Shropshire was told to forbear the assessment of Sheriffhales with Bradford hundred, since a petition credibly argued that the parish was part of Cuttlestone hundred in Staffordshire. Four months later, the parishioners accused the Sheriff of ignoring the order and threatening to arrest them whenever they crossed the border. The Privy Council

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[1] Canterbury: APC 2/44, 348; Winchester: 2/47, 380; 2/47, 432-3; Chichester: 2/45, 335-6; 2/45, 372-3; 2/45, 427; 2/46, 275-6; Lichfield: SPD 16/300-68, 306-69, 371-78; APC 2/48, 383.

[2] SPD 16/302-12, 306-64, 306-65.

[3] SPD 16/338-52.

[4] APC 2/46, 34.

[5] APC 2/45, 458.

[6] APC 2/45, 318-9; 2/48, 125-6.

asked the Judges of Assize to arbitrate, but had to repeat the order in December because the "lions under the throne" either had not succeeded or forgotten to settle the dispute.[1] Stubborn appeals often paid off, even when the dispute seemed to be lost. For more than three years the inhabitants of St. Martin-le-Grand fought to be assessed by Westminster and not London, but in September 1637, the Lord Mayor succeeded and the Privy Council overruled its previous decision in favour of Westminster.[2] Berkshire's recalcitrance in claiming a vicarage, despite three orders by the lords to yield to Wiltshire, eventually was rewarded by a settlement splitting the vicar's assessment.[3]

Parish and hundred boundaries were more stable, and disputes between landed communities primarily were caused by distortions within the county-quota, which impoverished communities tried to compensate by claiming neighbouring precincts. In February 1638, parishioners of Dunton/Buckinghamshire requested relief since they were assessed both by Desborough hundred and Aylesbury hundred.[4] In December 1639, Arthur Squibbe of Henley Park in Surrey was amazed to find that not only his parish of Ash, but also Worplesdon alleged ownership rights in his park.[5] In 1637, the Lincolnshire Sheriffs Hussey and Irby were puzzled by the effect of fen drainage-projects on Ship Money. While several parishes demanded the entrepreneurs' contribution, or, alternatively, sought absolution from financial responsibilities for the enclosed commons, the entrepreneurs claimed that their projects were costly and had not yet yielded any profit. In the lengthy correspondence, Sheriff Irby won the upper hand, and convinced the Privy Council to revert to an earlier decision exempting the fens altogether.[6]

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[1] The outcome is unknown: APC 2/47, 147-8; SPD 16/362-72; APC 2/48, 56; 2/48, 450.

[2] APC 2/44, 313; SPD 16/306-75; 341-54; APC 2/48, 201.

[3] APC 2/47, 149; 2/48, 617; 2/49, 560; 2/50, 88-9.

[4] APC 2/48, 599-600.

[5] APC 2/51, 107-8.

[6] SPD 16/345-42; APC 2/47, 130-1; SPD 16/355-25; APC 2/47, 397; SPD 16/371-54; APC 2/48, 362; APC 2/48, 466; SPD 16/376-122, 378-1; APC 2/48, 547.

Two particular cases will exemplify the difficulty in verifying the legitimacy of territorial complaints, and the facility in misusing vague boundary demarcations and poor communication between counties and the Privy Council to camouflage resistance to Ship Money. In the first instance, in September 1637, Edward Bishop, Bailiff of Wenlock, denounced Morton Briggs esq. for not paying Ship Money. Under threat to be bound over to the Privy Council, Briggs justified his conduct and claimed that the town had attempted to over-extend its boundaries. Although the final decision is unknown, the tone of the petition, and Briggs' behaviour during the assessment and collection suggest that he simply did not want to pay.[1] The most vicious battles between corporate towns and hundreds were fought in Somerset. Taunton, Bath, Wells, and Bridgewater, all experienced fierce arguments with their neighbours. This is best demonstrated by a well-documented argument between the borough of Ilchester and Tintinhull hundred over the parish of Northover. In June 1636, under the guidance of Sir Robert Phelips, the inhabitants of Northover petitioned against incorporation by Ilchester, resulting in a rate approximately one quarter higher than that payable to the hundred.[2] Despite several rulings by arbiters, Ilchester did not yield and enforced payment.[3] In March 1637, however, Edward Phelips, son of Sir Robert, got into a dispute with the High Constables of Tintinhull regarding Soke Dennis, which he claimed was a liberty and not part of the hundred.[4] This resulted in protests of fellow-JP Sir John Stawell who was supported by the Sheriff, and assumed that in fact Sir Robert was pulling the strings.[5] Edward Phelips was untouchable since he had offered payment, though not with the hundred, and Stawell received a humiliating censure from the Privy Council.[6] According to

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[1] In January, the Privy Council ordered to impound his goods or to bind him over which he both denied: SPD 16/368-67; APC 2/48, 525-6; SPD 16/381-1, 386-86.

[2] SPD 16/327-66.

[3] APC 2/46, 291; SPD 16/327-106-I; 327-106-II; 333-1.

[4] APC 2/47, 256; 2/47, 279; SPD 16/354-69-I.

[5] SPD 16/356-8.

[6] APC 2/47, 430-1.

several reports by Sheriff Bassett, by spring 1638 neither Tintinhull, nor Edward Phelips had paid their rate for 1636, nor had Ilchester paid that for 1637.[1] There is no evidence as to who in this complex triangle (Phelips - High Constable - borough) was to blame for the delays in resolving the problem. Yet, since the Phelips' were no ardent supporters of the king's policies, it was obvious that they attempted to sabotage Ship Money by all available legal means.[2]

Boundary contests between administrative units comprised the minority of assessment disputes. They not only highlighted longstanding quarrels between towns and country gentry, but also the fact, that the Privy Council's quotas often overcharged boroughs in comparison to landed communities. Frequently, border disputes merely stressed disagreements about the proportional distribution of Ship Money across counties or hundreds. Although the financial impact on Ship Money by withholding payment until a settlement was achieved, was negligible, the domino-effect should not be underestimated, since jurisdictional disputes bore the danger of spreading, and tested the authority of Sheriffs and the Privy Council. In June 1637, Sheriff Walter of Oxfordshire was so desperate to obtain the decision of the Attorney and Solicitor Generals regarding Burford and Chipping Norton, for which he had been waiting for two months, that he sent a messenger to remind the two legal authorities of his problem. In two letters to Nicholas he noted that the parties were retaining Ship Money pending a decision, and that neighbouring districts had ceased payment, eagerly awaiting a ruling which possibly could affect their own affairs.[3] Local officers as chief representatives of their communities were likely to play an active role in jurisdictional disputes. Even if they were inactive and most willing to collect Ship Money, they were hostages of their constituents and

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[1] Ilchester meanwhile had become part of the hundred and was no longer a corporate town: SPD 16/361-19; 367-103, 103-I, 103-II; APC 2/48, 338; 2/49, 271; 2/49, 283.

[2] See also *Barnes, Somerset*, pp.214-9. At the Somerset Lent Assize of 1639, Tintinhull, once again stirred up by Phelips, quarrelled, this time with West Coker over Hestcombe: *Western Circuit Assize Orders 1629-1648*, ed. James Cockburn (Camden 4th series XVII, 1976), p.169.

[3] SPD 16/356-59, 361-25; APC 2/48, 149-50.

unable to conclude the assessment which was unpopular but prerequisite for a successful collection.

3.2.4. DISPUTES OVER THE PROPORTIONAL DISTRIBUTION OF SHIP MONEY

In November 1635, Sheriff Trenchard of Dorset reported to the Privy Council that his county regarded the demanded sum as excessive and, consequently, was determined to find an equal assessment of the divisions. He had spent much time hearing complaints, but his inability to travel had left many disputes unresolved.[1] William Bassett, Sheriff of Somerset, swore the same month that there was:

> "noe man living that can make any rate upon almost any hundred [...] for I have had at one time the inhabitants of 3 sevall hundreds wth me [...]ev[er]y hundred desiring to be assessed after that rate wch will most ease them".[2]

In May 1636, Sheriff Sir Greville Verney of Warwickshire bemoaned the attempt of rich parishes to lay the burden upon poorer ones and "insist upon former usage against all equity", despite his pleas to tax land and personal estates more equitably.[3]

Many county governors and borough magistrates were dismayed by the quotas set by the Privy Council. In September 1635, the notables of Cardiganshire claimed to be overassessed in comparison with Carmarthenshire and Pembrokeshire. Flintshire several times petitioned for a more equal rate compared to Denbighshire and Montgomeryshire.[4] After their traumatic experience with the 1634-writ, Northumberland pleaded poverty and asked for instalments in late-1635.[5] Numerous appeals of corporate towns, and their involvement in jurisdictional disputes suggest that the Privy Council had overestimated their financial

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[1] SPD 16/302-77.

[2] SPD 16/347-23.

[3] SPD 16/321-76; also Huntingdonshire, in February 1637: 346-115.

[4] Cardiganshire: SPD 16/298-32; APC 2/45, 162; Flintshire (from 1635 to 1637): SPD 16/300-9; APC 2/45, 238-9; 2/46, 460; SPD 16/341-73, 346-24; APC 2/47, 149-50; SPD 16/347-57, 376-155.

[5] APC 2/45, 237-8; SPD 16/303-53; APC 2/45, 276.

capacities. Reading and Newbury successfully argued discounts in 1636 and 1637.[1] In Devon, first Plymouth, then Barnstaple, and later Totnes requested a reduction of their rates.[2] Petitions came from boroughs all over the country, such as Southampton, Winchester, Taunton, Ipswich, Bewdley, and Shrewsbury, to name but a few.[3] Sheriffs could mitigate the share of corporate towns and often needed to be encouraged to be more flexible and to alter the Privy Council's quotas which the writs expressly permitted.[4] This usually met with county-resistance and required more negotiations between Sheriffs, boroughs and hundreds, particularly when successful petitions encouraged other towns to state their cases. As soon as Coventry, for example, had been relieved by the Privy Council, Birmingham, Warwick, and Stratford petitioned, to the fury of Sheriff Greville Verney who, in March 1636, expressed his disbelief about the lords' short-sighted policy of appeasing the towns.[5]

One of the main causes of disputes were the Books of Rates of the late-sixteenth century, which no longer reflected the economic capacity of hundreds or parishes. In May 1637, Sheriff Price of Montgomeryshire remarked that the assessment could not be equal, since the rates had been established thirty years ago, and many parishes had since decayed or improved.[6] The same month, Sheriff Widdrington of Northumberland stated that the Book of Rates had never been perfected, and the Union with Scotland had increased the value of

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[1] Argued by *Gill*, p.120; APC 2/46, 439; 2/49, 64.

[2] Plymouth: SPD 16/305-64; Barnstaple: 306-57, 306-58, 309-59, 338-8, 376-138; Totnes: 341-35, 341-36; APC 2/51, 158-9.

[3] Southampton: SPD 16/283-91; APC 2/44, 419-20; SPD 16/285-78; Winchester: APC 2/46, 430; 2/49, 70-1; Taunton: SPD 16/302-129; APC 2/46, 460; SPD 16/344-42; APC 2/47, 188; SPD 16/350-4; APC 2/47, 274; SPD 16/351-60, 351-61, 351-62, 354-164; Ipswich: 306-79; APC 2/44, 333-4; 2/45, 132; SPD 16/300-59; APC 2/45, 199; Bewdley: APC 2/47, 48-9; SPD 16/354-164; Shrewsbury: SPD 16/302-130; APC 2/45, 233-4; 2/46, 446; 2/47, 158; 2/48, 599; 2/50, 66.

[4] e.g. Lancashire: SPD 16/363-53; Lincolnshire: APC 2/47, 14 (the boroughs of Kesteven and Boston); Nottinghamshire: APC 2/47, 157 (Newark); Somerset: APC 2/47, 148 (Bath); Warwickshire: APC 2/49, 141-2 (Stratford).

[5] Coventry: APC 2/45, 108-9; SPD 16/298-68; APC 2/45, 140; SPD 16/300-7; APC 2/45, 200; SPD 16/302-128; Birmingham: APC 2/45, 446; SPD 16/315-68; APC 2/48, 393; Warwick: APC 2/47, 51; SPD 16/341-42, 354-164; APC 2/48, 541-2; Stratford: APC 2/49, 141-2.

[6] SPD 16/355-69.

formerly worthless land, but landlords refused to accept a higher evaluation and overburdened their tenants.[1] Most proportion disputes, however, were based upon the inability of hundreds and parishes to agree on one of the alternate local rates. Their financial advantages varied, and fairness and tradition often mutually excluded each other.[2] Decisions by majority rather than consensus, or the Sheriffs' attempts to impose one of the alternatives (which, additionally, could vary from Sheriff to Sheriff) provoked strong local reactions. In 1635, the Isle of Ely claimed to be but a hundred of Cambridgeshire, while the county considered it a division, consisting of three hundreds. The proportion varied between one fifteenth and one third, dependent on the interpretation.[3] In February 1637, the hundreds of Norton Ferris and Bruton/Somerset complained that their neighbours, Horethorne and Catsash hundreds, insisted on paying a quarter each, while, according to traditional rates, Norton Ferris and Bruton would pay only one third together. With a total of £ 1280 for the division, the difference was 213-6-8, i.e. 426-13-4, instead of £ 640.[4] In January 1637, the parish of Sunninghill/Berkshire referred to a decision of the Commission of the Peace from 1627, fixing their value at one tenth or one twelfth of the hundred and nullifying their ancient proportion of one sixth. Privy Council and Judges of Assize, however, confirmed the traditional rate, which led to a revival of the dispute a year later.[5] The quarrel over Coventry's assessment in Warwickshire originated from Sheriff Greville's assumption that the city paid one eighth in the subsidies, while Coventry intended to pay only one fifteenth, according to the military rate which

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[1] SPD 16/357-27.

[2] For example, the genuine surprise of Sheriff Ralph Hughes of Flintshire in February 1639, about two different "mizes" which could be taken as basis of an assessment: SPD 16/446-36.

[3] SPD 16/297-33; APC 2/45, 108; 2/45, 114; SPD 16/311-25.

[4] SPD 16/348-47; also complaints by Chewton hundred: 365-2. In Somerset, the Hinton rate regulated the proportional distribution of soldiers per hundred, from which financial proportions could be extrapolated; see Thomas Barnes, "The Hinton Rate", *Notes and Queries for Somerset and Dorset*, XXVII (1961), pp.210-3. A similar case in Buckinghamshire: Stoke hundred (November 1636): APC 2/46, 462.

[5] The final outcome is unknown: SPD 16/343-30; APC 2/47, 111-2; SPD 16/363-94, 369-56; APC 2/48, 344; SPD 16/376-114; APC 2/48, 558; SPD 16/387-24; APC 2/49, 82. Other cases: Cholesbury, part of Drayton Beauchamp/ Buckinghamshire (May 1637): APC 2/47, 454-5; the hamlets of Oldland and West Hannam, part of the parish of Bitton/Gloucestershire (January 1637): APC 2/47, 526; Telscombe/Sussex (December 1637): APC 2/48, 486.

traditionally was used in local taxation.[1]

Proportion disputes were frequently triggered by Sheriffs' decisions to alter their predecessors' assessment. In January 1638, several Shropshire JPs accused Sheriff Paul Harris of violating traditional taxation in the county.[2] In April 1637, confusion emerged in Dacorum hundred/Hertfordshire, since the High Constables proceeded according to past years' assessment, while the Sheriff, listening to the advice of a JP allegedly familiar with the business, applied an alternative rate.[3] The Sheriffs Lucas in Essex, Corbett in Shropshire, Irby in Lincolnshire, and Thornhaugh in Nottinghamshire, defended their alterations by arguing the unfairness of previous assessments.[4] Some Sheriffs went so far as to ignore Privy Council orders, or, when censured, in revenge vexed petitioners even more. In April 1636, Sheriff Mildmay of Essex was rebuked by the lords not only for diverging from his predecessor's assessment, but also for recalling his warrants and trying to hush the matter.[5] From November 1636 to July 1637, Sheriff Temple of Buckinghamshire refused to follow the Privy Council's orders to relieve the three Chiltern hundreds, despite his earlier promises.[6] The Isle of Ely/Cambridgeshire and Gore hundred/Middlesex not only met with unsympathetic Sheriffs, but were rewarded for their resistance by a massive increase in their assessment.[7] It is not surprising that such shifts in policy aroused suspicion of Sheriffs favouring their own divisions. Sheriff Doiley of Oxfordshire was openly accused of sabotaging Ship Money by

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[1] SPD 16/298-68, 305-33.

[2] SPD 16/380-5.

[3] SPD 16/352-8; APC 2/47, 322; SPD 16/354-154; APC 2/47, 421.

[4] Lucas (April 1637), upon complaint by the Earl of Warwick: APC 2/47, 78; 2/47, 330; Irby (February 1638), upon complaint by Kesteven: SPD 16/382-47; Corbett (November 1636): SPD 16/336-13; Thornhaugh (January 1638), upon complaint by the North division: SPD 16/374-1; APC 2/48, 487-8; SPD 16/378-78; APC 2/48, 528-9.

[5] According to a petition by Chingford: APC 2/45, 488-9; 2/46, 75; SPD 16/319-94.

[6] APC 2/46, 462; 2/47, 298; 2/47, 354; 2/47, 433-4; 2/48, 146; 2/48, 157-8.

[7] Ely (dated [1639?]), with approval of the JPs: SPD 16/438-101; Gore (February 1637): 346-63; the sum, allegedly, was doubled!

imposing distorted rates.[1] Other Sheriffs were less assured and almost intimidated. Thomas Wise, Sheriff of Devon in 1637/8, in his confusion applied varying schemes even within hundreds, and Twysden's diary derisively remarked on Sheriff Sandys' approach of trying to please everyone in Kent in 1636/7.[2]

The dissemination pattern of assessment disputes varied. When a few dominant divisions disagreed over the proportional distribution, paralysis already occurred during the apportionment of the county rate. In Cardiganshire, this happened between Issayndre and Uchayndre, in Northamptonshire between the East and West divisions, and in Lincolnshire between Kesteven, Lindsey and Holland.[3] In Northamptonshire, the settlement was unsuccessful, and in February 1637, the hundreds of Guilsborough and Rothwell continued the struggle of their divisions single-handedly for almost a whole year.[4] In 1637, in Somerset, disputes spread either simultaneously, or according to the domino-pattern. In February, the hundreds of Bruton, Norton Ferris, Horethorne, and Catsash started their suit, followed by the hundreds of Portbury and Bedminster.[5] In March, the hundreds of Tintinhull and Taunton Dean joined.[6] In April, Bridgewater and North Petherton disagreed about their borders.[7] In

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[1] Sheriff Doiley: APC 2/50, 396-7 (by Pirton hundred, in May 1639). Other Sheriffs, e.g.: Cardiganshire (1640): APC 2/46, 20-21; Northamptonshire (1635/6): SPD 16/306-63, 312-37; Somerset (1635): 535-69 (letter by Sir Robert Phelips!); (1637): 351-3 (letter by William Strode gent.).

[2] SPD 16/391-12; KAO(M): Twysden MSS, U 47/47 O1, p.134/194. One of the few parish officers' accounts illustrating an assessment dispute is the Constables' account of Burton Latimer/Northamptonshire from 1637; one of the entries reads: "Laid out at North[amp]ton in Attending y^{e} highe Shreiffe Sr Robte Banistre for regulating every towne proporco of the Shipmonie by reason the highe constables and manie pettie Constables would not assent thereto at Woodford meeting": NorthantsRO: 55p/504, f.51.

[3] Cardiganshire (Summer 1637 to Summer 1638): APC 2/48, 11-12; SPD 16/370-84; APC 2/48, 449-50; 2/48, 548; SPD 16/381-70; APC 2/49, 278; 2/49, 324. Northamptonshire (October to November 1635): SPD 16/300-23, 300-39, 535-110; APC 2/45, 181-2; SPD 16/301-98, 302-5; APC 2/45, 244; SPD 16/304-5, 304-5-I, 306-60, 341-30; also HMC Buccleuch III, 375-6. Lincolnshire: SPD 16/335-32, 380-58; APC 2/48, 559-60; SPD 16/380-60, 382-47, 382-48, 385-75; APC 2/49, 241. Although Lincolnshire disputes started as early as 1635, with the complaints of most corporate towns, the divisional quarrel did not commence until Sir Anthony Irby became Sheriff in 1637; regarding the complex history of Lincolnshire disputes see *Holmes, Lincolnshire*, pp.132-6.

[4] Cleyley had the first go, in January 1636: SPD 16/312-37; APC 2/45, 386. Rothwell and Guilsborough: APC 2/47, 182; 2/47, 192-3; SPD 16/350-37, 351-63; APC 2/47, 355-8; SPD 16/356-7, 362-102, 364-76, 364-77; APC 2/48, 158; SPD 16/370-83, 376-111. As early as 1635, Guilsborough hundred had accused Sheriff Dryden of partiality (SPD 16/306-63).

[5] SPD 16/348-47; APC 2/47, 189; 2/47, 436; 2/47, 187-8.

[6] Tintinhull: APC 2/47, 256; Taunton Dean: APC 2/47, 274; SPD 16/351-60, 351-61.

May, Whitestone hundred questioned their quota, and a few days later, Frome hundred.[1] In August, arbiters decided the petitions of the hundreds of Mellow, Chewton, and Milverton which equally had been made in May.[2] The vertical disintegration of consensus occurred in Middlesex. In September 1635, Ossulton hundred benefitted from a reduction of the county rate by £ 500. Gore and Elthorne, the two disadvantaged hundreds, subsequently pursued a dispute over which deserved further reduction. In early 1636, Gore succeeded at Elthorne's expense, but Elthorne managed to convince the next Sheriff.[3]

While most of the quoted examples confirm the financial implication of assessment disputes, many Sheriffs expressed uncertainty as to whether this was the true driving force behind petitions for arbitration. In May 1638, Sheriff Curzon of Derbyshire was surprised by complaints about unequal rates, since he had proceeded exactly as his predecessors, and had not encountered objections at the time of the assessment.[4] In February 1638, Sheriff Irby of Lincolnshire expressed his irritation about proportion disputes. He was particularly annoyed that during eight meetings with representatives of the wapentakes no complaints had been forwarded, but only when the collection commenced.[5] In November 1635, Sheriff Hotham of Yorkshire tartly commented a border dispute within the North Riding championed by Sir William Pennyston, stating that the sum was but £ 4 and "that I wish the Gentleman had shewed as much affection to his maties service as to his owne will".[6] In 1634, a petition of Tiverton/Devon, indignantly referring to outstanding reimbursements of the billeting of troops

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[7] SPD 16/351-64; APC 2/47, 311-2; SPD 16/355-137.

[1] SPD 16/354-170, 356-103; APC 2/47, 414-5; 2/47, 479-80.

[2] APC 2/47, 435-6; 2/47, 437; SPD 16/357-23; APC 2/47, 484; SPD 16/365-1, 365-2, 365-3; APC 2/48, 203; 2/48, 204-5; 2/48, 205-6. In February 1638, Sheriff Irby of Lincolnshire complained that the dispute initiated by Kesteven had sparked arguments also in other divisions and wapentakes: SPD 16/382-48.

[3] APC 2/45, 109; SPD 16/535-105; APC 2/45, 124; SPD 16/341-51, 341-52, 346-63; APC 2/47, 289.

[4] SPD 16/389-95.

[5] SPD 16/382-47.

[6] SPD 16/302-97.

in 1628, shows a general enmity to Ship Money.[1] The technical terminology of many petitions does not preclude the possibility that general opposition to Ship Money, for financial or political reasons, was the real motive in drafting them. The inevitable and harsh consequences of openly challenging Ship Money needed to be camouflaged behind assessment disputes and procedural tactics designed to delay and possibly foil the collection.

3.2.5. CONCLUSION

Sheriffs professed their helplessness and described the consequences of assessment disputes for the enforcement of Ship Money. In November 1635, a list from Essex marked nine out of nineteen hundreds where parishes failed to agree on the distribution of Ship Money.[2] In February 1638, Sheriff Pennyston of Oxfordshire reported that he was forced to assess each parish himself and sighed that he knew "nothing [that] did more retard the service than the unequal rating".[3] In March 1637, Sheriff Bassett of Somerset despaired over Taunton's attempt to obtain a reduction:

> "At this, the rest of the townes corporate are att a gaze, and some allreddy have of me desired alteracon, who beleeve they have as much reason to seeke for abatem[t] as the Towne of Taunton, w[ch] is conceived to be a rich place and doubtlesse will endeavour it, if Taunton receive benefitt by theire complaynte: And if the townes are eased, the burthen will lye the hevier upon the country who paies theire mony slowly. And if alteracons be made upon the Townes, the assesment upon the country must be augmented & altered w[ch] may phapps begett as many clamors on theire pte".[4]

In June 1636, Sir Greville Verney, Sheriff of Warwickshire, wrote:

> "I still goe on in distreyneing and collecting, but meete with soe many interupcons touching the inequallity of leavyes that occasioneth newe assessement of the pticulers be settled, and the places are soe farr remote from me and the nomber very many [...] that I cannot expedite the service soe

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[1] SPD 16/281-14.

[2] SPD 16/301-95.

[3] SPD 16/382-39.

[4] SPD 16/351-62.

speedily as I desire".[1]

In 1637, Sheriff Harris of Shropshire repeatedly implored the Privy Council to reject petitions and revoke references to arbiters, because he had not been able to collect more than £ 300 since they had started.[2]

The framework of a thesis featuring local officers does not permit the study of assessment disputes in greater detail, although they highlight the complex relationship between Privy Council, Sheriffs, and the country.[3] Assessment disputes had four disruptive effects on Ship Money. Firstly, time-consuming mediation tied up the resources of the Privy Council and Sheriffs which were required for enforcing tax collection. Secondly, unless Sheriffs or the Privy Council insisted on payment during pending disputes, the involved parties ceased to collect Ship Money until a settlement was reached. Thirdly, neighbouring communities were encouraged to question the assessment, or stopped payment expecting a decision with possible implications for their own situation. Fourthly, whatever the judgement, settlements always left one of the parties defeated, often with significant financial disadvantages. This caused bitterness, stiffened political resentment, and inhibited local officers in proceeding with the collection. Assessment disputes not only delayed the administration of Ship Money, but often were the cause of tax-refusals. Counties, hundreds, or parishes with a history of disputed borders or proportions were bound to have members who disagreed with the settlement and disrupted the collection with petitions, or refused to pay. If the verdict was not accepted, local officers had two options: sympathetically to continue the struggle for a "just and equal rate", or to obey the commands of their superiors and enforce an unpopular settlement by commencing the collection. The latter usually ended in a spiral of tax-refusal,

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[1] SPD 16/327-89.

[2] SPD 16/350-21, 366-5.

[3] There is still need to examine the relationship between Privy Council, Sheriffs, and localities, and the sometimes skillful, sometimes desperate means of guiding Sheriffs, and using JPs, Judges, or the episcopacy to settle Ship Money disputes.

impounding of property, assaults at bailiffs, summonings before the Privy Council, and imprisonment. Unless local officers were themselves to blame for unjust assessments, they were caught between the loyalty to their communities and obedience to their superiors.

3.3. ASSESSMENT DISPUTES WITHIN PARISHES

3.3.1. INTRODUCTION

Jurisdictional or proportion disputes were not the only cause of the disruption of Ship Money. The assessment of parishes was entirely designed by officers and village notables, who were to blame for irregularities and disagreements at that stage. According to Sheriff Drewe of Devon, in November 1635 "one or two" parishioners joined High and Petty Constables in setting the rate.[1] In Wiltshire, the High Constables called upon the assistance of "two or more of the most ablest and substantiallest men" of every tithing and parish.[2] In November 1636, Sheriff Harris of Shropshire ordered the Bailiffs of Condover hundred to bring the list of "six honest & sufficient psons within ev[er]y Alottm[t] of the said Hundred (whereof none of the former assesso[r]s to be any)".[3] An undated order to the Constables of Salwarpe/ Worcestershire commanded them to assess, collect, and pay Ship Money.[4] Our knowledge of local taxation is limited, but poor rates, it seems, were discussed in vestry meetings comprising most parishioners. Parish officers' accounts did not refer to Ship Money in detail, but show that predominantly Constables rather than Churchwardens administered its assessment. In 1636, the parishioners of Cratfield/Suffolk seemed to take some time to agree, since they met on 10, 12, 13, and 14 December, and spent 19s for beer, cakes, and firewood.[5] In 1639, the Churchwardens of neighbouring Dennington disbursed "for fyer & other expencs

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[1] SPD 16/302-57.

[2] SPD 16/301-75; similar warrants: Yorkshire: to the High Constables of Harthill division, 8 October 1635: SPD 16/299-34; Hertfordshire: to the High Constables of Broadwater hundred and Hitchin halfhundred, 18 November 1636, to take "some of the most discrete and sufficient men of each parish": BL: Add MSS 61681, f.10; Gloucestershire: to the High Constables of Deerhurst hundred, 12 October 1635: KAO(M): Sackville of Knole MSS U 269/O 267, f.14; a warrant of Sheriff Ducie of Kent to the High Constables of an unnamed division (4 February 1636) indicates that High Constables had the liberty to appoint the collectors of each parish themselves: *ibid.*

[3] SPD 16/336-30. In August 1640, Richard Hering, escheator of Herefordshire, reported that the Sheriff appointed six "substantial" men per hundred and one per parish to assist High and Petty Constables: SPD 16/464-98.

[4] WorcsRO: 850 Salwarpe/1054/2, Bundle H.

[5] SuffRO(I): FC 62 A6/169 and 171.

for the townsmen meeting thear 2 dayes about making of the ship rate".[1] In 1640, the Constable of Branston/Leicestershire expended 1s6d "spent wth Neighbours at y^{e} assessing y^{e} Shipmoney".[2] The 1638-account of Burton Latimer/ Northamptonshire was more precise and stated that 2s6d were:

> "spent by the Constables Churchwardens Sidemen and Overseers upon Assessing of the said Shipmony being XXII$^{£}$ X^{s} having all the daie for the most p[ar]te attended at the schole house the service".[3]

We do not know whether Ship Money was assessed by parish officers and a limited number of parishioners. The latitude given to officers in determining the assessment could have resulted in an oligarchical rather than democratic procedure, in which an elitist minority dictated the distribution of the rate within the community. Undoubtedly, the Privy Council intended to involve as many people as was operationally possible, and to maintain openness and consensus. "Honesty" and "sufficiency" even of a group of assessors, however, did not prevent errors, and some of the assessors did not even qualify for the criterion "honest" and "discrete". Attempts to relieve traditional taxpayers by assessing previously exempted parishioners frequently resulted in erroneous, unrealistic, or partisan evaluations. Complaints by inhabitants that they either were not liable to pay or overassessed, caused disputes within parishes and between individuals. The increased autonomy of local assessors and their superiors' trust in their local knowledge, promoted nepotism, malice, and corruption. If the wronged party was strong enough to challenge the assessors, feuds ensued which paralysed the collection of Ship Money and upset peace and neighbourliness within communities.

Claims of unjustified or intentional overcharge are difficult to verify. The documents only referred to the existence and nature of a disagreement within a parish, but not to the motives of disputes, nor contradictory opinions, or the final settlement. There also is less

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[1] SuffRO(I): FC 112 E1/1; see also Mendlesham CW, FB 159/67 (1637); and WarwsRO: Fillongley C, DR 404/85 (1638).

[2] LeicsRO: DE 720/30; also Waltham C, DE 625/60 (1637).

[3] NorthantsRO: 55p/504.

source material on parochial controversies, compared with disputes between larger administrative entities. This can be explained by the stronger impact of territorial and proportional disputes, and with the fact that the voice of an individual carried less weight than that of entire communities. This chapter will demonstrate that disruptions of Ship Money occurred already at the level of parishes and individual taxpayers. Ship Money was not only a conflict between the centre and localities, or between localities, but often a personal struggle between individuals - the taxpayers and the officers in charge. I will emphasise that local officers not only were the victims of central government or county governors, but shared a large proportion of the responsibility for the breakdown of Ship Money.[1]

3.3.2. INCREASING THE NUMBERS OF TAXPAYERS

Parishioners paid several local taxes, for the church, the poor, the militia, the administration of the parish, and purveyance. Although their individual amounts entered in parish books seem comparatively small, local taxation has to be judged by its cumulative effect, and Ship Money increased the annual tax-level substantially. In a period of economic stress, this threatened to overstretch the financial ability of communities. Ship Money assessors, consequently, spread out the costs more evenly and rated all parishioners, income, and property.[2] This policy was reasonable because considerable income became taxable which previously had been exempted. Yet, it was unfair because it included those barely above the poverty line living off their wages, and regressively extended the burden down the social ladder for the relative benefit of the wealthier. It was also shortsighted, because parishioners were assessed who nominally held property in the village, but were not residents. When it came to paying, non-resident and poor were either unable or unavailable to pay, automatically constituting arrears whose collection later caused difficulties.

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[1] Regarding assessment disputes within parishes see also *Gill*, pp.320-3; *Lake*, p.44.

[2] Also observed by *Quintrell, Essex*, p.325, and *Faraday*, p.222.

One way of increasing the number of liable parishioners was to claim estates whose geographical ties were in question. Jurisdictional disputes between parishes, as described in chapter 3.2.3., dramatically highlighted the attempts of local officers to alleviate the financial hardship caused by Ship Money. Most conflicts within parishes, however, were caused by taxing non-resident landowners. In 1635 and 1636, the parishes of Holmer and Hampton Bishop complained of Hereford citizens who possessed extensive property in their parishes, but refused to contribute for Ship Money.[1] In March 1636, one James Man wondered, whether he was supposed to pay for "a house with some three acres of ground for sommer time" in Bromley/Kent, although he was assessed in London for his estate like everyone else.[2] In February 1637, the Huntingdonshire Sheriff reported the bewilderment of the Countess of Westmorland, charged for some land by a neighbouring Cambridgeshire parish, although she never had contributed to local rates.[3] In February 1638, William Short of Amhurst/ Buckinghamshire petitioned against his assessment in St.Giles-in-the-Field/Middlesex for rent received from a tenant, although he paid Ship Money in Amhurst, and the tenant in St.Giles.[4]

The case of Edward Darling, resident of London, best illustrates the desire of assessors to tap all available sources. He was assessed at £ 12 for lands in Normanton/Nottinghamshire, twice as much as parishioners of comparable estates. Sheriff Byron inquired and answered that his assessment was justified by his trade and estates in London. This irritated Darling considerably, since the London assessors had referred to his property in Nottinghamshire to justify *their* assessment of £ 12, and he offered to pay his share in London, but nowhere else.[5]

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[1] APC 2/45, 317-8; SPD 16/342-75; APC 2/47, 355; SPD 16/361-109; APC 2/48, 57; 2/48, 449; problems until January 1639: SPD 16/409-163.

[2] SPD 16/315-50. See also Sir Thomas Gardiner kt. of London *vs.* the parish of Tolleshunt/Essex regarding land he had sold before the writ arrived: APC 2/46, 118 (April 1636).

[3] SPD 16/348-55.

[4] APC 2/48, 629. Similar cases: St.Martin's-in-the-Field/Middlesex *vs.* Hampshire (1635): SPD 16/306-61; Aldingbourne/Sussex *vs.* Castle Baynard ward/London (1635?): 306-48; London *vs.* Oxfordshire (June 1638): APC 2/49, 286.

[5] SPD 16/303-96; yet, many complaining non-residents were probably tax-evaders, deliberately moving to another county; see Chapter 3.4.4..

Another favourite target for local assessors were crown servants, taxed by the parishes where their offices were situated, or by their home parishes for their offices. In June 1636, Richard Page complained about the unprecedented assessment of his office in Fleet Street by the officers of Harrow on the Hill/Middlesex.[1] Richard Willis, a servant at Star Chamber and rated by London for his office, asked for exemption since he paid for his personal property in Fulham/Middlesex.[2] In 1637, the Subdean of the Royal Chapel had been assessed at 35s by St. Martins-in-the-Field for his lodge which he used during his attendance at service.[3] The opportunity to charge crown servants arose particularly in London and Middlesex, and their parishes repeatedly had to be reminded not to assess officers, such as the cursitors of the Court of Chancery, the wardens and yeomen of the Tower, or the college of physicians.[4]

A third way of expanding the tax-potential was to claim land discounted for taxation in the past, because it was uninhabitated or unclaimed by any parish. In May 1637, the inhabitants of Windsor/Berkshire demanded payment of four keepers of the "great park", who previously had contributed to taxes and subsidies but now claimed exemption.[5] In January 1637, the underkeepers of Chapel Havering Park, upon petition of the Lieutenant of the Forests in Essex, were freed from Ship Money for the parish of Dagenham.[6] In February 1638, the Privy Council thwarted the assessment of pastures near Tottenham Court which were

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[1] APC 2/48, 34.

[2] APC 2/48, 372; SPD 16/371-84; other cases: Berkshire (April 1638): APC 2/49, 70; Buckinghamshire (February/March 1637): 2/47, 141; 2/47, 232; Kent (December 1636): 2/47, 31; Surrey (February 1637): 2/47, 172; Wiltshire (June 1637): 2/48, 56-7.

[3] SPD 16/341-49; the petition in the State Papers is dated [1636?], but the reference to the petition in the Council's Registers on 15 December 1637 (APC 2/48, 458) suggests a later date, unless St. Martin's had ignored an earlier order of the Privy Council.

[4] Chancery: SPD 16/306-43; APC 2/47, 97; Tower: APC 2/44, 438; 2/45, 428; 2/47, 257; 2/49, 21; 2/50, 244; 2/51, 328-9; Physicians: APC 2/44, 469; SPD 306-46; 407-37. See also employees of the Victualler of the Navy at the king's storehouse/Tower Hill *vs.* St. Botolph without Aldgate (April 1637): APC 2/45, 350; 2/47, 72; 2/47, 350-1.

[5] APC 2/47, 443-4; see also Richard Crane, keeper of the king's park in Grafton Underwood *vs.* Great Addrington/ Northamptonshire (April 1637): 2/47, 351-2.

[6] APC 2/47, 78.

in the king's possession and served the royal household for keeping cattle.[1] One certainly wonders what the officers of some places in Norfolk had in mind when they assessed the lighthouses within their sector of the coastline.[2]

The most controversial policy of assessors was to burden the poor with a part of the rate. Assessments of 1d or 2d were not unusual and probably levied on cottagers, day-labourers, or small-holding tenants, who technically were liable since they were not poor relief-recipients, and interpretation of the writs' clause "overburdened with children" could be flexible.[3] Numerous Sheriffs criticised the high proportion of absentees and paupers amongst those owing arrears. In December 1635, Sheriff Chetham of Lancashire reported that, despite his strict examination of the "Integritie of the Assessment [...] yet many and greivous complaints were made by all sorts of People (especially the clergie and poorer sort) of the unequall devydinge and distributinge".[4] In October 1636, Sheriff John Freke of Dorset stated that "y^{e} greatest part of y^{e} arrers falles among y^{e} poore sort who pay this like drops of bloud & some doeth sell y^{er} only cowe which should feede y^{er} Children".[5] In 1638, the Chief Constables of Blofield hundred/Norfolk claimed that people "cryed out when wee came to them for y^{e} money y^{t} they & their childred were ready to stearve for bread, & that they had nothing to distrayne but their beding or other poor house well stuffe of lettle or noe value".[6]

It is indicative that on arrear-lists, like that drawn by Sheriff Bassett in Somerset, the remark "no distress to be found" usually is behind names of people assessed between 2d and 4d.[7] Although Sheriffs signed parochial assessments, they were too busy to examine the

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[1] APC 2/48, 633.

[2] APC 2/45, 349-50.

[3] Letter by Nicholas to the Judges of Assize, suggesting to remind Sheriffs to assess subsidy-men and not paupers: SPD 16/535-74. Admonitions by Sheriffs to subordinate officers: e.g. Oxfordshire (February 1638): 382-78; Yorkshire (October 1635, to the High Constables of Harthill division): 299-34.

[4] SPD 16/304-34.

[5] SPD 16/333-4.

[6] CUL: Buxton MSS, Box 96, undated and unmarked document.

[7] SPD 16/376-112; a similar list, for example, from Hertfordshire regarding the 1636-Ship Money: 376-106.

fairness of each individual evaluation, and many paupers did not dare complain.[1] The lack of surviving petitions by paupers can be contributed to the fact that only few had the audacity to turn to the Privy Council, and first went to High Constables or Sheriffs, who tried to resolve the problems themselves and did not forward them to Westminster. The dilemma materialised when it came to collecting Ship Money. Once the collection proceeded, Sheriffs pressed for speedy payment and discarded assessment disputes, since their recognition could mean having to reassess the entire county.[2]

3.3.3. CONFLICTING NOTIONS OF "FAIR ASSESSMENT"

Most documents do not state the reasons why officers overassessed parishioners. In June 1636, Dame Elizabeth Winwood alleged that she paid seventeen times more than her property in Stoke Poges/Buckinghamshire was worth.[3] In February 1637, Humphrey Lowe gent. of Blunham/Bedfordshire claimed to be assessed three times more than the previous year.[4] In April 1638, John Wiseman of Wimbish/Essex asked the Privy Council for relief of an assessment five times higher than he usually paid for local rates.[5] In September 1637, William Courteen wondered why he was assessed at £ 50 in London, while most Aldermen of the city paid only £ 10.[6]

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[1] In 1637, the Constable of Nether Whitacre/Warwickshire documented his sympathetic attitude, when he "abated out of my levy for certaine poore folke w^{ch} were not able to pay for some w^{ch} were overlevyed, by consent of the Towne when I gave up this my Accompte": WarwsRO: DRB 27/9. Yet, the relief was granted only with consent of the parish, and after the Constable's term had ended! Regarding the lateral distribution of Ship Money, see also *Hunt*, pp.13-5, 272; *Ship Money Returns for the County of Suffolk 1639-1640*, ed. Vincent Redstone (Suffolk Institute for Archaeology and Natural History, 1904).

[2] See the remarkable confession of Sheriff John Whatton of Leicestershire, in a letter to Nicholas on 25 March 1639: "I have the rather hastened to send out warrants for the levying the sayd moneyes to prevent all tediou^{s} dispute about the taxes": SPD 16/415-39.

[3] SPD 16/325-65.

[4] APC 2/47, 188.

[5] APC 2/49, 101.

[6] SPD 16/368-27; see also John Wiseman *vs.* Wimbish/Essex regarding his farm of a parsonage: APC 2/48, 428; complaints by the clergy: e.g. Hampshire (Isle of Wright): 2/46, 223; Lincolnshire: 2/45, 119-20; other counties: SPD 16/342-74.

Allegations of unfairness were not valid when local officers merely used their discretionary powers to absorb all possible wealth for Ship Money, which the writs expressly permitted. In a few cases, the objections of assessors disclosed the reasons why they modified traditional rates. In February 1635, the Privy Council accepted the reply by the Mayor of Plymouth to John Kelland's petition, who had denied his £ 20 with the argument that he already paid £ 13 in Totnes. The Mayor proved that Kelland had "twoe verie good estates" in Totnes and Plymouth and was well able to pay his rate.[1] In April 1638, the Lord Mayor of London refuted Richard Beale, a merchant, who had moved to another ward in order to obtain a cheaper assessment, although he had a house and estate worth £ 30 000, and could afford £ 20 Ship Money.[2] In 1635, Sheriff Byron of Nottinghamshire had difficulties with Gervase Markham, assessed at £ 50. Markham had offered "insolent and reproachfull caryage by wryting and otherwise" by accusing the Sheriffs of Nottinghamshire and Yorkshire of a "Vulture humour".[3] He had referred to far richer members of the aristocracy and gentry who paid less, but Byron pointed out their obligations and life-style, while Markham, with an annual income of £ 800 and assets worth £ 40 000, was a pathological miser, who did not spend £ 40 per annum, and had no children, except two bastard sons whom he refused to recognise.[4]

Two examples illustrate the difficulty in verifying the validity of grievances and intentions of complainants and assessors. In March 1637, Richard Cartwright esq. of Aynho accused the Northamptonshire Sheriff of easing a kinsman and a parish by placing the difference on Cartwright at a rate of 40s per yardland, while most parishioners paid 3s4d per yardland. He now paid 14-14-6, as opposed to £ 3 the year before.[5] Sheriff Banister

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[1] APC 2/44, 414-5.

[2] SPD 16/388-53.

[3] APC 2/45, 224-5; Markham's letter to Byron: SPD 16/306-62.

[4] SPD 16/312-43.

[5] APC 2/47, 271-2; SPD 16/351-66; the complaint was backed by the parson of Aynho: 351-66-I.

responded that Cartwright had pastures worth £ 100 per annum, an office worth £ 400, and negotiated the purchase of land valued at £ 20 000. Moreover, Cartwright had ignored the Sheriff's offer to resolve the matter.[1] The incidents following a settlement by the Earl of Exeter for £ 6, leave it unclear whether a vindictive Sheriff, or a dilatory Cartwright was to blame for the ensuing escalation, ending in resistance against impounding and a formal apology by Cartwright's son.[2]

A month earlier, John Edward the Elder and John Edward the Younger of Rorington/ Shropshire and ex-Sheriff John Newton complained to the Privy Council, whereupon Sheriff Harris reduced their assesment from £ 25 and £ 15 to £ 20 and £ 9 respectively. The local assessors, however, stated that the older Edward was eighty, unmarried, had never paid taxes and had several thousand pounds savings. Newton, allegedly shunned his military obligations, had savings of about £ 4 000, an annual income of £ 700, and was a chronic scrooge: his eldest son complained that he held back part of the annuity granted to him at his wedding, and his younger brother, waiting on the Comptroller, was allowed only £ 20 per annum. Rumours had it that, in his year as Sheriff, he collected more Ship Money than he was supposed to.[3] A decision by the Lord Chief Justice of the Council of the Marches of Wales reducing the assessment to £ 4 each was rejected by the High Constables who now faced a redistribution of £ 21.[4] The bewildered Sheriff ignored the ruling and began distraining, which resulted in a second settlement and a rebuke for him.[5] Sheriff Harris then denounced Chief Justice Bridgeman's biased examination, causing a third inquiry, this time by the Lord President of the Council of the Marches, of which the outcome is unknown.[6]

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[1] SPD 16/354-66.

[2] The father meanwhile had died; APC 2/47, 348-9; 2/48, 35; 2/48, 187; SPD 16/366-70; 367-7; 367-9; 367-32; 367-34; APC 2/48, 208-9; SPD 16/368-2; APC 2/48, 221; 2/48, 223.

[3] APC 2/47, 141; SPD 16/347-31.

[4] SPD 16/350-21.

[5] SPD 16/370-41; APC 2/48, 328; SPD 16/380-5; APC 2/49, 14; 2/49, 26.

[6] SPD 16/386-80; 386-81; 385-85; APC 2/49, 31.

Both examples demonstrate the fine line between unfairness and justifiably surcharging parishioners who were able to afford a higher rate. Local assessors readily chanced rejecting traditional taxation methods in favour of assessing all types of income and property. Yet, "objective assessments" did not meet the approval of the exempted rich and poor at whom they were directed, and provided fertile ground for discontent and the disruption of local collection. Sheriffs and Privy Council arbiters were unable to guarantee fair taxation in every part of the country, which left assessments open to abuse by local officers. Only rarely could this be detected and corrected by their superiors.

3.3.4. PARTIAL ASSESSMENTS BY LOCAL OFFICERS

Sheriffs not only struggled with border and proportion disputes, and liberal use of discretion by local officers in defining "just assessments", but with crude attempts to favour friends and neighbours and maliciously injure rivals and enemies. In November 1635, the Sheriff of Devon reported that:

> "uppo^{n} sundrie complaints of wrongs done through the malice or favour of the Constables and their associates assesso^{r}s wthin their pticular divisions, [I] have sspent much tyme and travails for the rectifienge thereof".[1]

In June 1636, one of the Middlesex Sheriffs blamed wealthy officers for underassessing themselves and others, and returning defaulters who were "lodgers and some men of poor estates", either "not assessable or much over-rated".[2] In May 1637, William Bassett, the much-troubled Somerset Sheriff was "extreamely at present troubled by the iust complaynts of divers that are ovrated by the assess[ors]", and demanded that they "for their injustice deserve the severest of punishments".[3] In February 1640, Sheriff Ralph Hughes of Flintshire observed that the average assessor wanted "to favor himselfe, and then his frinds, especially those of the best ranke, and so by easing them to cast p[ar]te of theire due burden upon psons

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[1] SPD 16/301-76.

[2] SPD 16/325-90.

[3] SPD 16/355-141.

of much less abilitye".[1] A memorandum commenting the assessors' policies in Axton hundred/Kent accused High Constables of arbitrarily evaluating and replacing traditional rates. It claimed that "soe meane fellowes as High Constables nowe are [...]doe trample upon all men and theyr estate wch causeth much murmuring", particularly, "Ffor what is imposed by superiors wee take patiently but if by equalls, or Inferiors It cannot be soe well digested".[2]

It is difficult to establish malice as driving force behind excessive assessments.[3] In June 1638, the personal intervention of Sheriff Hewett of Huntingdonshire to raise JP Robert Payne's assessment by 4-16-8, was considered arbitrary by the lords who were "very sparing to give any discouragemt to Sherriffs in Execution of his Maties Service, yett not likeing that they should use theire power to iniury of any, wch in this case very visiblie hade beene done". Hewett's suggestion that he merely had reduced the unnecessarily high assessment of fifty parishioners was peculiar, since thirty-five had never complained, and the rate had been approved by all parish officers.[4] In 1637, William Caldwall esq. of Thorganby/Lincolnshire accused Chief Constable John Gibbon of "malice" and a "private spleen" for imposing an arbitrary rate on the parish and particularly Caldwall.[5] It was unintelligible why, in 1637, the assessors of Hampton/Middlesex increased Christopher Lewes' tax by 20s, although the parish was abated by £ 15.[6] In May 1637, the lords condemned the assessment of the vicar of Swalcliffe/Oxfordshire as:

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[1] SPD 16/446-36. He admitted, though, that "others got complained of without cause". Similar remarks by Sheriffs: e.g. Shropshire: 311-62 (January 1636; directed against the Mayor of Shrewsbury); Warwickshire: 321-76, 327-89 (May 1636).

[2] Attributed to Sir Anthony Weldon, who included Sheriffs in his accusations: SPD 16/381-37. Also Twysden's diary: KAO(M): Twysden MSS, U 47/47 Z2, f.198. Other complaints of the lack of status of local officers: Lancashire clergy ([1636?]): SPD 16/341-32; Sheriff Widdrington of Northumberland (March 1637): 349-61.

[3] The best-known case was ex-Sheriff Sir Thomas Aston (1634/5) *vs.* city of Chester (February 1636 to July 1638): APC 2/45, 428-9; 2/46, 20-1; SPD 16/315-91; APC 2/46, 79-80; SPD 16/338-6, 338-7, 341-46, 341-47; APC 2/47, 177; 2/47, 404-5; SPD 16/370-67; APC 2/48, 328; 2/48, 404; SPD 16/378-77, 379-80; APC 2/49, 220-1; 2/49, 332; see also *Lake*, pp.46-50, 53; *Higgins, Cheshire 1973*, pp.189-91. See also late Sheriff Norton of Somerset (1635/6) *vs.* Houndsborough hundred, probably in 1639: SPD 16/438-104.

[4] APC 2/49, 257-8.

[5] APC 2/48, 610; SPD 16/425-8 (still unresolved by July 1639).

[6] APC 2/49, 34.

> "verie uniust that y^e^ number or power of his Parishioners should make the service of the Shipping a State to wrecke theire spleene upon him for another occasion, wherein his forwardnesse merited encouragement, and their disaffeccon was deservedly overruled".[1]

Malice often went hand in hand with favouritism. Assessors were tempted to misuse their authority to reduce their own proportion by increasing the rate of all or particularly weak parishioners. High Constables spared their indigenous parishes and overcharged others.[2] In May 1637, parishioners of Shelton/Bedfordshire described how two assessors and the parson undervalued themselves, the Lord of the Manor, and other freeholders at 2d per acre, whilst rating their tenants and poor cottagers at 2s4d.[3] In 1637, Sir Edward Wardour, resident in Westminster, accused Richard Smeeth gent. and others of assessing him at 40s for six acres in Chiswick/Middlesex, while twenty times larger estates were rated the same sum.[4] In March 1638, Sheriff Freeman of Hertfordshire rebuked the Constable and collectors of Tewin for overassessing Edward North and easing Edward Welch "contrary to the agreement of the parish".[5]

Frequently, "the rich" were favoured - powerful village notables, gentry and yeomanry, who were the landlords of parish officers or resident county governors. In January 1636, the "poor inhabitants" of Loughton and Chelmsford/Essex complained of excessive Ship Money

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[1] APC 2/47, 397. Other cases of apparent malice: Bailiff of Wenlock *vs.* John Weld and tenants (May and June 1636): 2/46, 141; SPD 16/327-70, 327-70-II; APC 2/46, 319; Richard Osborne, late Constable of Ercall Magna/ Shropshire *vs.* William Wilkes (February 1639): APC 2/50, 118-9; Thomas Crompton gent. *vs.* Weston/Somerset (May 1638): 2/49, 242; Barnerd Barton *vs.* Biddinton [Beedon?]/Berkshire (1640): BerksRO: D/EL 1 C1/181; High Constable Merriwater of Melksham hundred/Wiltshire *vs.* Walter Long esq. APC 2/48, 608-9; 2/49, 282; 2/50, 92; 2/50, 157; 2/50, 189; 2/50, 198; 2/50, 240. Summoning of the parish officers of Farham before the West Kent Epiphany Quarter Session 1636 for repeatedly ignoring orders to rectify their inequal assessment: KAO(M): Sackville of Knole MSS U 269/O 267, no.13.

[2] Brightwells Barrow hundred/Gloucestershire: APC 2/48, 55-6 (June 1637); Chishall and Wendon/Essex *vs.* High Constable John Lawe of Uttlesford hundred, favouring his parish of Arkesden: 2/45, 445-6 (February 1636); also complaints of Holcot and Salford/Northamptonshire, abated the previous year, and in December 1637 raised again "upon false information": KAO(M): Dering MSS U 1107/C 12, ff.56-7. Frequent references to only one High Constable suggest that the High Constables divided their jurisdictions and assessed their part of the hundred separately. Favouritism is also suggested by *Clifford*, pp.93-4.

[3] SPD 16/376-98; APC 2/47, 476-7; 2/48, 149.

[4] Smeeth and his cronies were not even the official parish assessors: SPD 16/376-123 (the petition is dated [1637?]).

[5] BL: Add MSS 61681, f.17.

rates, whilst wealthy estates were eased.[1] A month later, parishioners of Sheering accused their collector of altering the Sheriff's rate "easeing of himselfe and others of the best Estates and abillitie".[2] In March 1638, on the day of the assessment meeting, William Foster, High Constable of Beynhurst hundred/Berkshire and tenant of Henry Powle esq. of Shottesbrook, let the parishioners of White Waltham wait for one and a half hours and then announced that Powle would not pay more than a quarter of the total assessed on both parishes. Their suggestion to apply the rate of the Fifteenth, like under Sheriffs Dolman and Harrison, was rejected by Foster.[3]

The petition of four Lancashire clergymen, in 1636, illustrates that unfair assessments were caused by a conspiracy of powerful landlords, intimidated assessors, and indifferent Sheriffs, who combined enmity towards outsiders with disregard for the poor. James Hyat, vicar of Croston, was forced to pay 7-16-8, while the entire gentry of the parish, some with incomes of £ 300, were rated at 3-15-0. The assessors, "a rude & ignorant multitude", demanded extortionate sums from "very poore people who go almost Naked and come dailie begging to our houses for their nourishm^{t}", and the Sheriff said "it was not in his power to helpe them". Thomas Legs, parson of Walton le Dale, paid 7-5-0, whereas landlords were assessed at 8s or 12s - according to the confessions of a Constable, a deliberate policy of overassessing the poor to spare the rich. The assessors were "most of them illiterate meane men of his parish" and recusants, like most of their landlords. One landlord had declared "Let us deale wth the D^{r} to ease our selves", and one of the assessors urged to "Lay him on soundly for he hath soe much". Peter Travers, rector of Halsall, complained that the Sheriff, considering his assessment of 9-4-0:

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[1] APC 2/45, 400; 2/45, 403-4; also in Mickleton/Gloucestershire (April 1636): APC 2/46, 98. See a letter by Correr, the Venetian ambassador, in January 1635, observing that particularly the wealthy evaded payment: *Calendar of State Papers and Manuscripts, Relating to English Affairs...(Venice and Northern Italy)*, ed. Allen Hinds (London, 1921), XXIII, 325.

[2] APC 2/45, 444-5; repeated on 5 May: 2/46, 135; other examples: Brill/Buckinghamshire: 2/49, 434-5; Enfield/Middlesex: SPD 16/407-43.

[3] SPD 16/386-82.

> "(instead of taking away pressure & inequalitie) in equality in mockage tooke of [...]one pound elewen shilling & seven pence as if I would be insensible of the waight of a mountaine a peeble stone being taken of it".[1]

Parish politics also played a vital part during the assessment. Diverging political convictions, affiliations to rival landlords, or personal animosities caused tensions within the committee of assessors in a community. In 1637, an unnamed assessor of Wraysbury/ Buckinghamshire and his son, the Constable misused their offices by excessively charging Sir William Salter of Windsor and his tenants. Salter had a vendetta with the assessor, "a purse-proud clowne", having bought some land in Wraysbury "that he might not ingrose the whole town into his and his sonnes hand", to the "preiudice of his poore neighbores".[2] In April 1638, Henry Pratt, Alderman of London, complained that he was assessed at £ 4 in Coleshill/ Berkshire. Two assessors, copyholders, had intended to ease their own burden by placing the £ 4 on the the local landlord, but the other two (presumably his tenants) objected. Eventually, both parties agreed to charge Pratt instead.[3] In May 1636, John Stacy, senior Ship Money collector of Hallingbury Magna, disagreed with the assessment made by the "principal inhabitants and officers" and approved of by the previous and present Sheriffs. Assisted by others, he made an alternative and "very unequal" assessment, convinced Sheriff Mildmay to revoke the first assessment, and began to collect and distrain.[4] In January 1638, John Ting, Constable of Fyfield, was committed to the Fleet for fabricating an assessment and forging the signatures of the Churchwardens and collectors.[5] In May 1638, George Thorogood gent. and William Ballard of Hornchurch were accused of altering the rate at Chelmsford, made by John Beck and John Slany at the Constable's house. By authorising their rate, the ignorant

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[1] SPD 16/341-32, dated [1636?].

[2] SPD 16/367-48, dated 7 September 1637.

[3] APC 2/49, 89; *Higgins, Cheshire 1973*, pp. 193-4, suggests that landlords domineered their tenants serving as Constables.

[4] SPD 16/321-24; APC 2/46, 182; 2/46, 241-2. Remarkably, in January/February 1638, the Attorney General commenced prosecution of the victorious party before Star Chamber, because they had "refused to make a rate": SPD 16/380-69; APC 2/48, 584.

[5] APC 2/48, 552; similar case of Thomas Roger of Epsom/Surrey (March 1636): SPD 16/315-104.

Sheriff had doubled the tax of their rivals.[1] In April 1638, the Privy Council ordered investigation in Great Worley, where two factions simultaneously assessed the parish according to their liking.[2]

In spring 1636, parish politics of Burton Latimer/Northamptonshire became entangled with county politics. One High Constable, two Churchwardens and two Constables (one of them the notorious George Plowright) disputed the Privy Council's order to alter their rate and argued that Thomas Bacon esq. and George Smith gent., the plaintiffs, were tax-refusers threatening their tenants with eviction if they paid.[3] When the Privy Council reprimanded Sheriff Dryden for not supporting his officers, he explained that the assessment had been renegotiated by all parties upon a previous complaint by Smith and Bacon.[4] Yet, the settlement had been approved of only by Smith's and Bacon's adversaries, who immediately proceeded with the collection. Smith offered Dryden his own assessment, which the confused Sheriff signed, not remembering whom he had authorised. When he reversed his error and confirmed the first assessment, Bacon suddenly claimed to be willing to pay.[5] Dr. Sibthorpe, the local parson, JP, and appointed mediator, untied the confusion and came in conflict with Dryden. Sibthorpe was convinced that Bacon sabotaged Ship Money, holding conspiratorial meetings and obliging all his tenants to refuse payment, and accused Dryden of covering up Bacon's offence and preventing his punishment - a formidable clash between two local notables.[6]

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[1] APC 2/49, 222-3; 2/49, 227; 2/49, 266.

[2] APC 2/49, 67-8; similar in Latton (dated [1638?]): SPD 16/407-35.

[3] APC 2/45, 406; SPD 16/313-111; one of their tenants was the third Constable of Burton Latimer.

[4] APC 2/45, 489-90.

[5] SPD 16/317-46.

[6] SPD 16/318-6. The final decision is unknown; see Bacon's defense also in: NorthantsRO: Isham of Lamport MSS, IC 3257. There are comments about the incident in the surviving Constables' accounts of Burton Latimer. Plowright's entries show a certain bias, and, later, unconcealed disapproval of the Sheriff's behaviour. After the Privy Council had referred the examination of the case (upon Plowright's petition) back to the Sheriff, the account reads: "laid out more when the said Plowright went to Cannons Ashby for the Shreiff againe to know of him whie he deferred the sending up of the certificat to the Lordes - contrary to his promise (they expecting the same)", and suggests tensions between Dryden and Plowright. The account of 1637, moreover proves, that Bacon continued to

3.3.5. PARISHES REFUSING TO ASSIST THE ASSESSORS

The discussion of both jurisdiction and proportion disputes, and arbitrary or unfair proceedings of local assessors was based on the assumption that a settlement was achieved, and the belated collection of Ship Money could commence. Yet, in many communities the assessment was never completed, since parishes and hundreds rejected the rate or the settlement mediated by the Sheriff or arbiters of the Privy Council. Only few documents verify the motives, and we do not know whether they were fuelled by factionalism, discontent with the proportion, or political opposition. Assessment-boycotts by communities put local officers in a tremendous dilemma, since High Constables and Sheriffs soon required the list of taxable parishioners in order to issue warrants for the collection. Assessors could proceed autonomously since they possessed the tax-lists from local rates and had reliable data on the parishioners' financial capacity. Yet, the enforcement of an assessment without consensus particularly amongst the wealthy and politically influential villagers was undesirable from the officers' point of view. Consensus and good neighbourliness, key-elements in the closely-knit societies of rural parishes, were seriously disturbed by Sheriffs and High Constables demanding from parish officers to tax neighbours against their will. Assessors manoeuvered between coercion by superiors and the expectation of their communities to join them in their cause, and reacted by either forcefully imposing an assessment of their own under pressure (usually unsuccessfully, as the collection would prove), or by ceasing to assess and developing tactics to escape responsibility behind the strong back of the community.

This vicious circle was experienced by John Holland, Constable of Suckley/ Worcestershire in August 1639. Called before the Privy Council to justify his inability to account for Ship Money, he explained that the parishioners had refused to assist him in the assessment, whereupon he was forced to make one himself. The Sheriff, however, questioned

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trouble the Constables, and now claimed to be indebted: NorthantsRO: 55p/504, ff. 41, 42, 51. Regarding JP Sibthorpe and Constable Plowright, see also: John Fielding, "Opposition to the Personal Rule of Charles I; The Diary of Robert Woodford, 1637-1641", *Historical Journal*, XXXI/4 (1988), pp.769-88; Victor Stater, "The Lord Lieutenancy on the Eve of the Civil Wars: The Impressment of George Plowright", *Historical Journal*, XXIX/2 (1986), pp.279-296.

its validity and refused to sign, which then provided the pretext for the parish not to pay.[1] Most of the Sheriffs' reports only mentioned the existence of assessment boycotts. According to Sheriff Roberts of Leicestershire, by March 1638, many parishes had failed to support their assessors, and Sheriff John Whatton, in charge of the 1638-writ, had to wait until 2 March 1639, until the High Constables returned their assessments which were "not many of them neither, and some of them also verie imperfect". The High Constables, however, blamed the Petty Constables for not returning their parish assessments themselves.[2] Sir Anthony Vincent, Sheriff of Surrey for 1636/7, confessed that only few parishes had submitted their rates after four months.[3] In December 1635, some Northamptonshire High Constables attended Sheriff Dryden without assessments, stated their difficulties, and did "crave a fewe dayes to see yf they could agree".[4] In February 1637, successor Sir Robert Banister complained that it took the High Constables more than three months to assess the parishes, whose inhabitants only "by pswacon & menacinge" conformed.[5] Although Sheriff Sir Thomas Coningsby of Hertfordshire threatened hesitant Constables with imprisonment in January 1638, the subsequent assessments were "very imperfect":

> "yet wanting the Assistance of the Cheif Parishioners who best understood particuler mens estates it begott a great deal of cavill upon pticulers whereupon for satisfacion to the Countrey I was enforced to give severall meetings".[6]

Local officers were frank in responding to the Sheriff's quest for assessment-lists. Several parishes of Harteswere hundred/Suffolk reported the collapse of communication in 1639. In Wickham Skeith, "Theire answer is they have no leisure for to meet and refuse to make their rate". In Palgrave, "the Constables answer is their chief inhabitants of their town

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[1] SPD 16/427-113.

[2] SPD 16/385-2, 415-39.

[3] SPD 16/346-106.

[4] SPD 16/304-5.

[5] SPD 16/346-86; see also 348-64-I to VII; APC 2/47, 222.

[6] SPD 16/381-71, 387-46.

are not at home and the rest refuse to meet or to make their rates". In Finningham, "Theire answer is they have no money therefore they will not meet nor make their rates".[1] Some of the assessors tried to conceal their helplessness with absurd arguments. In February 1637, Sheriff Sir Thomas Delves of Cheshire required the Constables to bring last year's precepts "which they failed to do, alledging that they had lost them", and when he ordered independent assessments, they claimed not to know "there neighboures estates, whether there goods were there owne or they were Indebted for them And this beinge there genall answere".[2] In August 1640, Sheriff Thomas Archdale of Buckinghamshire summoned all Constables, "but most of them either answer that they are unlearned, or know not the abilities of the inhabitants".[3] As early as May 1636, Sheriff Verney of Warwickshire stated:

> "In some places the Petty Constables cannott procure the Inhabitants to make any assessement att all, And so in poynt of cunneing they thinke to putt of the payment and yet none shall appeare to bee in default, And many followeing this trick".[4]

Other statements did not conceal political motives behind assessment boycotts and the dilemma they posed to assessors. In October 1635, the Chief Constables of Bloxham hundred/Oxfordshire wrote to Sheriff Sir Peter Wentworth that they had assembled the men who:

> "hearin of the saide Shreifes warant redd upon good Consideracion hade thinke they have noe Authority to Assese or taxe any man neither do they conceive the warratt giveth them any power soe to doe, And therfore do humbly desire to be excused in and aboute the executing of the said servise".[5]

In Lancashire, by 24 January 1640, only the High Constables of the smallest hundred had

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[1] *Ship Money Returns for the County of Suffolk 1639-1640*, ed. Vincent Redstone (Suffolk Institute for Archaeology and Natural History, 1904), p.117; also e.g. pp.24-7, 157, 165-6.

[2] SPD 16/348-35.

[3] SPD 16/463-86-I; similar reports: Lincolnshire: 445-52; 448-21 (February and March 1640); Warwickshire (August 1640): 465-30.

[4] SPD 16/321-76.

[5] SPD 16/302-90-I; see also 302-90, 311-5; APC 2/45, 353; SPD 16/315-123; 346-107-I to III; APC 2/47, 191-2; SPD 16/383-19.

produced an assessment while the others claimed that their assistants refused to support them, and, assuming they had not authority to impose an assessment of their own, let matters rest.[1] In May, Sheriff Holte reported that the High Constables justified the delay not only with the inhabitants refusing to assist their Constables, but also with resistance in other counties, and with the summoning of Parliament.[2]

3.3.6. CONCLUSION

Assessment disputes reflected the financial burden, administrative novelty, and political acceptance of Ship Money. It is difficult to evaluate whether technical objections or political opposition to a *de facto* regular, national tax were the motives of disputes. In the absence of Parliament, a lawful arena for expressing grievances was lacking, and extra-parliamentary opposition carried the danger of severe prosecution. Only few sources reveal political discontent and the questioning of the legality as causes of assessment disputes. Not all of them were politically motivated. The annual levying of on average £ 196 000 (except for 1638/9), in a period of economic stress, and in addition to increasing local taxation, posed a significant financial burden on the average taxpayer. Arbitrary quotas for counties and towns, diverging from the per capita-assessment of the subsidies, not only led to local hardships, but also required their allocation according to local precedents which were not always defined, or varied, dependent on the kind of contribution. The desire of local officers to keep the burden as tolerable as possible, and the contemporary obsession with legal and local precedents prompted communities to challenge the fairness of the system that Sheriffs eventually applied. Disputes between parishes and hundreds over borders or proportions had several negative consequences. They served as vehicle for constitutional objections against Ship Money and fostered local aversions against a demanding and insensitive central government. They

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[1] SPD 16/445-1.

[2] SPD 16/455-35; attempts by Sheriffs to assess all parishes themselves: Bedfordshire: 463-86-II; Hertfordshire: 455-85; Huntingdonshire: 449-43; Northamptonshire: 348-72; Oxfordshire: BodL: Bankes MSS 42/47 (=ff.102-3).

generated a contentious atmosphere between and within communities which contradicted all traditional notions of consensual and harmonious government. Finally, they required the intensive and time-consuming arbitration of Sheriffs and the agents of the Privy Council, which significantly delayed the payment-schedule proposed by Westminster. Many assessment disputes were never resolved and ended either in annual repetitions of the same complaints, or in silence, usually connected with the cessation of payment. Successful settlements of disputes often were superficial, and in any case left one of the parties defeated and frequently unwilling to accept the decision. Even if a settlement was technically correct, the financial burden still was felt to be intolerable, as equally the absence of assessment disputes did not indicate the acceptance of Ship Money.

The position of local officers in assessment disputes was ambiguous, since they were not only tax-payers themselves and keen to ease their personal contribution, but also the spokesmen of their communities and morally obliged to effect a reduction of their fellow-parishioners' burden. At the same time, they were part of a tax hierarchy which in its rigidity had not existed before. Sentiments of their communities had to be accommodated with the expectations of High Constables, Sheriffs, and the Privy Council. But parish officers also enjoyed the same substantial autonomy in assessing Ship Money as in interpreting the law under the Book of Orders. They decided not only who was to receive poor relief and who was a vagrant; the flexible parameters of taxable wealth under Ship Money enabled them to determine individual contributions. While subsidies were assessed by county commissions, and local taxes by vestry meetings, the administration of Ship Money depended on local officers. Except for internal pressures from parish gentry, landlords, and local politics, the writs gave officers the authority, liberty, and autonomy to deal with Ship Money at their own discretion. The financial pressure of Ship Money, and varying notions of fair assessments led to subjective evaluations of wealth and taxable income, and to an extension of the tax to the poor, non-resident rich, and outsiders, such as crown officers, or formerly exempt clergy. The intricacies of parish politics, economic dependencies, and personal greed also tempted parish

officers to abuse their position and to devise partial and malicious assessments. High Constables and Sheriffs merely provided the administrative infrastructure - parish and hundred quotas and mediation. But arbitration was slow, and parish officers probably enjoyed more credit than individual suitors. Yet, if popular opposition was strong, local officers were in the dilemma of choosing between support of local grievances to the extent of frustrating Ship Money, or conforming with the orders and enforcing payment in communities which turned hostile against them. Local officers played passive and active roles, varying between victims of central policies and superiors, and petty dictators tyrannising their communities with their assessments. If their role during the assessment was already significant, it was crucial during the collection of Ship Money. And while, after the assessment, High Constables and Sheriffs could relax and wait for the payment, parish officers were busy enforcing it. High Constables and Sheriffs were detached from taxpayers and merely administered figures in their papers and notebooks, but parish officers lived in communities and enforced unpopular or unjust assessments on their fellow-parishioners. Although the assessment was the phase when objections had the greatest chance to be heard, resistance towards Ship Money only could be measured during the collection. While opposition during the assessment was an academic question (unless entire parishes refused to support the assessors), the litmus-test was the collection. And although assessment disputes usually provided the legitimation for refusing payment, the unpopularity of Ship Money and resistance it met only can be evaluated by the amount and speed with which it was paid, and by the circumstances under which local officers succeeded or failed to enforce this payment.

3.4. THE COLLECTION OF SHIP MONEY

3.4.1. GEOGRAPHIC AND CHRONOLOGICAL PATTERN OF PAYMENT

In a recent evaluation of the success of Ship Money, based on Gordon's data, Sharpe has claimed that most counties paid ninety percent of the rate, except for the final 1639-assessment.[1] Although the Audit Office Declared Accounts and the final balance sheets of the Treasurer of the Navy are accurate, and Sharpe is right that Ship Money was collected to a large extent, this is not the question critical examiners need to ask. Administrative and political success of a tax is determined by the acceptance or opposition it engenders in taxpayers. This can only be measured by the speed of payment and the resistance which had to be overcome. This chapter will focus on the performance of counties and popular opposition over the course of the five nation-wide Ship Moneys from 1635 to 1639. Source material for this analysis includes the accounts of navy treasurer Russell and his assistants, Fenn and Goold, which are scattered across the State Papers Domestic. Since weekly balances were not established before the 1637-writ, my findings for the 1635 and 1636 Ship Monies rely on acquittances issued to Sheriffs or head officers of corporate towns. Two questions have not been answered by Gordon and Sharpe. How long did it take to collect the tax in full, and what amount was paid by 1 April of the year after the writ had been issued, when the fleet usually set sail for a new campaign? In order to establish a geographic and chronological payment pattern, I have compiled tables of Ship Money returns after three, six, nine, twelve, and eighteen months after the writs.[2]

Over the years, the general tax-morale significantly declined. In 1635, Ship Money commenced promisingly. Within four months, Derbyshire and Monmouthshire achieved full payment, Radnor returned 91.4%, Lincolnshire more than half, and Worcestershire 47.5%. By 1 April 1636, of fifty-three counties, a further eleven fulfilled their tax obligations, seven

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[1] *Sharpe, Personal Rule 1992*, pp.585-90; *Gordon*, pp.142-4 (figures on pp.154-62).

[2] For the following discussion see Appendix, Tables. 6.1.10. to 6.1.14.; *Cope*, p.118, mentions the political costs of Ship Money.

paid more than 90%, and thirteen more than half the sum. Yet, after twelve months, at least six counties were still seriously in arrears, Buckinghamshire at 29.5%, Cambridgeshire/ Huntingdonshire at 25.2%, Middlesex at 35.6%, Oxfordshire at 45.8%, Staffordshire at 15%, and Surrey at 29.3%. Worcestershire, which had started so quickly, had not submitted 34.1% of its share. Carmarthenshire, Denbighshire, and Dorset paid substantial sums only twelve to eighteen months after the writ had been issued, and in January 1638, Bristol and North Wales were still 50% in arrears, Essex 15.6%, Oxfordshire 14.2%, Somerset 13.2%, and Surrey 8.7%.

The pace of the 1636-writ was already considerably slower. Bedfordshire was the only county paying some money in the first quarter (23.3%), and by 1 April, only Glamorganshire, Monmouthshire, and Westmorland had fully paid. The contributions of ten other counties varied between 4.3% (Kent) and 98.8% (Yorkshire). Six to nine months after the writ, four more counties had concluded the collection, four had paid more than 90%, and two more than 80%. Most substantial payments, however, were not made before November 1637, and while in 1635/6 the majority of the counties had paid within the one year-limit, after 1636 this was the exception. Eighteen months after the writ, Buckinghamshire and Northumberland were more than 30% behind, Bristol (though reduced by £ 1 000) more than 20%, and Northamptonshire, Oxfordshire, Staffordshire, Warwickshire, and Wiltshire more than 10%.[1]

After six months, of the forty-four counties listed for the 1637-writ (those of Wales now summarised as "North Wales" and "South Wales"), only sixteen had submitted something, varying from 2.7% (Lincolnshire) to 93.3% (Monmouthshire). After nine months, only Rutlandshire had fully paid its £ 800, and Cornwall, Cumberland, Hampshire, and Monmouthshire more than 90% of their share. The average of all other counties was well below 60%. Northamptonshire had raised meagre 6%, and Buckinghamshire 15.5%. By 1 October 1638, a mere eight counties had submitted more than 90%, and only Cornwall, Monmouthshire, Nottinghamshire, and Sussex had completed their charges twelve to eighteen

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[1] See also early reports of slow payment by the Venetian ambassador in 1636 and 1637: *SPV*, XXIV, 107, 299.

months after the writ. After one and a half years of collection, eleven counties still had paid less than 80%, Northumberland and Worcestershire even less than 60%.

The 1638-Ship Money was reduced by two-thirds, and Northumberland, Durham, Cumberland, and Westmorland had been exempted from payment. Yet, after six months, only twenty-five of the fourty chargeable counties had paid something, this time varying between 6% (North Wales) and 93.3% (Sussex), on average, however, not exceeding the 30% or 50%-mark. After nine months, only Cheshire, and again, Monmouthshire and Rutlandshire, had transferred more than 99%, and additional four counties more than 80%. Herefordshire and Lancashire had paid nothing. After one year, only nineteen counties had paid more than 80%, but Bedfordshire, Herefordshire, Hertfordshire, Oxfordshire, Warwickshire, Wiltshire, and Worcestershire less than 60%, and Lancashire still not a penny. After eighteen months, sixteen counties had paid less than 80%, eight less than 70%, with Bedfordshire (35.3%), Oxfordshire (46.4%), and Wiltshire (41.1%) ranking at the bottom of the table.

The 1639-writ marked the final collapse of Sharpe's "great success story".[1] After nine months, nine counties (besides the four northern counties) had paid nothing, amongst them even faithful Cheshire, Rutlandshire, and Yorkshire. Hampshire scored highest, with 55.9%, while the rest dwindled somewhere between 5% and 30%. After one year, seven counties had still made no payment, and only Cornwall, Devon, Hampshire, Lancashire, Sussex, and North and South Wales had passed the 40%-mark. In a final account, dated New Years Eve 1640, North Wales had taken the lead with 61.5%, while Bedfordshire, Buckinghamshire, Hertfordshire, Rutlandshire, and Staffordshire were blank on their accounts. Northamptonshire, at least, had paid 0.5%, Shropshire 2.5%.

Yet, the local response varied, and the pattern is far more intricate, contradictory, and subject to change, than any aggregate national average would suggest. In many parts of the country, Ship Money proved difficult to collect from the very beginning. In Middlesex, after

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[1] *Sharpe, Personal Rule 1983*, p.69.

each twelve month-period, only 50% to 70% was paid, in Oxfordshire barely more than half the sum, in Buckinghamshire even less, except for the 1638-Ship Money. After eighteen months, Northamptonshire was usually in arrears between 15% and 40%. Somerset and Worcestershire were notoriously slow payers. Other counties, such as Cheshire, Cornwall, Hampshire, Monmouthshire, Norfolk, and Sussex, displayed a remarkably good record, except for the last writ, and paid about 90% by the end of the twelve or eighteen month-period. Coastal counties were more forward in their payment than inland counties, although Devon, Dorset, Essex, Kent, Suffolk, and Yorkshire were slower in collecting than Cornwall, Hampshire, Norfolk, and Sussex. Generally, however, the enthusiasm for Ship Money gradually waned, particularly after the 1637-writ. Bedfordshire is one of the best examples. While the 1635-Ship Money was collected within twelve months, in 1636/7, it took fourteen months to collect 86.6%, and in 1637/8, eighteen months to collect 86.7%. In 1638/9, the mark never exceeded 35%, and in 1639/40, not a single pound was collected. While it took Hertfordshire six months to collect 82% in 1635/6, fourteen months went by in 1636/7, to gather 91%. In 1637/8, eighteen months elapsed to collect 74%, and in 1638/9, within the same period, only 64% had been paid.

While the tax dramatically deteriorated with the 1636-writ only in Wiltshire, the rest of the country started lagging behind after the 1637-writ. Most counties can be categorised into one of three groups, according to the year when Ship Money payment experienced a significant drop. Cornwall, Essex, Hampshire, Lancashire, and Yorkshire, performed well in all years, until the last writ of 1639, when their rates fell to an unprecedented low, respectively of 50%, 4.1%, 62%, 61%, and 0% after twelve months. Widespread collapse of Ship Money started with the 1638-writ, after Hampden's case, as in Berkshire, Cornwall, and Surrey, where payment after twelve months was significantly lower than in the previous year. In Derbyshire, Dorset, Herefordshire, Hertfordshire, Leicestershire, Shropshire, Warwickshire, and Worcestershire, however, it took considerably longer to collect smaller percentages, as early as 1637/8.

3.4.2. SHERIFFS REPORTING THE COLLECTION OF SHIP MONEY

Although statistics establish an essential framework to examine the acceptance of Ship Money, they must be supplemented with information about the environment within which Sheriffs and collectors worked.[1] Most of this information is provided in Sheriffs' reports and in affidavits or narratives of local officers, which not necessarily correspond to the statistics. The payments from Buckinghamshire, for example, in 1635/6 and 1636/7, do not suggest any serious problems, although Sheriff Temple was summoned before the Privy Council to justify arrears in July 1636, and Sheriff Chester was severely chastised for his negligence in April 1637 and January 1638.[2] Conversely, in Wiltshire, difficulties were no significant issue in reports until early 1639, which in no way reflected the dramatic collapse of payment since 1636. In Essex, Sheriffs easily seemed to overcome the enormous problems they described in their accounts, since Ship Money was paid relatively punctually. The never-ending vendetta between Cheshire and the city of Chester, which inspired Marcotte's and Lake's case-studies, was incompatible with an almost unblemished payment-record.[3] Equally, harsh Privy Council reprimands of the Sheriffs of Cornwall, Nottinghamshire, and Staffordshire in 1636, were unjustified, as the figures illustrate.[4]

Opposition to Ship Money can be measured by the dates and frequency with which Sheriffs reported and acted upon refusals to pay. A number of shires hardly ever complained of problems, particularly the Welsh, where the county quotas were comparatively small and difficulties only of technical nature.[5] In March 1637, the Caernarvonshire Sheriff denied the existence of opposition, and Glamorganshire Sheriffs received several congratulatory letters

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[1] *Cope*, p.115, unlike Sharpe, stresses that the paid amounts did not reflect the popular response to Ship Money.

[2] APC 2/46, 109; 2/46, 304; 2/47, 298; 2/47, 354; 2/48, 551.

[3] *Lake*, pp.46-54; *Marcotte*, pp.149-154.

[4] APC 2/46, 259-60; 2/46, 446; SPD 16/331-64.

[5] e.g. Anglesey: SPD 16/448-13; Brecon: 407-53; Cardiganshire: 450-33; Carmarthenshire: 347-60, 385-59; Flintshire: 446-36, 467-10; Montgomeryshire: 387-75, 420-68; Pembrokeshire: 366-45; Radnor: 386-26, 415-85.

from the Privy Council.[1] In May 1637, the Sheriff of Montgomeryshire wrote that the county paid "with alacrity", and the escheators of Anglesey and Carmarthenshire, sent to control the Sheriffs' activities during the crisis of 1640, were surprised to find everything paid.[2] The good returns from Sussex and Yorkshire apparently were due to the absence of opposition.[3] But under the impact of the Scots' Wars and Short Parliament, in 1640, Ship Money collapsed even in counties with unblemished payment record, like Monmouthshire and Cornwall.[4]

Only in a few counties did opposition to Ship Money not manifest itself before the issuing of the 1638-writ. In April 1639, the Sheriff of Denbighshire, for the first time reported that the Constables had not submitted their assessment yet, and the same month, Sheriff Mainwaring of Cheshire complained of widespread refusals, which, by September 1640, had grown to such extent that his successor considered using the militia to protect his bailiffs from rioting villagers.[5] In November 1638, Sheriff Stanley of Lancashire announced the enforcement of distraints.[6]

Yet, most Sheriffs' certificates indicate that in the majority of counties, Ship Money met opposition since the 1637-writ, prior to Hampden's case, the Scot's Wars, the increased

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[1] SPD 16/349-64; APC 2/45, 302; 2/47, 258; it is not surprising that *Sharpe, Personal Rule 1992*, pp.564-5, prefers to quote Welsh counties for his argument that the gentry willingly served as Sheriffs!

[2] SPD 16/355-69; 464-49; 466-33; order of the Privy Council to use escheators as supervisors of Sheriffs, on 10 and 19 July 1640: APC 2/52, 625, 652-3. Yet, later difficulties in Wales: Cardiganshire: SPD 16/370-84, 370-85; APC 2/48, 449-50; 2/48, 548; SPD 16/376-141; 464-6 (SPD 16/376-141 is erroneously dated [1637?], but the author was Sheriff in 1639/40); Montgomeryshire: APC 2/51, 349.

[3] Some minor frictions: Sussex: APC 2/44, 350; SPD 16/322-14, 346-52, 376-108; Yorkshire: 438-105; APC 2/52, 476; SPD 16/453-24.

[4] Monmouthshire: SPD 16/459-39; Cornwall: some frictions already in 1636: APC 2/45, 336-7, 2/46, 259-60; 1640: SPD 16/424-43, 457-62, 463-53, 463-104. *Lake*, p.66, and *Faraday*, p.225 stated that the opposition to Ship Money in Cheshire and Herefordshire was general and overt in 1640. Similar, *Dias*, p.440; *Haskell*, pp.92, 100; *Ketton-Cremer*, p.99. *Quintrell, Essex*, p.340, however, claims that opposition in Essex raised from the beginning. *Clifford*, p.92, suggests that Ship Money in Hampshire did not collapse before 1640, and mainly due to Hampden's case. *Gill*, pp.120, 348-54, has produced some statistics on the payment of Ship Money which are not necessarily helpful. Unfortunately, she tends to use local examples from later, rather than earlier years of Ship Money (e.g. p.128) and has missed to emphasise the early breakdown of Ship Money. Yet, she has recognised the serious problems before Hampden's case and the Scots' Wars: pp.479, 336-7, 345.

[5] Denbigshire: SPD 16/417-38; Cheshire: 417-14; 450-28, 460-35, 466-46, 466-58, 467-82, 468-78.

[6] SPD 16/401-78; also 445-1, 450-11, 455-35, 466-47.

levy of 1639, and the Short Parliament.[1] In July 1638, Sheriff Russell of Cambridgeshire admitted that "little or noe monies can be gotten but by distresse and forcible meanes".[2] In August 1638, Sheriff Curzon of Derbyshire abandoned his initially lenient policy and managed to collect half the sum with force.[3] Sheriff Coningsby of Hertfordshire stated the arrears of each hundred, which in some parishes exceeded the 30%-mark.[4] The first critical report from Huntingdonshire arrived in May 1638, complaining of the county's "averseness" and the great numbers of confiscations.[5] In spring and summer 1638, a number of High and Petty Constables in Norfolk refused to collect and distrain and were summoned before the Privy Council.[6]

Even during the 1636-writ, the resistance of some counties necessitated coercive means to enforce collection. In February 1637, Sheriff Skipwith of Leicestershire certified "soe manye complayners & opposers", and accused "some Puritanes that are soe neere to Northamptonshire" of stirring civil disobedience.[7] In May, Sheriff Hussey of Lincolnshire witnessed the collapse of Ship Money in the Elloe and Aveland wapentakes, whose officers succumbed to popular resistance.[8] From March to September, Sheriff Thornhaugh of Nottinghamshire repeatedly entreated the Privy Council for assistance, since he and his officers were assaulted and sued for impounding for Ship Money.[9] In March, Sheriff

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[1] Regarding the first ruling of the judges and Hampden's case see *Historical Collections*, II, 354-5, 480-600; *A Complete Collection of State Trials*, ed. T. Howell (London, 1816), III, 826-1315.

[2] SPD 16/395-92.

[3] SPD 16/386-52, 397-47, 399-10.

[4] SPD 16/408-149 (dated [1638?]).

[5] SPD 16/389-133.

[6] e.g. SPD 16/385-1, 389-9; APC 2/49, 158; 2/49, 193; 2/49, 384; SPD 16/397-46, 400-14; see also a draft letter by Sheriff Buxton of Norfolk to the Privy Council (undated and unmarked): CUL: Buxton MSS, Box 96.

[7] SPD 16/346-109, 351-91; Twysden remarked on the resistance to Ship Money "especyally amongst those they terme Puritanes": KAO(M): Twysden MSS, U 47/47 Z 2, f.190.

[8] SPD 16/356-44, 356-76, 357-96-I to VIII, 357-124.

[9] SPD 16/352-18, 362-83, 367-46.

Harrington of Rutlandshire frankly wrote that "the trouble I have been put to has been such that were it not the king's command no profit or reward could draw me to adventure upon the like business again".[1] In February, Sheriff Littleton of Staffordshire stated that he had been "very rough" with many, but had collected only a quarter and that "weare I to suffer death for my neglect I weare not able to doe more".[2]

Most surprisingly, however, is the fact that in most counties Ship Money was opposed from the first nation-wide Ship Money writ of 1635. In early 1636, reports from Bedfordshire, Devon, Dorset, Essex, Gloucestershire, Hampshire, Herefordshire, Kent, Northamptonshire, Oxfordshire, Shropshire, Suffolk, Surrey, Warwickshire, Wiltshire, and Worcestershire related to resistance which was considered significant enough to inform the Privy Council. In April 1636, Sheriff Trenchard of Dorset sent a list of more than 260 refusers to the Privy Council, responsible for arrears under the 1634-writ, amounting to 991-18-6¼.[3] In December 1635, Sheriff Stephens of Gloucestershire was collecting arrears of 1634, but found that "div[r]s men give dilatory answears that they have not money and others stand mute & saye nothing".[4] In February 1636, Sheriff Wentworth of Oxfordshire referred to "strong opposition" and his "excessive troble".[5] In June, Sheriff Verney of Warwickshire requested the Privy Council's support against the "resistance and opposicon".[6] In September 1636, Sheriff Russell of Worcestershire "receaved little or none but by distresses taken" and imprisoned a few particularly stubborn refusers.[7]

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[1] SPD 16/349-2, 349-117, 351-37.

[2] SPD 16/346-108.

[3] SPD 16/319-89; also in Herefordshire: 341-45 (dated [1636?]); difficulties in Bedfordshire: e.g. APC 2/45, 447-8; SPD 16/536-30; APC 2/46, 311-2; Devon: e.g. SPD 16/301-76, 302-57, 303-127.

[4] SPD 16/304-73; also successor Leigh: e.g. 302-54; APC 2/45, 387-8; SPD 16/311-78, 311-79, 331-39.

[5] SPD 16/313-93.

[6] SPD 16/326-6.

[7] SPD 16/331-12; Sheriff Ayliffe of Wiltshire, pursuing arrears from 1635 in January 1637: 344-74. Parish accounts usually did not refer to refusers. In Waltham/Leicestershire, however, the Constable spent 5s in 1635, "paid for John Ffan he being taxed 10s would py byt 5s", and 4d "paid for a warrant for some that refused to paie theyr levies": LeicsRO: DE 625/60. The Constable of Nether Whitacre/Warwickshire paid 5s4d in 1636 "for those that did not pay

3.4.3. ARREARS CAUSED BY ADMINISTRATIVE INEFFICIENCY AND ASSESSMENT DISPUTES

In a pre-bureaucratic society, insufficient communication, inefficient administration, and technical impediments were frequently to blame for the failure of policy enforcement. This particularly affected the coordinating work of the Sheriffs, which was crucial during the collection of Ship Money. Sheriffs ceased to collect Ship Money as soon as their term of office expired, ignoring the clause which demanded the completion of the collection beyond that period.[1] Some received permission to pass on the arrears to their successors, but failed to inform them as to their quantum and source. Conversely, the successors frequently neither authorised predecessors nor their subordinate officers to collect the arrears.[2] Others took their time in assessing the county, waiting for the full thirty or forty days until the corporate towns had agreed on their share.[3] Several Sheriffs justified delays with the fact that they had not been sworn before December or January, which prevented them from having the money

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shipmoney", and, in 1638, the Constable of neighbouring Fillongley spent 2s3d "laid downe for the whole leavie w^{ch} was to little": WarwsRO: DRB 27/9; DR 404/85. The Churchwardens of Woodbridge/Suffolk paid 3s in 1638, "laid out behind unpaid of the Shippmonyes for y^{t} Toune": SuffRO(I): FC 25/ 1/1. In 1635, the Constables of Manchester paid 46-17-0 Ship Money, although they only had received 46-5-2: *Manchester Constables' Accounts*, II, 22+24.

[1] e.g. Derbyshire: SPD 16/399-16; borough of Barnstaple/Devon: APC 2/45, 304-5; Dorset: SPD 16/337-36; Hampshire: 319-76; Shropshire: 311-62; borough of Marlborough/Wiltshire: APC 2/46, 337-8.

[2] e.g. Bedfordshire: APC 2/46, 23; SPD 16/444-12; Buckinghamshire: APC 2/46, 95-6; 2/46, 109; borough of Wycombe: 2/50, 147; Cheshire: SPD 16/348-35 (Aston had disappeared to the Netherlands, instead of passing on the assessment lists to Sheriff Delves), 466-58; Devon (corporate towns): APC 2/44, 293-4; (county): SPD 16/409-54; APC 2/50, 64; Dorset: SPD 16/379-4; Essex: APC 2/46, 423-4; city of Gloucester: 2/50, 205; Herefordshire: SPD 16/343-56, 354-23, 355-6, 369-52, 370-71; city of Hereford: APC 2/47, 354-5; 2/49, 497; SPD 16/363-19; Hertfordshire: APC 2/48, 186; Kent: 2/46, 444-5; Leicestershire: SPD 16/455-125; APC 2/52, 538; Lincolnshire (corporate towns): 2/45, 225; (county): 2/45, 319; 2/46, 45-6 and 82; SPD 16/304-82, 315-63, 317-1, 318-1, 336-18; (Lincoln): SPD 16/421-62; Middlesex: APC 2/50, 645; Montgomeryshire: SPD 16/444-37; Northamptonshire: APC 2/47, 14-15; 2/47, 114; 2/47, 238-9; SPD 16/348-72, 351-65; borough of Brackley: APC 2/50, 355; borough of Daventree 2/48, 433; borough of Newcastle: 2/47, 304; Nottinghamshire: SPD 16/336-50; APC 2/50, 538-9; Oxfordshire (corporate towns): 2/50, 504; Shropshire: 2/50, 79; borough of Shrewsbury: 2/50, 600-1; Somerset: 2/46, 59-60; 2/48, 209; 2/50, 506-7; SPD 16/371-19, 388-28, 412-13, 420-160; borough of Yeovil: APC 2/50, 189; Worcestershire: 2/48, 371. John Newton, Sheriff of Shropshire in 1634/5 pointed out that he could not collect the arrears of 1635 since he had been pricked as Sheriff of Montgomeryshire in November 1637, and was busy collecting Ship Money there: SPD 16/336-17; the dating of the document by the PRO ([20th of November] 1636) must be wrong, since Newton was Sheriff in Montgomeryshire in 1637/8.

[3] e.g. Dorset: SPD 16/346-21, 445-18.

available by March or April.[1] A number of Sheriffs' letters and Privy Council orders indicate that mail either had not arrived, or taken several weeks, sometimes months, to reach its address.[2] Many claimed unfamiliarity with the shires in which they were strangers and lacked the patronage, sympathy, and support of county governors.[3] Sheriff Walter of Oxfordshire made the mistake of dividing the county with his unreliable Undersheriff who failed to collect his part.[4] Sheriffs were involved in accidents, fell ill, or died during their term of office.[5] Particularly in winter and spring, road conditions impeded communication and collection from remote parts of the county.[6] Plague outbreaks additionally severed all links between localities.[7] Sheriffs of counties distant from London waited until they had received sufficiently large amounts of money worth sending to the capital.[8] Others depended on the

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[1] e.g. Anglesey: SPD 16/448-13; Cumberland: 444-49; Derbyshire: 445-42; Flintshire: 385-88; Herefordshire: 346-6; 433-15; Sheriff Wasteney of Nottinghamshire complained that he had not entered office before 16 February 1636, and could not spare fifteen minutes for his private life: 314-72. Edward Andrews was surprised to become Sheriff of Rutlandshire in 1638, since, allegedly, Lord Faulkner had been pricked initially: 386-21. Sheriff Vincent of Sussex and Surrey in 1636/7 claimed to have never received his commission, and only casually had been informed by his son: 335-40.

[2] I only refer to letters directly making statements of missing correspondence: Northumberland: SPD 16/445-36; Rutlandshire: 386-21; Surrey: 335-40; Westmorland: 327-71; Worcestershire: 314-4. In fact, there are more than three hundred documents referring to mail which does not exist.

[3] e.g. Brecon: SPD 16/407-53-I; Dorset: 415-55; Oxfordshire: 313-93; Rutlandshire: 386-21; Shropshire: 382-42; Staffordshire: 371-78; Warwickshire: 305-33.

[4] e.g. SPD 16/371-65, 371-98, 376-110, 381-43, 392-65; apparently, Sheriff Mildmay of Essex did the same: *Quintrell, Essex*, p.328.

[5] Sickness: Caenarvonshire: SPD 16/349-64; Cambridgeshire: 395-92, 409-170; Cornwall: 336-44; Dorset: 302-77, 444-28; Herefordshire: 407-49, 427-105, 452-86; Kent: APC 2/50, 67; Leicestershire: SPD 16/350-36; Lincolnshire: 404-120; Monmouthshire: 418-39; Northamptonshire: 385-24, 409-166; Nottinghamshire: 352-18, 420-133; Oxfordshire: 428-57; Rutlandshire: 445-81; Suffolk: 367-6; borough of Hastings/Sussex: 423-91; Warwickshire: 322-13; Wiltshire: 303-13. William Stretchley, bailiff of Blandford/Dorset for 1636/7, had fallen from his horse and broken his shoulder in May 1638: 453-73 (deposited 15 May 1640). Sheriff Oglander of Hampshire, living on the Isle of Wright, twice narrowly escaped shipwrecking: 385-18. Death: Denbighshire: 312-49, 312-50; borough of Derby: APC 2/51, 303; Norfolk: 2/49, 210; Northamptonshire: 2/50, 430; Nottinghamshire: SPD 16/438-95; Suffolk: APC 2/49, 368; borough of Guildford: 2/50, 73; Warwickshire: 2/45, 200; SPD 16/305-33. John Scurfield, Sheriff of Pembrokeshire in 1634/5, drowned at Eynsham Ferry with his arrears: 333-12, 337-4.

[6] e.g. Herefordshire: SPD 16/412-28; Leicestershire: 350-36, 385-2, 455-126; Northumberland: 386-60; Rutlandshire: 349-117.

[7] e.g. Gloucestershire: SPD 16/335-58; Northumberland: 387-74, 409-103; borough of Presteigne/Radnor: 348-46; extremely severely in Montgomeryshire: 392-17, 400-94, 410-149.

[8] Caenarvonshire: SPD 16/349-64; Herefordshire: 351-16; Merionethshire: 349-75, 418-84, 449-2; King's Lynn/Norfolk: APC 2/44, 492-3; also Surrey: SPD 16/350-55.

services of local merchants who could be trusted with transport, but travelled to London only a few times each year.[1] In May 1639, Sheriff More of Monmouthshire mused over his difficulties in exchanging heaps of rugged coins into manageable cash or bills, and in June 1640, Sheriff Martyn of Devon was reluctant to transport the money on public roads while soldiers for the Scottish campaign were roaming the country-side.[2] In May 1639, Sheriff Powell of Denbighshire complained of Deputy Lieutenants appropriating Ship Money and labelling it as Coat and Conduct Money.[3] Mayor Dalton of Hertford had been silly enough to lend the £ 48 Ship Money collected for 1637 to someone who was on his way to New England.[4] And in March 1636, a carrier from Chester was wanted for the disappearance of £ 140 of Ship Money.[5]

It is difficult to evaluate the impact of assessment disputes on payment morale, and whether there was a link between their number and duration and the time it took to clear arrears.[6] In Cheshire, Hampshire, Kent, Norfolk, and Yorkshire, where corporate towns quarrelled over their proportions, disputes did not have any impact on the collection of Ship Money.[7] Somerset Sheriffs succeeded in collecting, albeit slowly, despite early disputes and barely concealed political opposition.[8] The Sheriffs of Devon, Northamptonshire, Suffolk, and Warwickshire reported general disagreements over proportions since 1635, but payment

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[1] Denbighshire: SPD 16/331-20; 349-51; Devon: 351-2; Shropshire: 302-80, 400-36; Somerset: 304-37. In March 1638, Sheriff Andrewes of Rutlandshire claimed that he knew no reliable bearer to transfer the money to London: 386-29.

[2] SPD 16/421-73; 458-42; also Sheriff Philipps of Merionethshire, in March 1640: 449-2.

[3] SPD 16/420-33.

[4] SPD 16/387-46.

[5] APC 2/46, 27; see also the bailiff of Dorset of 1636, who went bankrupt and fled with the Ship Money he had collected: SPD 16/452-79 (it took almost four years to establish this fact!).

[6] See the remarks of the High Constable of Chewton hundred/Somerset: SPD 16/376-118.

[7] See Appendix, Tables 6.1.10.-6.1.14. Hampshire: e.g. SPD 16/283-91, 304-58; APC 2/47, 380; Kent: e.g. 2/45, 148; 2/45, 155; 2/45, 156-7; 2/50, 308; Norfolk: e.g. 2/44, 298-9; 2/44, 656; Yorkshire: e.g. 2/44, 405; 2/44, 565; 2/45, 400-1; 2/45, 433-4; Cheshire: e.g. 2/45, 147; 2/47, 404-5; 2/47, 474; 2/48, 137; 2/49, 222.

[8] e.g. APC 2/44, 590-1; 2/45, 139; 2/46, 291; 2/47, 187-9; 2/47, 241; 2/47, 279; 2/47, 311-2; 2/47, 435-7; 2/47, 479-80; 2/48, 505-6; 2/48, 544; 2/48, 589-90; 2/48, 608-11; 2/49, 163-4; 2/49, 502.

did not significantly drop before 1637.[1] In Leicestershire, disputes occurred in 1636/7 and 1638/9, exactly those years, in which figures do not suggest any problems with the collection.[2] Yet, there seems to be a correlation between the quarrel provoked by one division in Berkshire and Dorset in 1637 and declining payment.[3] In Lincolnshire, Middlesex, Nottinghamshire, Shropshire, and Wiltshire, slow payment clearly coincided with assessment disputes initiated by one or several divisions.[4] Buckinghamshire, Gloucestershire, Herefordshire, Oxfordshire, Staffordshire, and Worcestershire, prove that it did not require assessment disputes to sabotage the collection, and the figures suggest that here Ship Money met with massive *political* opposition.

3.4.4. ECONOMIC CAUSES OF ARREARS

Despite administrative failures, it usually was reluctance to pay Ship Money which accounted for outstanding payments. General depression, harvest failures, plague, local taxation, and unrealistic county and borough quotas caused periodic or permanent shortage of cash and inability to pay Ship Money. In Montgomeryshire, most farmers depended on cattle-grazing and did not have cash before the markets in autumn, where they sold their stocks.[5] In September 1636, Sheriff Russell of Worcestershire certified that some "plead extreame Povertye and untill their harvest be Inned, and they have time to make money of their corne they are not able to paye the severall somes".[6] Some officers blamed local or general

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[1] Devon: e.g. SPD 16/301-76, 301-77, 302-57 (later: 391-12); Northamptonshire: e.g. 300-23, 300-39, 535-110, 301-98, 304-5, 306-60; Suffolk: e.g. APC 2/45, 183; SPD 16/306-66; Warwickshire: e.g. 321-76, 322-8, 327-89.

[2] e.g. APC 2/47, 121; SPD 16/385-2, 415-39.

[3] Berkshire (Sunninghill hundred): e.g. APC 2/47, 111-2; SPD 16/369-56, 376-114; APC 2/48, 558; 2/49, 82; Dorset (Sherborne division): e.g. 2/45, 432; 2/46, 54-5; 2/47, 477.

[4] Lincolnshire: e.g. APC 2/48, 559-60; 2/49, 241; 2/49, 283; Middlesex: e.g. SPD 16/333-22, 341-51, 341-52, 346-63; Nottinghamshire: e.g. 374-1, 374-61, 378-78; Shropshire: e.g. 347-31; APC 2/48, 80-1; SPD 16/390-9; Wiltshire: e.g. APC 2/47, 471.

[5] SPD 16/355-69.

[6] SPD 16/331-12.

economic predicaments. In July 1638, the Constable of Ware/Hertfordshire excused thirteen non-payers, since "none of these doe refuse to pay to their rate but it hath pleased God to withhold his blessings from many of them being farmmars that the earth had not yelded her encrease as at other times".[1] In May 1640, Sheriff Windham of Norfolk blamed the "grᵃtt dampe of Industrie and Commerce" which resulted in "Ebbe and depʳssion the price of their Commodities" for reluctance to pay Ship Money.[2] In March 1638, the Oxfordshire Sheriff found the cause of arrears in the "multitude of poore people" and the "dearnes of Corne and all other provisions".[3] Twysden knew from experience that "yᵉ Common sort [...]at no tyme part but for fear of wars from their silver", and observed that most were determined "to keep their money in their purses as long as they could".[4] Although the assertion of insolvency was part of the rhetoric of local officers in any taxation, the scarcity of money should not be dismissed as irrelevant. The additional levying of Coat and Conduct Money for the Scots' Wars exacerbated the shortage of money. In April 1639, Sheriff Whatton of Leicestershire explained that:

> "most Constables do alledg that they cannot get in the money and some had gathered part and a taxe coming for horses at 4 dayes warning they were constraynd to lay downe that money haveing no tyme to gather other moneyes in so short a tyme, And truly I find that money is verie skant for the present in regard of the late taxes, and that manye wᶜʰ are well affected & willing to paye, yet doe not for want of money".[5]

The collection also displayed the shortsightedness of some communities to assess paupers and non-resident parishioners. In March 1638, Sheriff Nanney of Merionethshire observed that "all abler sorte of the Countye pay with all alacritie, but that the scarsity of money among the meaner sorte causeth soon delay".[6] In February 1637, Sheriff Littleton of

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[1] SPD 16/395-88.

[2] SPD 16/455-36.

[3] SPD 16/456-41; also e.g. Cornwall: 463-104; Oxfordshire: 349-92; Rutlandshire: 386-21.

[4] KAO(M): Twysden MSS, U 47/47 Z1, f.134/194.

[5] SPD 16/418-51; also e.g. Grantham/Lincolnshire: 422-36; Montgomeryshire: 420-68.

[6] SPD 16/386-54.

Staffordshire was shocked that "whole regiments com dayly to my howse sayinge distraine for they have noe money".[1] In January 1637, Sheriff Ayliffe of Wiltshire:

> "made a return of y^e^ writt with y^e^ names of all those who refuse to pay of which number many are so poore they have not wherewith to paye neither a suffitient distress [...]such was y^e^ indiscretione of the Assessors to charge such poore people; to make theyre owne burthen y^e^ lyghter".[2]

Of the more than one hundred names returned for failure to pay the 1636-Ship Money in Hampshire, about half were labelled "poor", assessed at extortionate rates of between 1s and 6s.[3] According to detailed lists by Herefordshire High Constables from August 1637, each village had one or two parishioners where no distress could be found.[4] In October 1638, the 42-7-0 arrears of Shrewsbury fell on thirteen people who had departed the city since the writ, two deceased, and sixty "poor" or "obstinate".[5] The Sheriff of Shropshire of 1637/8 described the dilemma of dealing with absenters:

> "very many refuse to pay most of them haveinge onely arrable groundes and meadowes and liveing in other Counties or Corporacons, soe as I cannott have any distresse, till harvest, neither can I Attach their bodies".[6]

Some "absenters" may have been non-resident parishioners assessed to alleviate the community burden, whose payment could not be enforced across the county-border, but others moved to evade payment. The Sheriffs of Lincolnshire and Shropshire of 1637/8 were

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[1] SPD 16/346-108.

[2] SPD 16/344-74.

[3] SPD 16/379-84 (dated 25 January 1638).

[4] SPD 16/365-70 to 85, 370-71-I + II,371-87-I, 376-99 and 100; a similar list of Elloe wapentake/Lincolnshire: 357-96-III (May 1637), and a report by Sheriff Pelham of Linconshire of arrears from 1634/5, in January 1637: 345-18-I. Sheriffs asking the Privy Council for directions: e.g. Cheshire: 348-35; Derbyshire: 348-51, borough of Derby: 379-49; Devon: 372-3, 422-8, borough of Barnstaple 376-138; Gloucestershire: 320-33; Huntingdonshire: APC 2/45, 388; 2/46, 115-6; Lincolnshire: SPD 16/333-23; city of Lincoln: 423-113; London: APC 2/45, 57-8; Nottinghamshire: SPD 16/352-18; Warwickshire APC 2/46, 330; Wiltshire: SPD 16/303-13; Worcestershire: 331-12; APC 2/46, 354-5; Yorkshire: SPD 16/302-97.

[5] SPD 16/400-103; similar lists e.g.: Bristol: APC 2/48, 605; borough of Totnes/Devon: SPD 16/341-37; borough of Barnstaple/Devon: 376-137, 407-54; Hertfordshire: 400-130; also 376-106 (1636-writ) and 408-149 (1637-writ); borough of St.Albans/Hertfordshire: 376-128, 376-143, 398-137, 399-81; APC 2/50, 663; borough of Hertford: SPD 16/400-131; St.Giles-in-the-Field/Middlesex: APC 2/46, 440-1; King's Lynn/Norfolk: 2/44, 660; Suffolk: 2/49, 511; Surrey: 2/49, 413.

[6] SPD 16/390-9.

puzzled by people resigning their tenancies on Lady Day and moving to other counties, and by "rich men who board wth theire freinds w^{ch} have nothinge to destraine on & have yett stocks of mony abroad".[1] In November 1637, the Privy Council sent a messenger to various parts of the country, where London citizens had moved to escape payment.[2] In September 1636, the Sheriff of Worcestershire was reminded to track those people who had withdrawn to corporate towns of the county.[3] Obvious tax-evaders were those reported from Worcestershire in May 1640, who drove their cattle into Gloucestershire and Herefordshire to frustrate the bailiffs.[4]

3.4.5. POLITICAL OPPOSITION TO SHIP MONEY

In April 1640, Sheriff Powell of Cheshire described what was probably a typical dilemma of proving deliberate refusals:

> "I shold geve yo^{u} a name or two more of the greater Rank, [...]but They carrye it soe warily That I want [i.e. lack] pticler pr[oo]fe ag^{t} them; For when I press their Accusers to that, They flyt of and will not sticke to their tacklynge".[5]

Unless there are references to seditious speeches, petitions, or sermons, political motives are difficult to discern. Yet, it is surprising, how frankly Sheriffs reported politically-motivated resistance, and how flimsily technical arguments attempted to conceal political opposition. Although the better-off had the right to complain of unfair assessments, this betrayed a certain lack of enthusiasm for Ship Money and suggests political reasons for their refusals. In September 1638, the Mayor of Derby particularly complained about the "ablest men" who "delayed" payment - a euphemism for refusals.[6] Of the twenty refusers, the Mayor of

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[1] SPD 16/399-13; 390-9; also Devon (November 1639): 432-78.

[2] APC 2/48, 345.

[3] APC 2/46, 354-5.

[4] SPD 16/455-127.

[5] SPD 16/450-28.

[6] SPD 16/399-16.

St.Albans returned in October 1639, four were esquires and five gentlemen.[1] In March 1636, Sheriff Norton of Lincolnshire named, amongst others, the Bishop of Lincoln, the Earl of Lincoln, the Earl of Rutland, and three members of the Ogle family.[2] The Privy Council was afraid of the effect refusals of prominent office-holders, such as JPs, would have on the rest of the population, and, in November 1636, ordered to discharge all Lord and Deputy Lieutenants and JPs whose goods were impounded, from their commissions.[3] In August 1640, the escheator of Herefordshire wrote to Lord Treasurer Juxon that "the better sort of people answer they have no money", but that "others answer they will not pay before the Gent have paid".[4] In January 1637, Sheriff Leigh of Gloucestershire returned six JPs.[5] In October 1637, Henry Nevill esq. was removed from the Commission of the Peace of Essex for refusing to pay Ship Money.[6] Walter Bonneher esq., a Gloucestershire JP, was reinstated as soon as he had paid his rate.[7] In September 1637, the distraint of Sir Walter Erle, John Brown "and some other of the great ones hath reduced the rest to conformitie" in Dorset.[8] In some counties, the JPs hit back and sabotaged Ship Money by discharging High and Petty Constables after their official term of office, against the Sheriffs' orders. Sheriffs of Herefordshire and Derbyshire repeatedly complained of JPs insisting on customary procedures or deliberately discharging officers who were most vital for the enforcement of Ship Money. Sheriff Lingen of Herefordshire stated that he:

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[1] APC 2/50, 663; see also certificate by Sheriff Mildmay of Essex (November 1636):SPD 16/335-67-I.

[2] SPD 16/315-121; Norton also attacked the Lord and Deputy Lieutenants: 331-26, 336-78. Similar reports of prominent refusers by his successors: 318-51, 352-67; see also e.g. Shropshire: 303-71; Somerset: 327-66; Warwickshire: 336-4; borough of Sarum/Wiltshire: 448-63.

[3] APC 2/46, 443 and 448-9; see orders to report wealthy refusers: London: APC 2/50, 256; Oxfordshire: 2/46, 447 (reply in SPD 16/336-51-I). Also mentioned by *Hunt*, p.204; *Willcox*, p.35.

[4] SPD 16/464-98; see also the popular reply to Sheriff Hunt of Hampshire, in August 1639, that other counties also had not paid Ship Money: 427-47.

[5] SPD 16/345-66.

[6] APC 2/48, 297.

[7] APC 2/47, 178 and 181.

[8] SPD 16/367-2.

> "desired all Justices of Peace not that they should not alter any Cunstables til they had accoumpted with mee for the Shipp moeny, whoe promised mee they would not, but sithince they have altered soe many; (and I thinke a purpose to hinder the service) that they have put mee to a great deale of traible, and mightilie Hindered the service".[1]

Many people did not refrain from openly confessing their opposition to Ship Money on political grounds.[2] At a public meeting in Hatfield, where the 1635-assessment of Hertfordshire was discussed, one Taverner had the audacity to suggest that "yf any man were unequaly Rated the Court of Requests was a fitt court to releeve him".[3] In May 1635, two inhabitants of Dedham/Essex were imprisoned in the Fleet for disputing that their town was maritime and liable to pay Ship Money.[4] In July 1635, one Richard Culmer denounced Edward Boys of Bonnington/Kent, who "sayd yf wee have such taxes layd uppon us we must rebell, or we must be faynt [feign?] to rebell".[5] In May 1637, Giles Randall, minister of Easton/Huntingdonshire, was accused of preaching a sermon against the Forced Loan and Ship Money, which he alledgedly called one of "many sins w^{ch} caused the wrath of God to lye heavye uppon this nation", and was of opinion, that collecting Ship Money "is fellony, and wthout restitucon ther can bee no salvacon".[6] In May 1638, Alexander Jennings, a Buckinghamshire-man, was committed to the Fleet for "scandalous speeches in derogation and disparagement of his Ma^{ts} Government".[7] In July 1638, an informer denounced a Chief Constable of Northamptonshire, who allegedly had uttered that Ship Money was intolerable and soon would result in stirs like in Scotland, that only a few honest judges had decided

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[1] Herefordshire: SPD 16/392-56; also 354-71; Staffordshire: 415-60, 417-23.

[2] e.g. Lord Spencer, in 1636: KAO(M): Twysden MSS U 47/47, Z2, f.189; and Twysdens's mother: Sir R.Twysden's notebook, vol.I: BL: Add MSS 34163, f.80.

[3] SPD 16/298-47 (reported by the Earl of Manchester).

[4] SPD 16/288-63; similar in Norwich, in March 1635: APC 2/44, 464.

[5] SPD 16/294-68.

[6] SPD 16/355-8; see also 356-58, 357-135, 361-64.

[7] APC 2/49, 171.

against the levy, and the king was subject to the law like everyone else.[1] In March 1638, the opinion of the Shropshire gentry was exhibited in a speechless way, when only ten men (none of them a gentleman) accompanied the Sheriff to receive the king on his progress. Wherever Charles I turned, no member of the nobility was at home, who had left their wives behind with an abundance of victuals to feed the royal visitor.[2]

It is certain, that the "scandalous language" Sheriff Rolle of Devon reported in March 1637, not only cursed impounding bailiffs, but also contained political rage.[3] In November 1635, a collector of Maldon/Essex noted the comment of William Painter that "if he hade any leisuer, would spend a 100$^{£}$ before he would paye this shipe monye".[4] In November 1637, the Constable of Brigstock/Northamptonshire, whilst distraining some parishioners, witnessed Thomas Barton's wife saying that "we would answer it before better men than the Sheriff", and Robert Harriot's wife scorning "they would not pay thare mony to A foole".[5] In April 1638, Thomas Mace of Compton Abdale/Gloucestershire, when told by the collector that, despite the hardship, the king must be served, allegedly replied "If it be so, that the King must have all, I would y^{e} king were dead".[6] In May 1640, the Constable of Sall/Norfolk notified the Sheriff that he had demanded "in civil manner" 15s Ship Money of clerk Roger Harmans, whereupon:

> "Harmans (beeing much mooved) asked this inform[an]t yf the Divell had sent him [...],[he] made Answ^{r} That hee receaved noe warr^{t} from any such, wheas replyed the said Harmans I thinke verilie the Divell sent [him] and sayd the same passionate wordes severall times; and saying hee was not yeat resolved whether he would paie yt; or noe".[7]

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[1] SPD 16/395-40; examined by the Attorney General in September, William Walker, the Chief Constable in question, vehemently denied the accusations: 399-46.

[2] *The Winthrop Papers*, ed. Allyn B.Forbes (Massachussetts Historical Society, 1943), III, 355-6.

[3] SPD 16/351-20.

[4] SPD 16/302-29.

[5] SPD 16/372-104.

[6] SPD 16/387-64.

[7] SPD 16/455-9.

In September 1640, inhabitants of South Newington/Oxfordshire, told the Privy Council, that Thomas Roberts, a notorious Ship Money refuser who had been summoned at the Privy Council, upon his return boasted and:

> "in a braveninge manner declared openly that hee [...] had sped well att the Councell Board had it not bine for that uglie Rogue Comptroller w^{ch} sate amongst them and that he found favor of all the rest save onely that Rogue Comptroller".[1]

It is of no relevance that many accused denied the charges and quotations and possibly were victims of slander. What counted was that people were ready to believe that the words had been spoken and were well-aware of the nation-wide political opinion about Ship Money.

The enforcement of the collection particularly suffered after the first ruling of the judges in February 1637, Hampden's case in spring 1638, and the Short Parliament in April and May 1640. Sheriff Banaster's hopes that the first decision of the judges in favour of the king would bring peace to Northamptonshire were disappointed, with many Constables quitting their duties.[2] During Hampden's case, a Somerset collector told the Undersheriff that in his division, "upon the rumo^{r} of the Judgs decision noe man will pay".[3] Sheriff Thornhaugh of Nottinghamshire observed that "The arguments of Judg Crooke and Hutton against the king for this Ship money hath made men more backward then they would have bene".[4] Sheriff Pennyston of Oxfordshire even heard rumours of "another tryall the next terme not concerning the last to be a determinacon of the right".[5] The opposition grew increasingly bolder. In May 1639, Secretary Windebank interrogated Sir Francis Seymour, leader of the resistance in Wiltshire, who discounted Hampden's case and referred to the liberty of subjects.[6] At the

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[1] SPD 16/468-124.

[2] SPD 16/348-64.

[3] SPD 16/389-124.

[4] SPD 16/390-116.

[5] SPD 16/395-59.

[6] *State Papers collected by Edward Earl of Clarendon comencing from the year MDCXXI*, ed. Edward Hyde, Earl of Clarendon (Oxford, 1767-1773), II, 47-8.

Devon Summer Assize of 1639, Lord Chief Justice Finch harshly rebuked Sir Richard Strode for delivering a written statement against Ship Money.[1] In January 1640, the Northamptonshire Grand Jury petitioned against the "greate and unsupportable greivance lyinge uppon us and the cuntrey under the name of Shipp money".[2] The Privy Council immediately ordered the Attorney General to examine the men responsible, to no avail, since the Clerk of the Peace explained that the JPs had discussed the petition in private only.[3] The foreman of the Jury suffered from sudden amnesia, and neither remembered who had written the petition, nor, who had been the receiving JP and the other Jury-members.[4] Once the Short Parliament had convented, all remaining dams broke. In April and July 1640, the Northamptonshire and Berkshire Grand Juries petitioned against Ship Money to Parliament.[5] In May 1640, Sheriff Bellott of Staffordshire was convinced that no one would pay anymore, and Sheriff Agarde of Derbyshire, after the dissolution of Parliament, lamented about "suche opposicon & evill affectednes" in his county.[6] The Chief Constables of a Suffolk division were told by the "abler sort [...]that they expect to pay subsidies & taxes and therfore [are] unwillinge to pay [Ship Money] as yett".[7]

3.4.6. CONCLUSION

Analysis of the navy treasurer's accounts indicates that Ship Money at no stage enjoyed national popularity, and its collection met with considerable difficulties from the very start. In none of the five years of its existence was Ship Money fully collected by the date the Privy

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[1] SPD 16/427-31.

[2] SPD 16/441-63.

[3] SPD 16/447-46.

[4] SPD 16/447-47.

[5] SPD 16/450-25; *Diary of John Rous, incumbent of Santon Downham, Suffolk, from 1625 to 1642*, ed. Mary A. Green (Camden Society, LXVI, 1856), p.91.

[6] SPD 16/452-10; 456-28.

[7] Hundreds of Mutford, Lothingland, and Blything: SPD 16/451-18-I.

Council dictated in the writs, and each annual fleet had to be paid for by the Exchequer in advance. The intervals during which full or partial payment was achieved shows that in all counties the pace of the collection gradually slowed down, and in some collapsed as early as 1637. The first three Ship Monies were eventually paid to more than ninety percent (with several years' delay), and one could argue that little more could be expected from a seventeenth-century amateur bureaucracy, and the collection of Ship Money could have been far worse. Yet, Caroline government, however unrealistically, expected full performance of its local deputies. Ship Money cannot be considered a "success story" because at no point did its enforcement meet the expectations of its creator - the true measure of success of this tax.

The examination of the Sheriffs' reports as reliable indicators of the atmosphere in the counties reinforces the negative impression of the Treasurer's figures and shows that Ship Money from its very beginning encountered considerable obstacles. Although delays were caused by maladministration and insufficient coordination, the main reason for the slow payment was the reluctance of people to pay Ship Money, due to unresolved or unsatisfactorily resolved assessment disputes, economic hardship, and expanding local taxation. Arrears caused by unreasonable assessment of paupers and non-resisdents also were unlikely to be collected. Deliberate absenteeism reflected opposition to purpose or manner of levying Ship Money. Despite the harsh consequences of resisting collection, many refusers had their possessions impounded, and were willing to attend at the Privy Council. A number of incidents show that, even in early years, people spoke freely against Ship Money, and the unfriendly remarks parishioners made to impounding bailiffs indicate that even lower orders and rural parts were clearly aware that Ship Money was a new form of unparliamentary taxation. As time passed, particularly after the first ruling of the crown court judges and Hampden's case, opposition grew bolder and openly commented on the narrow decision in favour of the king and the dubious legality of Ship Money. Once the Short Parliament was assembled and dissolved again, Ship Money was dead. This chapter focused on the performance of counties during the collection of various Ship Monies and described the averse

situation in which local officers had to enforce the tax. The next chapter will illustrate the significance of this opposition for local officers, and how Sheriffs and the Privy Council expected them to break resistance. Although Sheriffs and High Constables were important in organising and coordinating Ship Money, it was the parish officers who personally faced the resistance, and whose options were to either account to their superiors for their leniency and fear, or to meet the wrath of their communities.

3.5. FACING THE OPPOSITION: LOCAL OFFICERS AND THE COLLECTION OF SHIP MONEY

3.5.1. DEALING WITH REFUSERS: DISTRAINING OR REPORTING?

As with any other taxation, Ship Money refusers faced confiscation of goods to meet the demanded rate. Except for grain, cattle was the most convenient commodity to identify, transport, and sell. Delinquents either redeemed their impounded goods by finally paying Ship Money, or their livestock were sold, the money kept by the collectors, and any eventual surplus being restored to the owner. Those objecting to confiscations or concealing their commodities were imprisoned in the county gaol.[1] This chapter will illustrate that Sheriffs had to resort to confiscations at an early stage or else approached the Privy Council for assistance. It particularly will describe the problems for local officers, when refusers "rescued" their impounded goods, as it was euphemistically called, and entire communities rioted to resist confiscations. Finally, I will show that villagers were well-aware of the dubious legality of Ship Money and did not hesitate to threaten or commence law suits against bailiffs and their assistants, in order to challenge the injustice of a particular assessment or the legality of Ship Money in general.

The Sheriffs' reports indicate that distress was the common remedy for non-payment of Ship Money, and almost every letter mentioned confiscations. In November 1635, Sheriff Drewe of Devon wrote to the lords "I meet wth many refractory people from all ptes of the countie [...]but by usinge the authoritie given me by the writt and yo^{r} hono^{rs} direccons to distreyne & ymprison, I have no doubte of accomplishmt".[2] In October 1636, Sheriff Freke of Dorset commenced distraint "and y^{t} I would not seme partiall I comanded them to begin to destrayne on my sonn who had not yet payd".[3] In September 1636, Sheriff Russell of

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[1] See, e.g. Greytree hundred/Herefordshire (September 1637): SPD 16/367-36; parish of Barrow/Yorkshire (December 1637): JRL: English MSS 1091, f.23. See also the extremely precise draft of warrants to the High Constables by Sheriff Buxton of Norfolk, dated 14 June 1638: CUL: Buxton MSS, Box 96, C.58. Regarding distraining also *Gill*, pp.150-1.

[2] SPD 16/301-76.

[3] SPD 16/333-4.

Worcestershire complained that he "receaved little or none but by distresses taken.[1] In March 1637, Sheriff Bassett of Somerset stated that "most men force me to subscribe warrants to distress them", and Sheriff Littleton of Staffordshire spoke of "hundreds" of orders to impound.[2] In 1637, the Constable of Stathern/Leicestershire spent 3s for "the hie constable & the Baylie when they came to strane for the tax", and a year later, his successor paid 1s, when "the Shreafes men came to strayne for the tax money that was behind".[3] In 1637 and 1638, the Constables of Nether Whitacre and Fillongley/Warwickshire entertained bailiffs who came to impound, and in 1638, the Constables of Burton Latimer/Northamptonshire were visited by "the Shreiffs men [...]when they came to distreyne the delinquents of o^{r} towne for the Shipmony behinde".[4]

Yet, Sheriffs were often reluctant to press local officers to enforce payment by impounding. In March 1638, Sheriff Curzon of Derbyshire confessed that he "thought it a better course a while to forbeare them then to insense a multitude".[5] In April 1639, Sheriff Whatton of Leicestershire hoped that "if I maye forbeare a while to distraine of such, the money will come the cheerfuller and the tyme I thinke will not be long".[6] In March 1638, Sheriff Oglander of Hampshire, in a letter to John Worsley esq., demonstrated his readiness to use less drastic means:

> "As you are a gentleman whom I love and respect, so I desire you not to force me to distrain your goods for His Majestiy's Ship-Monies. I should be very loth to do it to any, especially to yourself. But as the monies must be paid to

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[1] SPD 16/331-12.

[2] SPD 16/397-19. Early references from other counties: Bedfordshire: APC 2/46, 311-2; Berkshire: SPD 16/306-49; Buckinghamshire: APC 2/46, 349; Cambridgeshire: 2/45, 387; Cardiganshire: SPD 16/376-141; Cheshire: 348-35; Devon: 351-20; Gloucestershire: 318-60; Hampshire: APC 2/44, 428-9; Herefordshire: SPD 16/366-43; Hertfordshire: APC 2/45, 370-1; Huntingdonshire: SPD 16/389-133; Lancashire: 304-34; Grantham/Lincolnshire: 313-14; Merionethshire: 313-76; Middlesex: 333-22; Norfolk: 385-1; Northamptonshire: APC 2/46, 355; Nottinghamshire: SPD 16/367-46; Oxfordshire: 327-126; Rutlandshire: 349-117; Surrey: 389-132; Warwickshire: 326-6, 333-29.

[3] LeicsRO: DE 1605/56.

[4] WarwsRO: DR 404/85; DRB 27/9; NorthantsRO: 55p/504; see also DevonRO(N): High Bray C (1637), 815 A/PW 1.

[5] SPD 16/386-52.

[6] SPD 16/418-51.

> His Majesty, so there is little reason that I should, besides my pains and care, pay it out of my own purse".[1]

Twysden's diary noted the case "of one gentlman of worth in Glocestershire who refused but his friend beeing High Sherif y^{t} yeere Laid donne y^{e} mony for hym rather then he would returne hys name".[2] Sheriff Thornhaugh of Nottinghamshire, on the other hand, was disappointed that his "forbearance and respect to them hath produced no other effects but refractorinesse".[3] In April 1637, Sheriff Hussey of Lincolnshire asked the Privy Council whether he could refrain from distraining and merely report the names of refusers to the Chancery.[4]

Other Sheriffs attempted to shift responsibility for prosecution to the Privy Council, pretending ignorance of how to deal with refusers, or claiming practical reasons which prevented confiscations or the sale of impounded goods. Although communication between Sheriffs and the Privy Council was vital to suppressing resistance, Sheriffs abused their privilege by returning the names of refusers without attempting to distrain, or by asking for the Privy Council's support in every minor crisis.[5] The Board's reaction usually was unpleasant. In July 1636, the Sheriff of Kent was told:

> "you are given sufficient power to levy the sums by distress or otherwise and to imprison the parties refusing which you are accordingly to pursue and perform without expecting directions from us upon every particular".[6]

In March 1640, the Mayor of Chester was censured:

> "we do very much marvel you should send us such a relation of your proceedings informing us in such a general manner [...]without certifying to us so much as the name of any one of the offenders [...].We cannot interpret

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[1] Cecil Aspinall-Oglander, *Nunwell Symphony* (London, 1945), p.85.

[2] KAO(M): Twysden MSS, U 47/47 O1, f.51/83.

[3] SPD 16/390-116.

[4] SPD 16/352-67.

[5] e.g. borough of Barnstaple: SPD 16/304-3; borough of Derby: 399-16; Gloucestershire: 320-33

[6] APC 2/46, 309.

this to be any other than a willful endeavour in you to delay the service".[1]

Others were reminded that returning refusers' names did not free them from enforcing distraint.[2] In more specific and justified cases, the lords were willing to dispense advice and summon delinquents.[3] Refusers were ordered to pay within a certain period or to attend the Privy Council; alternatively, Sheriffs were directed to bind them over. The most drastic response was to send messengers who arrested objectors and brought them to London. The fees payable to messengers and clerks of the Council made summonses a particularly dreaded form of punishment.[4] Usually, refusers immediately complied and submitted payment.[5]

It is not clear whether the Acts of the Privy Council registered all those ever summoned before the lords. Some entries mentioned appearances without reference to their summonses, or attendances without their official discharge. There is no pattern in the prosecution of refusers by summoning. While there are a number of summonses from Essex, Northamptonshire, and Surrey, the substantial number of recalcitrants in Herefordshire, Oxfordshire, Warwickshire, and Worcestershire were not similarly dealt with by the lords. Neither did the prolific lists sent from corporate towns of Devon and Hertfordshire lead to calls before the Privy Council. Most likely, refusers only had to attend when their numbers grew excessive in a particular locality, or when the lords intended to make an example in a

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[1] APC 2/51, 408; see also Cambridgeshire: 2/46, 115-6; Huntingdonshire: 2/50, 624-5; Westminster: 2/51, 111-2; Wiltshire: 2/45, 271.

[2] Chester: APC 2/45, 271; others: Bedfordshire: 2/46, 311-2; Buckinghamshire: 2/46, 109; Devon: 2/44, 411-2; 2/44, 517-8; 2/50, 598-600; Dorset: 2/44; 552; Durham: 2/48; 62; Essex: 2/47, 19-20; 2/47, 347; Hampshire: 2/44, 428-9; 2/46, 310; Huntingdonshire: 2/45, 388; 2/46, 115-6; Kent: 2/45, 462; Lincolnshire: 2/46, 38-9; 2/47; 424; London: 2/44, 347; 2/45, 472; 2/50, 256; Norfolk: 2/44, 588; Northamptonshire: 2/48, 383; Nottinghamshire: 2/49; 223; Oxfordshire: 2/46, 296; Suffolk: 2/44, 513; Sussex: 2/44, 350; Worcestershire: 2/46, 354-5.

[3] e.g. Buckinghamshire: APC 2/46, 349; Cambridgeshire: 2/45, 387; Herefordshire: 2/45, 317-8; Huntingdonshire: 2/46, 115-6. Sheriffs' requests and lists: e.g. Devon boroughs: SPD 16/415-111, 442-100; Essex: 335-67-I; Gloucestershire: 302-54; Hertfordshire boroughs: 376-128, 376-143, 398-137, 399-81, 400-31; Lincolnshire: 399-13; city of Lincoln: 423-113; Wiltshire: 304-85.

[4] Some examples: Bedfordshire: APC 2/50, 365; Bristol: 2/44, 439-40; 2/46, 195; Devon: 2/49, 612; 2/50, 596; Essex: 2/48, 599; 2/49, 601; Hertfordshire: 2/49, 415; 2/49, 521-2; Lancashire: 2/50, 496-7; Norfolk: 2/45, 157; Nottinghamshire: 2/45, 224-5; Shropshire: 2/49, 510; Surrey: 2/50, 533-4; Worcestershire: 2/48, 373; 2/50, 70.

[5] e.g. Derbyshire: SPD 16/343-7; Northamptonshire: 410-137; defending refusals: Devon: 430-51; Essex: APC 2/49, 11; Hertfordshire: SPD 16/327-124.

county. Most of those summoned were "perverse men"[1] reported for more serious offences than refusing to pay, such as seditious speeches, violent "rescuing" of their confiscated goods, or instigating riots against bailiffs. The Sheriffs' ultimate threat of resort to the Privy Council, perhaps backed by a letter from the lords, may have sufficed to convince recalcitrants to pay. Yet, Sheriffs only could report, and the Privy Council only summon, when they were informed about the details by local officers. Ultimate responsibility lay with the local collectors, and it was not difficult for offenders to identify who initiated their punishment.

3.5.2. PRACTICAL PROBLEMS OF DISTRAINING

Distraining commodities was not always an effective method of achieving full payment of Ship Money. Once cattle were impounded, the main problem was that their owners did not redeem them. In May 1638, Sheriff Mallet of Somerset observed that refusers "suffer theire catle to starve in the pound".[2] Sheriff Leigh of Gloucestershire decribed the difficulties of distraining cattle of Lord Saye and Sele's tenants in November 1636.[3] He enforced impounding of "beast and sheep" worth £ 25, but only one tenant, owner of a "small parcel of land", redeemed some worth £ 5. The remainder were kept by the Sheriff:

> "three weekes at myne owne chardge in all w^{ch} time I could not sell them without great losse I then sold them for 20$^{£}$ 5^{s} [...]5^{s} was paid concerneinge takeinge and driveinge away the said distresses".[4]

Since the goods were to be sold, buyers had to be found. Sheriffs' officers went to the local markets, but met the solidarity of communities not to buy fellow-parishioners' cattle.[5] In June 1636, Sheriff Norris of Oxfordshire was unable to sell impounded goods worth £ 12

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[1] cf. APC 2/51, 409, letter to the Mayor of Sarum (March 1640).

[2] SPD 16/389-124.

[3] Lord Saye and Sele claimed to be overassessed and did not care for his tenants' dilemma: APC 2/46, 345-6; SPD 16/332-6; the Privy Council recommended the tenants to turn to the Court of Equity, obviously quite unaware that Saye and Sele was desperate to precipitate Hampden's case: see also Chapter 3.5.6..

[4] SPD 16/335-57; see *Willcox*, pp.128-30.

[5] Other reports: Hampshire: SPD 16/427-47; Hertfordshire: 455-85; Middlesex: 333-22; Monmouthshire: 467-57; Norfolk: 450-1, 455-36; Suffolk: 464-12; Surrey: 379-131; city of Worcester: 467-133.

because people were "ptendinge that the Sheriffe hath not power to sell them".[1] Until June 1637, the Mayor of Banbury had not succeeded in selling distressed goods, since even "his predecessor hath yett many parcells of goods w^{ch} ly rotting by him".[2] In August 1640, Sheriff Child of Bedfordshire stated that he had twenty-four items in his custody and was unable to sell them, since "y^{e} ptyes distrained doe privatly give notis that the goods [...]are distresses for shipp money w^{ch} makes [...]no body buy them".[3] A month earlier, the Mayor of Bristol observed that "divers distresses in o^{r} custodie no man will give mony for them for feare of suets hereafter".[4] In 1637, Sheriff Price of Cardiganshire wrote that he:

> "distressed oxen, kine, horses, sheepe and houshouldstuffe and implements of husbandry the which your petition^{r} can gett no money for nor anie man to offer for them anie pennie though often sett at sale. Therfore to your pet^{s} great charge and care doe remaine in your peticoner custodie".[5]

Richard Trevill, Sheriff of Cornwall in 1639/40, reported Constables who did not find buyers and "they knowe not what course to take with yt, but for want of pasture, were forced to return yt to the owners agayne".[6]

The Privy Council's suggestions regarding the sale of confiscated goods were not always very helpful and imaginative. In July 1640, the Sheriff of Cardiganshire was told to "send them to the Marketts promiscuously wthout proclayming them to be distresses", and in April 1640, the Sheriff of Somerset was lectured "yf you offer the distress at rates that are reasonable and cheape, [...]we doubt not but you will finde a ready markett for them".[7] Such recommendations were not only patronising but also unrealistic. A few months later, the Somerset escheator reported that only one oxen worth £ 8 had stirred the interest of two men

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[1] SPD 16/327-126.

[2] SPD 16/361-25.

[3] SPD 16/463-86-II.

[4] SPD 16/460-34.

[5] SPD 16/376-141.

[6] SPD 16/457-62; see, however, the rigorous regime of Sheriff Churchill of Dorset, in May 1640: 455-70; 463-26.

[7] APC 2/52, 643; 2/52, 447-8.

who had unblushingly offered 7d and 9d.[1] The only suggestion the Privy Council made was to send the goods to the Victuallers of the Navy (in London, Portsmouth, or Plymouth), utilising them for ships and crews, although, in September 1636, Sheriff Russell of Worcestershire pointed out that most stuff was useless to the Victualler.[2]

3.5.3. PREVENTING AND RESCUING CONFISCATIONS

Customarily, both the bailiffs of hundreds and the collectors were charged with impounding. In August 1638, Sheriff Cholmondeley of Cheshire ordered the High Constables of Broxton hundred, the Undersheriff, and the hundred bailiff to confiscate goods in two townships which had refused payment.[3] In September 1637, Sheriff Scudamore of Herefordshire sent a warrant to the High Constables of Greytree hundred to distrain against their predecessors refusing to pay over the collected money.[4] Although Sheriffs' warrants were usually directed to the High Constables, orders to the wapentakes of Wraggoe and Aveland/Lincolnshire prove that Petty Constables were to assist them.[5] An order of the Privy Council to the Sheriffs of Northamptonshire for 1635 and 1636 commanded all High Constables, Petty Constables, and bailiffs to assist the Sheriffs' personal officers.[6] In December 1637, a High Constable ordered the Constable of Welford/Northamptonshire to distrain refusers and to sell the cattle after fourty-eight hours, restore the surplus, and deduct costs for "travel and labour".[7] In March 1639, Thomas Burditt, presumably a High Constable or the Undersheriff of Northamptonshire,

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[1] SPD 16/464-23.

[2] SPD 16/331-12. In February 1637, the Privy Council, in a letter to the Sheriff of Bedfordshire, had stressed only to send "such goods as may bee most usefull for the victualling of his ma^{ts} shipps": APC 2/47, 155-6. Similar letters: Cornwall: 2/45, 336-7; Gloucestershire: 2/46, 154-5; Hampshire: 2/45, 338; Hertfordshire: 2/45, 370-1; Northamptonshire: 2/47, 14-5; Oxfordshire: 2/46, 135-6.

[3] JRL: English MSS 1091, f.34v.

[4] SPD 16/367-36; a similar warrant for the High Constables of Goodlaxton hundred/Leicestershire: 424-22.

[5] SPD 16/354-49, 357-96-I; in a later order to the Sheriff, the Privy Council suggested that, if Petty Constables were unsuccessful in their collection, "the said high Constables put to their helping hands": APC 2/47, 471-2.

[6] APC 2/47, 114.

[7] KAO(M): Sackville of Knole MSS, U 269/O 267, f.14.

instructed a Petty Constable to collect the sums and distrain refusers on the spot.[1] Reports of distraining High Constables and bailiffs confirm the suggestion that Petty Constables were actively involved in confiscations, or at least assisted them.[2]

If it was embarrassing for High Constables, who commanded a certain standing, reputation, and patronage in their districts as members of the parish gentry or rich yeomanry, to enforce Ship Money vigorously, it was disastrous for Petty Constables, who had to live with neighbours whose refusals to pay they were to report, and whose goods they had to seize. A revealing document is the petition of collectors of Pinner/Middlesex. When they informed the Sheriff of arrears, he answered:

> "that he thought it not fitt that yo^{r} pet^{s} should distrayne themselves because they would gett the ill will of their Neighbours, therefore he would send us downe Bailiffs for to distreyne".[3]

Their situation was particularly delicate, when parties refused to yield their commodities and prevented access to their houses. Others "rescued" the cattle out of the hands of bailiffs and local officers, or stole them later from the pond where they had been stored. Increasingly, entire communities organised themselves, and when Sheriffs sent bailiffs or their personal servants to assist local Constables, they found an armed multitude deterring them from entering the village, or expelling them.

Even in the early years of Ship Money, many people resisted distraining. In December 1635, Sir John Stanhope of Elvaston/Derbyshire was sent for by a messenger for "rescuing distraint", and in February 1636, the Mayor of Bedford complained of the "refractorie

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[1] NorthantsRO: Isham of Lamport MSS, IL 1616 (the place reads Shankton?); also a general order to all Cheshire Constables, in JRL: English MSS 1091, f.12v.

[2] e.g. SPD 16/372-104, 379-132 (both incidents from Northamptonshire); two general orders of the Privy Council: in September 1635, to the Sheriffs to actively support the Constables (Nicholas' notebook: 298-73); but in July 1640, to use bailiffs rather than local officers for distraining (APC 2/52, 652-3). On assaults and lawsuits see also *Gill*, p.155.

[3] SPD 16/376-124; several collectors of Middlesex, summoned before the Privy Council for not collecting Ship Money, claimed that the Sheriff had promised to send bailiffs who never appeared: 341-26, 341-28, 376-125, 407-44; in order APC 2/49, 423, the Privy Council commanded the Sheriff to appoint bailiffs "to go wth and assist the collectors in their severall devisions to get in y^{e} Arrere".

carriage" of one Henry Tracie, "molesting & menaceing Constables and officers ymployd".[1] In October 1636, Sheriff Cockayne of Northamptonshire lamented that people "wilfully oppose, or disturbe my servants and officers in making distresses".[2] In September 1636, the Privy Council demanded to know from the Sheriff of Bedfordshire "under the hands of witnesses what persons have resisted or beaten any Officers or Ministers in the execucon of yo[r] Warrant".[3] Sheriff Mallet of Somerset, in charge of collecting the 1637-Ship Money, considered the situation in his county so critical that he saw "noe other hopes butt death or that that is as bad, p[er]petual suits, if we p[ro]ceed in this kinde".[4] The most dramatic accounts were written during the summer and autumn of 1640. In September, the Sheriff of Worcestershire wished the lords "knew wth what opposicon and difficulty I proceede in this service", since the officers "are soe threatened by the country", and those he had arrested "confessed the parishes promised to beare them out".[5] Sheriff Warcopp of Oxfordshire reported that his officers:

> "hadde most of their distresses either rescued from them by force or taken out of the pound in the night, & if they came into a Towne to distrayne [...]the rest in the towne presently locke upp theire goods & chattells in their howses & would not suffer an officer to come in".[6]

Frequently, the impounded cattle were secretly repossessed from the pond where they were kept.[7] In December 1636, Sir Thomas Latham owed 6-10-0 Ship Money in Essex, and when Sheriff Mildmay sent the Underbailiff of Chafford hundred and two of his own servants to distrain, Latham, "his sonnes and clarkes did resiste & stood in the gate & woulde not

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[1] APC 2/45, 279; 2/45, 447-8.

[2] SPD 16/333-2.

[3] APC 2/46, 359-60.

[4] SPD 16/389-124; see also the question of Sheriff Irby of Lincolnshire, in September 1639, what to do with rescuers: 399-13.

[5] SPD 16/467-58.

[6] SPD 16/467-80; 468-31; other counties: Herefordshire: 447-8; Monmouthshire: 467-57; Somerset: 464-23; Staffordshire: 452-10; Warwickshire: 468-49.

[7] Privy Council orders regarding incidents in Merionethshire: APC 2/46, 24; Shropshire: 2/52, 592; Worcestershire: 2/46, 462-3.

suffer his Cowes to be driven awaye". Eventually, the Underbailiff succeeded, but after he had sold one horse to the parson of Horndon Magna, Latham's son stole it one night, and the parson refused to pay the Sheriff the sum due for the purchase.[1] In March 1637, two deputies of the Northamptonshire Sheriff impounded a horse of John Ekins of Stanwick, brought it to Raunds, and shut the doors of the stable at 10 p.m.. During the night, however, the door was broken, and when they sent a *hue and cry*, they heard that the horse was seen early in the morning in Ekins' own yard.[2] In January 1638, Robert Pope, High Constable of Bempstone hundred/Somerset, reported that "one beast" he had distrained of Henry Robins of Locking and kept for three months on his own pasture, was rescued, when Robins with two others "wth long staves in a riotous and forcible manner did enter into [his] pasture, and from thence did drive away the said beast".[3] In October 1638, Sir William Willmer of Seywell told two Northamptonshire bailiffs, if Sheriff Banister "should com and distrayne hime selfe, he would reskue his cattle".[4]

Unfortunately, most officers encountered more violent conduct during confiscations, since people tended to resist before they had a chance to distrain. They were relatively lucky, when parishioners merely refused to obey orders to hand over their commodities. In November 1639, one Dorset bailiff stated that, whenever the Sheriff or his bailiffs entered a place, "the doores were shutt up & the goods conveyed away & [we] have bin constrayned to go 3 or 4 tymes for the takeing of one distresse". He particularly denounced Mr. Hobbie, parson of Winterbourne:

> "who resisted hym & those that were wth hym & said he would loose his life rather then suffer his goods to be taken from hym: whereby divs other of his neighbours by his example refused to give satisfaccon of the sumes imposed

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[1] SPD 16/337-27; continuing in: 337-32, 337-41; APC 2/47, 37; SPD 16/337-66, 337-67; APC 2/47, 76-7; see also *Quintrell, Essex*, p.339.

[2] SPD 16/352-19-I.

[3] SPD 16/379-29.

[4] SPD 16/401-13.

on them".[1]

The above-mentioned incident provoked by John Ekins of Stanwick had started with Ekins locking up the stable door and his wife shutting the house door "wherby we could neither distraine any cattell, nor houshould goods", and "at length M[r] Ekins said that I should take no distresse".[2] In May 1639, Sheriff Chaworth of Nottinghamshire asked the Privy Council for help, since park owners were "keeping theire gates & fences well maintained so as no distresse can be driven out but by force".[3]

Frequently, threatening officers with violence sufficed to deter them from distraining. In November 1637, two Hampshire bailiffs charged Thomas Badd of Fareham with resisting distress. Having read their warrant he:

> "disdainefully threw yt on the ground utteringe divers uncivill speeches w[ch] were not fitt to bee spoken, & bad his servant Thomas Blackman to beate and force back the kine".

Blackman himself "swore great oathes that whosoever should drive them awaie hee would beate them downe", and Badd threatened to arrest the bailiffs.[4] In September 1637, Robert Toms, one of the Northamptonshire bailiffs distrained a steer of Mr. Wheeler of Gayton, but a servant violently rescued the animal. When Toms went back to the estate, he found Wheeler who, "standing in the yeate swore he would Ram his forke into my gutts yf I offered to drive the steer away".[5] In September 1638, Edmund Farmer of Daventry/Northamptonshire uttered that "he had never payd that mony which he was Taxed with nor never would and sayd that it was agood deede to beat such druncken, Rascoly Roages".[6] In June 1637, the Constable of North Muskam/Nottinghamshire who had been audacious to report attorney John Conde to

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[1] SPD 16/433-2.

[2] SPD 16/349-17.

[3] SPD 16/420-133; also e.g. Monmouthshire 467-57; London APC 2/44, 385-6.

[4] SPD 16/371-50; the allegations, however, turned out not to be true: APC 2/48, 374.

[5] SPD 16/367-33; a week later, Sheriff Banister wrote to Nicholas that Wheeler was "very Sorry for his misgovment, and hath conformed himself": 367-56.

[6] SPD 16/399-85; the report quoted a number of other cases.

the Privy Council, was assaulted by him at Newark market,

> "but being pvented by some that stept betwixt yo[r] peticoner and the said Conde broke out [...]and amongst other vile words said Sirrah, you have preferred a peticon against mee, to the Councell table But I will make yo[u] be glad to wayte my leisure there".[1]

When the quarrell within the parish of Burton Latimer/Northamptonshire reached its climax, in February 1636, and George Plowright, one of the Constables, commenced impounding, he was told by one of his adversaries that "threescore and six constables have bene hange for doing the like service".[2]

3.5.4. VIOLENCE AGAINST DISTRAINING OFFICERS

There are numerous and detailed reports of incidents involving violent rescues of impounded goods and attacks on local officers, which, to the reader, provide some colourful insight into the community-life of seventeenth-century England. Bailiffs and Petty Constables, sorrowfully scribbling their accounts of the events, were certainly not amused by the prospect of running into similar troubles. Resistance usually was offered by individual tax-refusers, frequently assisted by their servants and farm-labourers, against whom the few officers were no match. The number and content of examples refute Sharpe's and Gill's belief that vocal and violent opposition was non-existent or negligible.[3] On 26 September 1636, two servants of the Sheriff of Northamptonshire, together with two bailiffs and a High Constable, assembled in Long Buckby to distrain Richard Robins. After being deliberately misled by some of Robins' servants of his whereabouts, the officers eventually decided to impound a horse, which was denied by the servants claiming that "the officers should have no horse". The narrative goes on:

> "one of that company had doubtlesse mischeived one of the Sheriffes Bailiffes

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[1] SPD 16/362-83.

[2] SPD 16/313-111.

[3] *Sharpe, Personal Rule 1983*, p.73; *Gill*, p.489.

> behinde with a pickforke (having then hold of the said horse head) had not one of the Sheriffes servants by his speedy drawing his sword prevented him [...] After which outrage (if it maybe so properly called) M[r] Robins came forth out of his house to the Sheriffs servants, and did not in the least manner seeme to excuse it. This opposition was the day abovesaid, about three of the clocke in the afternoone".[1]

In May 1637, the Constable of Dunham/Nottinghamshire complained that George Wood and his wife had rescued the distress and "strike him".[2] In May 1638, Undersheriff William Cox of Somerset told Sheriff Malet, that one Higgins, presumably a bailiff "was runn into the back pte with a pike [...]by a man he cannott learne his name as he was distraininge of w[ch] he Hath languished these X dayes & hath bene like to dye".[3] Two Northamptonshire bailiffs accused Thomas Odell of Desborough of taking "in a moeste dangerous manner with Consperysie Confederatye and Combynatyon with forsable resistinge with his pitchinge forcke and his people with him with staves and foorke our distres from us" on 27 January 1638.[4] In 1639, the Sheriff of Oxfordshire listed a number of incidents: Joseph Waters of Claydon and his wife threatened the officers with weapons, "saying they knewe noe such money due"; Thomas Goodwin of Epwell and his shepherd violently rescued cattle "wth divers others whose names they could not learne"; Thomas Baynard jr. and sr. and Robert and William Dumbleton of Tadmarton, amongst others, repossessed the distressed goods of Thomas Baynard "and would not suffer the sheriffs servants to distrayne upon any others in the said towne, but followed them from place to place".[5]

Some delinquents apologised, particularly when summoned before the Privy Council, blaming their servants who had acted without their consent, or otherwise claimed their innocence. In 1639, Arthur Dakins, servant to Henry Coghill of Aldenham/Hertfordshire, was

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[1] SPD 16/333-2-I.

[2] SPD 16/357-107; also in Morton/Lincolnshire (May 1637): 357-96-V; Bletchingley/Surrey (January 1638): 379-47.

[3] SPD 16/389-124.

[4] SPD 16/401-13.

[5] SPD 16/438-100 (dated [1639?]).

imprisoned in the Fleet for rescuing a horse and prayed for release "in regard he is a poore man hartelie greived & sorrie for his offence, promising never to committ the like erro^{r}".[1] In 1636, Myles Whitworth of Earls Barton/Northamptonshire prayed for release from the messenger's custody and was "hartily sorry if [he] anyway offended"; when the bailiffs came to impound he had eventually offered the money "but nothing would satisfy them but yo^{r} pet^{rs} horse, the w^{ch} yo^{r} pe^{tr} then haveing urgent occasions for did withold from them".[2] In 1638, Thomas Robins of Barby/Northamptonshire excused his shepheard, "a verie poore ignorant man", who merely had "desired them that the cattell might stayed, till he spoke with your peticoner" and resisted the bailiffs.[3] In 1639, William Dumbleton of Oxfordshire, "a poore serv^{t} and unable to pay the messengers fees", claimed that, during the assault by Thomas Baynard, he was "onely stood and looked on them, butt came no neerer them, nor by word or deed intermedled with the rescue".[4] Others accused the bailiffs of excesses and defended their violent actions. John Cartwright of Aynho/Northamptonshire blamed the Sheriff's vindictiveness for the incidents in August 1637.[5] In September 1638, the Constables of Kettering/Northamptonshire told the Sheriff that Francis Sawyer maltreated two bailiffs:

> "strikeinge with both hands with a staffe at Carter [one collector] and with a staff blew him one of us stept to him and catched at the staffe wth something brake the blow, but it did hitt Carter, there upon we called upon him to keep the kings peace [...]while we were Rescueinge Carter, M^{r} Sawyer and his wife fell upon the said Drury [the other collector] and did beate him and both break his head and bruised his Armes drawing bloud at severall places. And M^{r} Sawyers two men and a mayde came one wth a spitt and the other with Staves, but we did not see them strike we had enough to doe to look to ourselves. And M^{r} Sawyer said you Rogues get you of my ground".[6]

Sawyer's account, however, was different, suggesting the bailiff had a malicious intent and

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[1] SPD 16/438-96 (dated [1639?]).

[2] SPD 16/341-29 (dated [1636?]).

[3] SPD 16/407-46 (dated [1638?]).

[4] SPD 16/438-99 (dated [1639?]).

[5] APC 2/48, 187; SPD 16/366-70, 367-7, 367-32; APC 2/48, 208; see also Chapter 3.3.3..

[6] SPD 16/398-19.

claiming that Drury:

> "take up an axe intending to strike at this examinant, and this examinants wife running out of the House & being great with child, cryed Thou Roug whilst thou kill my husban, and tooke up a Handsaw, and strike Drury upon the head behind his back, whereas Drury threw away the axe, and said now it is as I would have it".[1]

Another incident shows that by 1640 the atmosphere had grown so heated that even servants, knowing their masters' opinion of Ship Money, began resisting of their own accord. In April 1640, in Dorset, Sheriff Churchill's servants twice attempted to distrain Lady Ashley's cattle. In Dorchester, one of her servants:

> "in violent manner did runne at one of the said Shreifes servants having a Cornepike in his hand in such manner that he had indangered his life [but told] that Mr. Holles (meaning Densell Holles Esq. sonne in Law to the said Lady) would beare them out in what they had done & would defend them in that matter if they had killed any".[2]

3.5.5. RIOTS

Particularly after the 1637 writ, the level of violence exceeded the limit Sheriffs could accept, and forced them to ask the Privy Council for support. The reports were alarming, since riots not only involved entire villages, but spread across communities, included women and servants which threatened the social order, and did not even respect the Sheriff's own person. In April 1637, some of Sheriff Dryden's bailiffs distrained in Towcester hundred/Northamptonshire:

> "and in Tiffeild, Coldhigham and Grimscot, all the woomen in thos Towne fell upon them with forkes stones and Staues so that they could not doo any thing, if speedy order bee not taken to sertefie, wee cannot proceed farther in this servis".[3]

In January 1638, two Northamptonshire bailiffs went to impound goods of two refractory Constables of Long Buckby, when:

> " a great number of women, boayes & children wth pitchforks & their aprons

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[1] SPD 16/399-46; see also NorthantsRO: Isham of Lamport MSS, IC 3215.

[2] SPD 16/450-13-I.

[3] NorthantsRO: Cockayne MSS, C 2857.

> full of stoones to the number of three scoare att least & the Constables man cam out wth a flayle & violently did take the distress from us [the next day] the people did rise in Rebellion wth forkes & staves [...] sayeinge knocke them dowen beat out theer braynes hange them Roages".[1]

In September 1638, two other Northamptonshire bailiffs caused a riot when they went to distrain against one Constable of Earls Barton, who subsequently organised more tumults in Sywell, where the bailiffs had fled, and then in Mears Ashby, until a JP had mercy on the officers and placed them under his protection.[2] In August 1639, two bailiffs of Gore hundred/ Middlesex reported riots in Harrow on the Hill, where the people called them "thieves and rogues", assaulted them, and threw scalding water on them.[3] In June 1640, Sheriff Pychard of Cambridgeshire had alarming news of a riot at Melbourne, where more than one hundred people "did greevously wound, and beate five or sixe of the sheriffes bayliffes and servants, they hardly escapinge with their lives", and questioned his ability to collect Ship Money, "unless some speedy course bee taken [...] for the suppressinge of such insurreccons and tumultuous assemblies".[4] The bailiffs' report described how the multitude fell upon them:

> "wth stons & staves & hedge stackes & forks & beat them and wounded divers of them & did drive them out of the high way into a womans yard & into here house for there safgard & were forced for safgard of there lives to gett out of the towne aback w^{ch} not wth standinge some thirty of fourty able men & boyes pursued them about a quarter of a mile stoninge them & drivinge the Baylifes into a dich wheare some of theire horses stocke fast, and the said multitud gott some of the baylifes horses and caried them away & would not redeliv them wthout mony".

It was indicative for the popular opinion about Ship Money that the jury, at the next Quarter Session, despite a number of witnesses "would nott find [...] any of the rest guilty but found

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[1] SPD 16/379-132.

[2] SPD 16/398-116.

[3] SPD 16/427-19; in April 1637, the Privy Council told the Sheriff of Northamptonshire, that they "granted warn^{ts} for the bringing up of such psons as wee thinke fitt and as yo^{u} complayne of, But for the women and such as are not meete to trouble this Board wee leave them to bee committed to Prison by yo^{u}": APC 2/47, 309.

[4] SPD 16/457-55; according to Rossingham's newsletter, in June 1640, JPs met near Royston to confer how to proceed in the punishment of the rioters: 457-104.

ignoramus for all and soe itt resteth".[1] In September 1640, Sheriff Powell of Cheshire informed the Privy Council that "4 Townes did rise agt my men", who were "runne att wth a pitchfork", "dry beaten", and abused as "errand Theeves & Rebells", and that "the Sheriff was noe better then a Rebell, being nether frend nor true subiect to his ma^{tie}".[2] In June 1640, Sheriff Warcopp of Oxfordshire personally fell victim to rioters, when he impounded goods of William Davis gent.. When Peter Welles, the Constable and one of Davis' servants, refused to assist, the Sheriff entered the backyard where he found the gate chained, and two servants told him he would not get the cattle. When Warcopp ordered his sons (all his bailiffs were busy distraining somewhere else):

> "to lifte the gate of the hookes, they seeing it called to the rest of there companyons w^{ch} lay hidd in the barnes and they being fewer more whose names I cannot yet knowe and M^{r} Davis his sone [...]assaulted me and my company and had run one of my sonnes into the belly wth a pronge, had not he brok the blowe wth his sword [...](besides many [...]speeches which I tould them they should be made to repent) one of them annswered that he would make me repent it first and had not I retired out of the yard and left the cattle (I suppose) they would have desperatly slew us".[3]

3.5.6. LAW SUITS AGAINST LOCAL OFFICERS

The remarks made by Lady Ashley's servants demonstrated the belief both of commoners and masters in the power of the law, against which Ship Money (particularly after Hampden's case and the Short Parliament) would have no chance of survival. Bailiffs often were arrested and charged with felonious theft, because they failed to point to the source of their authority, or were obviously discriminating and malicious in their choice of means.[4] In October 1638, two Northamptonshire bailiffs, distraining a horse of the Earl of Peterborough, were pursued by a *hue and cry*, since the Earl's steward claimed they were thieves. They "weare apprehended

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[1] SPD 16/463-43-I.

[2] SPD 16/466-58.

[3] SPD 16/458-80.

[4] *Higgins, Cheshire 1973*, pp.174-5, not only assumes that bailiffs were corrupt, but makes the interesting point that they moved and distrained in groups *because* they faced increasing violence.

and taken in our bedes by on of the Cunstables of Woodford abought eleaven of the clocke in the nyght of the same daye at Woodford and so keapt Prissoners [...] all the next day and nyght", and later bound to appear at the next Assize.[1] The examining JP, Sir Rowland St. John, perceived:

> "by their owne confessions & examinacons that they were guilty of very rude and unseemly behavio^{r} toward his Lo^{p}, [and] that either they must enter into Recognizance for their appearance at the next Assizes or stand comitted till then",

but later handed the two unlucky bailiffs over to Sheriff Hanbury.[2] In September 1636, two Northamptonshire bailiffs had been apprehended as felons in Newnham by the refuser, one Richard Smith, and the Thirdborough, and were dragged before Mr. Knightley (probably the local JP) who, "hearing the business did sharpely reprove the said Smith, and said to the Sheriffes servants if they would he would punish him: who thankfully made him answer the iniury was not to them but to his Ma^{ts} service".[3] During the riots in Mears Ashby, in September 1638, the bailiff was apprehended "as a fellon", marched for two miles to Barton, "and there they kept me as a prisiner by the space of five howers", and delivered to a JP, "who, when he saw our warrant did set me at Liberty".[4] Edmond Brunsdon, a Wiltshire bailiff, complained to the Privy Council, that, upon his return to Edmond Hungerford of Chisenbury esq., eight or nine days after he had demanded the money for the first time, "assoone as yo^{r} pet^{r} had taken a distresse then he came to yo^{r} pet^{r} and charged him with felony and Burglary and charged the Constable to have yo^{r} pet^{r} before S^{r} Ffrancis Seymour

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[1] SPD 16/400-27.

[2] SPD 16/412-132; Charles I personally had ordered the Earl of Peterborough to desist from his prosecution; the Earl's outraged statement: 412-132-I; see also the controversy between assessor William Shelley of Buckden/Huntingdonshire and the bishop of Lincoln, in December/January 1636/7: 536-75, 343-26, 343-38, 343-39, 343-68; and *The Court and Times of Charles the First; illustrated by Authentic and Confidential Letters from Various Public and Private Collections*, ed. Thomas Birch (London, 1884), II, 267, 276, 278.

[3] SPD 16/333-2-II.

[4] SPD 16/398-116.

the next morning".[1]

Like in the case of rescuing, mere threats to sue local officers for distraining goods often sufficed to terrorise them. Constables, certainly bailiffs, and even High Constables, were not recruited from the richest classes, and since they did not know how far their superiors would support them in legal matters, they abstained from distraining rather than entered a costly law-suit with a local magnate or JP, whose outcome was highly uncertain, considering the extra-parliamentary character of Ship Money. Hertfordshire Constables did not dare distrain Lord Falkland, Sir Thomas Reade, and Sir William Lytton, fearing law-suits.[2] The Constable of St.Neot/Huntingdonshire refused to assess one Mr. Pain "for fear he punish him some way hirafter as he is a Justice of Peace".[3] John Gibbon, one of the Chief Constables of Walshcroft wapentake/Lincolnshire, was terrified of JP William Caldwell, who "divs tymes before men of great qualitie & wealth, used y^{e} pet[itioner] in verie disgracefull & Reprochfull mann^{r} telling him y^{t} he was more fitt to be hanged on the gallowes then to be an assesso^{r}". Gibbon begged for protection since Caldwell "p[ro]cured y^{e} pet to be bound to y^{e} good behavio^{r} for some possible words uttered by him [Gibbon] when he was soe wrongfully abused".[4] In September 1638, the Constables of Caistor, in neighbouring Lindsey, requested the Sheriff's protection against John Barnard, an attorney, who "sayd hee would have his Accon against them [...] yf they feared the highe sheriffe more then himselfe".[5] In May 1638, Sheriff Stoughton of Surrey reported that collectors were threatened by legal actions for distraining and, consequently, "forbeare distraining and desire to know how they shallbee secured or saved harmelesse fro such actions".[6] In July 1637, John More, probably

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[1] SPD 16/407-41 (dated [1638?]); this was a shrewd move by Hungerford, considering Seymour's dislike of Ship Money (see Chapter 3.4.5.).

[2] SPD 16/376-106.

[3] SPD 16/381-84.

[4] SPD 16/357-160.

[5] SPD 16/399-83.

[6] SPD 16/389-132.

the Constable of Stogumber/Somerset, went to Richard Bridgegood, who:

> "tolde me if I did dare take any of his goods hee would forthwth arest me whearuppon he being a turbulente and troblesome persone and full of lawe amongst his neighbors I being a poor man uppon these and other thretnings I lefte him".[1]

In April 1640, Sheriff D'Ewes of Suffolk passed on to the Privy Council a request signed by four Chief Constables, who wished "to be freed of that [distraining], in respect we are thretened to be sued and trobled".[2] Refusers were brazen enough to threaten even Sheriffs and the head officers of corporate towns with suits.[3]

The leaders of the political class recognised the opportunity to establish the unconstitutional nature of Ship Money by initiating a spectacular and successful lawsuit, through the only surviving, neutral institution during the Personal Rule - the judiciary. Twysden's diary noted Lord Saye and Seles's pondering of this option, around Easter 1636, when he "did let fall to some friends of hys and mine y^{t} he would trye an Action wth y^{e} sherif or officer should distreyn hym, many had their eyes on hym who was esteemed of all a very wise man".[4] Saye and Sele kept his word, and in June 1637, Rossingham's newsletter reported that he had filed a suit against a distraining Constable in Oxfordshire, who, after pleading that he merely obeyed the writ, was told by Saye and Sele that this was "not sufficient to warrant the Constable".[5] In May 1637, a Lincolnshire Chief Constable, commanded by the Sheriff to act, answered "he would not distreine for that he was alreadie

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[1] SPD 16/363-11-II.

[2] SPD 16/451-18-I (Chief Constables of the hundreds of Mutford, Lothingland and Blything). Similar reports of local officers threatened with suits: e.g. Devon: 376-138, 432-78; Lincolnshire: 457-92; Monmouthshire: 459-39; Oxfordshire: 467-80; Somerset: 464-23.

[3] e.g. Cheshire SPD 16/460-35; Barnstaple/Devon 376-138; Lincolnshire 352-67; Banbury/Oxfordshire 537-47; Shrewsbury/Shropshire 400-22; Worcester/Worcestershire 467-133.

[4] KAO(M): Twysden MSS, U 47/47 O1, p.191.

[5] SPD 16/362-76, f.2; see also: *The Earl of Strafforde's Letters and Dispatches*, ed. William Knowler (Dublin, 1740), II, 86; Nelson Bard, "The Ship Money Case and William Fiennes, Viscount Saye and Sele", *Bulletin of the Institute of Historical Research*, L/122 (1977).

sued for distreininge lord Say".[1] In November 1636, William Strode, an important local figure in Somerset, refused payment, recovered his distrained cow by *replevin*, and sued the Constable.[2] Court actions against Lincolnshire Constables ensued as early as September 1636, in Derbyshire in December 1635, in Suffolk in May 1636, and Sir William Litton sued the Hertfordshire Sheriff of 1635 for impounding in December 1636.[3] In June 1636, Sheriff Wentworth of Oxfordshire complained of one Thomas Roberts of South Newington, who encouraged others to refuse "and that he would excuse them for a pottle of sack". He demanded a *replevin* for his impounded goods, and when denied, "did use very uncivill Language".[4] In February 1637, the Sheriff of Cornwall claimed that several of the Constables were sued, and in June, the Mayor of Banbury was shocked that many owners of distrained goods commenced suits.[5]

The level and location of courts in which the officers were sued, varied. The bailiffs involved in the action by the Earl of Peterborough, were bound to the next Assize.[6] Curiously, in 1636, some Derbyshire Constables were drawn to the "court held at Nottingham", while, in September 1638, refusers in Durham filed suits at York and at the Court of Pleas at Durham.[7] In June 1636, Thomas Latham, the notorious refuser in Essex disdained the Privy Council's settlement, and in "Manifest breach of the order [...] [was] running into the Kinges bench to Incumber us with suits to the greate loss & disturbance of us all".[8] In October 1636, the lords told the JPs of Oxfordshire to forbear any indictments

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[1] SPD 16/357-96-VII.

[2] SPD 16/336-29, 345-33; APC 2/47, 104-5 and 110.

[3] Lincolnshire: SPD 16/333-23-II, 345-18-I (January 1637); Derbyshire: 535-124; Suffolk: APC 2/46, 177; Hertfordshire: HMC, 4th Report, p.292.

[4] SPD 16/327-126.

[5] SPD 16/346-88; 361-25; similar reports from other places and years: Devon: 351-20; Herefordshire: 464-98; Oxfordshire: 366-19; Somerset: 341-44; 363-11-I; 389-71; 392-1; Yorkshire: 438-105.

[6] SPD 16/401-12.

[7] SPD 16/341-56 (dated [1636?]); 398-18.

[8] SPD 16/361-18.

of officers before Quarter Sessions, since the king held it "a greate p[r]sumpcon for any pson to pceede against officers or Ministers ymployed in this service".[1] In May 1636, the Privy Council ordered the Chief Justice of the King's Bench to suppress all suits against some Suffolk officers and to send for the JPs who had arrested and committed them.[2] In September 1639, Anthony Hodges esq. of Broadwell/Gloucestershire was summoned and forced to withdraw his suit against one of the collectors.[3] The Privy Council knew that suits against local officers would have been the last nail in the coffin of Ship Money, and, as soon as legal actions were threatened or commenced, promised legal protection of the collectors. Sheriff Cholmondeley of Cheshire copied into his notebook the letter of the lords from June 1638, commanding him either to notify Mr. Harborne of the Middle Temple at King's Bench, Mr. Maidwell at the Common Pleas, or Mr. Cotton at the Court of Exchequer. Cholmondeley immediately translated this to the High Constables, told them not to fear suits, and promised his assistance.[4] In August 1639, the Berkshire Sheriff was told to forward ensuing actions to the Attorney General or other senior judges that "care shalbe by them taken for yo[r] defence therin without any charge att all to you or your said officers".[5]

3.5.7. CONCLUSION

The alarming reports of general opposition to Ship Money which Sheriffs started sending as early as 1635/6, indicate that payment significantly decreased from writ to writ because people

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[1] APC 2/46, 419.

[2] APC 2/46, 177.

[3] APC 2/50, 633.

[4] JRL: English MSS 1091, ff.31, 33; see the general letter to all Sheriffs and magistrates of corporate towns: (June 1638): APC 2/49, 308-10.

[5] APC 2/50, 597-8; similar promises: Oxfordshire (borough of Banbury): 2/48, 221; Shropshire: 2/50, 680; city of Worcester: 2/50, 576. There were however, cases where the suit might have been justified, or where the party was maliciously accused of suing without having done so: e.g. Warwickshire: 2/49, 185 and 193; Merionethshire: SPD 16/313-76; APC 2/46, 74 and 2/46, 78 *vs.* 2/46, 255; SPD 16/341-40, 350-12; APC 2/47, 281 and 186 (here, Sheriff Evan Evans paid dearly for wrongly accusing JP Griffith Lloyd, which had resulted in Lloyd's dismissal from the Commission of the Peace).

did not want to pay. Consequently, local officers and bailiffs had to impound refusers' property which was either redeemed by its owners, or taken and sold. While some owners merely shrugged their shoulders, others expressed opposition to Ship Money by absenting themselves or verbally abusing collectors. In later years, however, parishioners offered more active resistance by rescuing distresses and assaulting officers. The pattern of surviving documents of such incidents is too erratic to come to quantifiable conclusions, and it is difficult to assess whether these rescues, violent preventions of confiscations, and riots were representative.[1] Undeniably, severe offences were committed particularly after 1638, and in Northamptonshire, and their origin could suggest that only the final years of Ship Money and particular regions were affected by violent resistance. Yet, Conciliar orders and summonses, or Sheriffs' reports of difficulties, required prior information by local officers and an explicit urgency. Consequently, reactions by the Board and Sheriffs' pleas were based on extraordinary and intolerable incidents, and represented only the tip of the iceberg. The documents indicate that Ship Money met the increasingly defiant mood of the country and generated an escalating pattern of violence of righteous citizen and frustrated collectors.[2] Local officers faced the choice between two evils: to account for arrears before the Privy Council, when they chose not to relentlessly prosecute opponents, or to fear for their health and lives, when they decided to strictly obey the orders. The following chapter will illustrate that, within an administrative framework in which the machinery of correction and punishment was too slow and inefficient, the choice was increasingly made in favour of the first option. The consequences for Ship Money were devastating and ultimately caused the paralysis of local government.

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[1] Pattern of assaults at and abuses of Constables, reported at the Nottinghamshire Quarter Session:

1631: -	1634: 4	1637: 6	1640: 6
1632: -	1635: 8	1638: 5	
1633: 3	1636: 4	1639: 5	(NottsRO: QSM 1/74-1/76).

[2] As early as January 1637, the Venetian ambassador observed that the more determined the officers became, the more stubborn the people: *SPV*, XXIV, 124.

3.6. THE COLLAPSE OF LOCAL GOVERNMENT UNDER SHIP MONEY

3.6.1. LOCAL OFFICERS REFUSING TO DISTRAIN

Given the violent resistance and threats of lawsuits, local officers, not surprisingly, became increasingly reluctant to distrain for Ship Money, claiming that their role during confiscations was merely supportive, and that the job was traditionally done by hundredal bailiffs, or the Sheriff's own bailiffs.[1] Yet, there were numerous Petty or High Constables who deliberately absented themselves, blatantly refused to support bailiffs, or even joined their fellow parishioners in rescuing impounded goods.

The most elegant means of Constables to escape their responsibility for supporting distraint, was to leave their homes, as soon as bailiffs entered the parish. In June 1636, Sheriff Wentworth of Oxfordshire was so irritated by the officers' performance that he wanted "to imprison them accordinge to the tenure of the said Letters, but could not finde them, and therefore left some threatninge speeches at the howses of the said Constables".[2] We have seen that Sheriff Warcopp was attacked by the parishioners in Watlington/Oxfordshire whilst the Constable cowered in his house.[3] In May 1637, the bailiff of Aveland wapentake/ Lincolnshire showed the Constable of Morton the warrant, who then "gott himselfe out of the towne".[4] In August 1640, many Dorset High Constables "absent themselves soe that they will not be found at home to assist the baylyffs".[5] In September 1640, a Worcestershire bailiff reported one High Constable of Clackenhurst hundred who promised to join him, but then "did absent himselfe and would not be spoken", and hid in his backyard.[6]

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[1] In August 1640, for example, the Privy Council told the Sheriff of Cheshire not to blame "any Constables or other persons who are not otherwise herein obliged then only to assist yo^{r} Bailiffs": APC 2/52, 684. See discussion in Chapter 3.5.3.; comments on difficulties with subordinate officers also by: *Faraday*, p.225; *Thomson*, pp.152-4; *Barnes, Somerset*, p.237; *Willcox*, pp.127, 131-2.

[2] SPD 16/327-126.

[3] Chapter 3.5.5..

[4] SPD 16/357-96-I-1.

[5] SPD 16/464-23.

[6] SPD 16/467-58-I, including several other examples.

Predominantly in Lincolnshire, Norfolk, Northamptonshire, Oxfordshire, and Somerset, local officers refused to impound and to assist bailiffs from the outset of Ship Money. In January 1637, several Lincolnshire officers decided not to distrain since they had been threatened with lawsuits.[1] In May 1637, one of the Sheriff's deputies asked Chief Constable Tilson of Elloe wapentake to certify whom he had distrained, but Tilson answered "he had distreined none, and that he knew what belonged to him to doe; and what belonged to an Undersherife to doe".[2] When Leonard Browne gent., the other High Constable, heard that the bailiffs had orders to distrain Thomas Cole esq., he "answered he would nott goe then".[3] In September 1638, some Middlesex collectors did "not take the distresses into there custody, but the Baylifes must keepe them".[4] In November 1636, William Strode's lawsuit was imitated by others, with the result that "the Constables will doe nothinge in the service".[5] In March 1637, late Sheriff Cockayne of Northamptonshire asserted that all High and Petty Constables "absolutely refuse to make distress, or to ioyne in any".[6] Twysden reported a case in Northamptonshire, where the Constable replied "he was ready to doe it, if y^{e} Sherif would be the VOUCHER y^{t} he made good sale y^{t} he might, w^{ch} y^{e} Sherif refusing, y^{e} man returned y^{e} mare back to y^{e} owner".[7] At the Lent Assize of 1640, the Sheriff of Oxfordshire noted that none of his officers distrained, "p^{r}tendinge that they are threatened to bee troubled if they do".[8]

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[1] SPD 16/345-18-I; reply by the Privy Council: APC 2/47, 158 and 178; see also Sheriff Pelham reporting nine collectors in October 1636: SPD 16/333-23-I; reply by the Privy Council: APC 2/46, 452-3.

[2] SPD 16/357-96-III-1.

[3] SPD 16/357-96-VI; 357-124; Constables requiring bailiffs to show special warrants in February 1638: 382-8.

[4] SPD 16/398-122.

[5] SPD 16/336-29; also the Constable of Stogumber/Somerset in July 1637: 363-11-II.

[6] SPD 16/349-74, 351-65; similar reports: e.g. Norfolk: 385-1, 397-46-I; Lincolnshire: 399-13, 404-120; Banbury/ Oxfordshire: 366-19, 537-47; 468-123.

[7] KAO(M): Twysden MSS, U 47/47 O1, f.190.

[8] BodL: Bankes MSS 42/47 (i.e. ff.102-3); see also SPD 16/468-80.

In Berkshire, Essex, and Northamptonshire, hundredal bailiffs were granted out to local magnates and ignored the Sheriffs' orders. In August 1639, the Privy Council was surprised about unexpected problems with farmed-out bailiffs in Berkshire, but promised the Attorney General's examination.[1] A year later, however, the escheator found:

> "a principall cause of rendringe the collection of this money difficile. That all Baylywicks anciently belonginge to the Sherriffwicks are granted by patents to psons of greate ranck & quality whose substitutes have litle or noe dependance on the Sherriffes".[2]

As early as June 1636, the Privy Council had been informed that, in Essex, patented bailiffs "refuse or neglect to execute the Warrants of Sheriff", and commanded them to obey or to be bound over by the Sheriff.[3] In September 1640, one such bailiff, Thomas Banister of Dorchester/Oxfordshire, confidently wrote to the Privy Council that he was "a private man and noe way subordinate to the said Sheriffe who hath Bayliffs of his owne [...] to execute his owne p^{r}cepts".[4] In November 1639, Sheriff Holman of Northamptonshire suggested to purge the county of all bailiffs who refused to give security for their performance. His county:

> "consisteth of 20 sevall hundreds w^{ch} are all graunted out by the sheriffe unto sevall Patentees who place, and displace the bailiffs thereof at theire pleasure and dispose the hundreds to such psons as give no security to the said sheriffe for executing his writts".[5]

Yet, a year later, the escheator addressed the same, unchanged problem.[6]

Some officers openly sympathised with their communities and even refused to pay their own assessment, or assisted parishioners in rescuing goods or assaulting bailiffs. In July 1636, Sheriff Mildmay of Essex reported one of the collectors of Stanford Rivers, who not only refused to collect Ship Money, but also rescued his own distrained cattle. In May 1636, a

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[1] APC 2/50, 596-8; the lords wondered why previous Sheriffs had not complained; general order to the Attorney General, in June 1636, to reclaim the bailiwicks for the crown: 2/46, 269.

[2] SPD 16/464-24.

[3] APC 2/46, 269-70.

[4] SPD 16/468-79.

[5] SPD 16/433-22; the Privy Council copied Holman's draft in a general order: APC 2/51, 109-10.

[6] SPD 16/465-13; other complaints: Gloucestershire: 463-66; Norfolk: 395-59; Northamptonshire: 367-9.

collector of Hallingbury Magna/Essex was asked whether he had submitted the Ship Money, but he:

> "answeared contemptuosly and unto the ill example of others, that he had not then payed in the said monyes, nor would pay it in, if the pishioners would ioyne wth him in his intencons, And further [...]sayed [...]if he did pay in the mony, he had collected as aforesayd, he would not pay any for his owne pte".[1]

In January 1638, one Thirdborough actively participated in the riots of Long Buckby/ Northamptonshire.[2] In June 1636, the Constables of South Newington/ Oxfordshire frankly told Sheriff Wentworth that "as yet no money hath or canne [be collected] in our pish till you shall make knowne to us a lawe or Statute Bindinge".[3] In October 1638, the High Constables of Blofield hundred were summoned at the Privy Council for discouraging others to pay, but after their return, one of them bragged "that God did strengthen him in such a marvilous manner, that he answeared boldly and undauntedly for himself".[4]

The total number of reports of local officers refusing to distrain is comparatively low, and most of them are dated from 1640, or originate from Lincolnshire, Northamptonshire, and Oxfordshire, where Ship Money met early resistance. This could suggest that in previous years and other counties local officers willingly distrained. Chapter 3.6.7.,however, will show that, from the very beginning, Sheriffs knew that they could not rely on parish officers to impound, and either employed hundredal bailiffs, or their own servants, so that the problem of using Constables and High Constables never arose. Secondly, Chapter 3.6.2.will illustrate that officers refusing confiscations was no issue, because Constables refused to collect and submit Ship Money in the first place.

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[1] SPD 16/328-50, 320-18; the Constable of Wartling/Sussex (July 1640): APC 2/52, 631.

[2] SPD 16/379-132.

[3] SPD 16/327-126; see also the defiance of the bailiff of Burford: 367-53.

[4] SPD 16/400-110 (also 400-75 and 402-51).

3.6.2. LOCAL OFFICERS REFUSING TO FORWARD AND COLLECT SHIP MONEY

While it was understandable that local officers avoided getting involved in distraining goods, there was no justification for neglecting or refusing to collect Ship Money, particularly once the rates had been properly assessed. One impediment in achieving full and speedy payment of Ship Money was that officers collected their quotas, but failed to pay them over to their superiors. Some Constables and High Constables could not resist temptation and disappeared with the money. In May 1637, the High Constable of Bempstone hundred/Somerset told Undersheriff Cox that he did not have the required 40-14-4, but "the tythingmen had them & collected much to the mony, & are runn away wth mony & retornes".[1] In January 1639, the Sheriff of Cumberland reported the Chief Constable of Leith ward, who had collected the £ 54 in arrear, but "p'sently paste went out of the country and nott heard of since".[2] In February 1639, the late High Constable of Blackburn hundred/Lancashire had disappeared with £ 60 of the 172-10-0 he was to collect, and late Sheriff Kirkby had spent £ 10 searching for him.[3] Complications also emerged when collectors died, and the Sheriffs had to negotiate the payment of the collected sums with the executors. In April 1638, one of the Denbighshire High Constables had died, but his £ 200 were "like to be lost", since his executors "alledge that he in his life tyme payed away these moneyes & non of them cam into there hands".[4] In September 1639, Sheriff Irby of Lincolnshire requested the Privy Council to take action against the executors of two Chief Constables refusing to account for the collected sums, although "it is verely thought that they had collected much mony wthin theire divisions".[5]

Yet, many officers had collected all or good parts of the sum and still refused to pay.

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[1] SPD 16/355-141-I; the Portreeve of Sampford/Somerset (March 1638): APC 2/49, 23.

[2] SPD 16/410-67.

[3] SPD 16/412-72.

[4] SPD 16/388-60.

[5] SPD 16/428-110; the corresponding order by the Privy Council: APC 2/50, 644; other counties: Derbyshire: SPD 16/415-60; Essex: APC 2/49, 601; Montgomeryshire: SPD 16/400-94; Nottinghamshire 455-81 (also APC 2/50, 395); Somerset: APC 2/50, 506; a lost writ in Wiltshire: SPD 16/311-16 (also APC 2/45, 339-40).

Some waited until they had collected the entire sum, although the Privy Council had explicitly ordered payment as soon as substantial sums had been collected.[1] Others were probably afraid to admit that a large part of their share was not paid, and were reluctant to distrain. Frequently, however, the collectors seemed to hope that Ship Money would be repealed in their year of office, thus avoiding prompt payment. Consequently, they waited until the last possible moment, until their hopes were disappointed and the transfer became inevitable. By no means was this tactic applied only in the final years of Ship Money. In 1636, in Derbyshire, "sevall Constables have levied the moneys imposed [...]but deteyne the same or the greatest pte thereof".[2] In February 1636, Sheriff Evans of Merionethshire named three collectors who "refuse to make full paym^{t}", although they had gathered all the money.[3] In February 1637, Sheriff Belasys of county Durham reported the collectors of Islandshire, who "have collected more monies than they have paid in, [and] refuse to repay the same".[4] In January 1638, Sheriff Cholmondeley of Cheshire ordered his Undersheriff to arrest the High Constable of Wirrall hundred, who had only paid £ 19 out of £ 150 and detained the rest.[5] In February 1639, the Sheriff of Herefordshire justified the arrears with the fact that "a greate parte whereof is most contempteously detained by som officers".[6]

The collapse of Ship Money became most evident when collectors refused to levy the

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[1] A collector of Hastings rape/Sussex was so afraid to send off the money that he asked the Sheriff for the *posse* of the county to protect it: SPD 16/356-60.

[2] SPD 16/341-9 (dated [1636?]).

[3] SPD 16/313-76; APC 2/46, 24; in January 1638, the Constables of Warkworth/Northamptonshire claimed that they had offered the Sheriff partial payment, which he rejected since the sum was not complete: SPD 16/380-100, 380-101.

[4] SPD 16/347-58.

[5] JRL: English MSS 1091, f.25v; a similar warrant regarding negligent Petty Constables of six parishes in Macclesfield hundred: f.26.

[6] SPD 16/412-28. Orders of the Privy Council to collect detained sums: e.g. APC 2/48, 550-1 (January 1638); SPD 16/458-70 (June 1640). Other references to detained Ship Money, e.g.: Cambridgeshire: 463-43; Flintshire: 472-15; Huntingdonshire: 398-121; Kent: 376-97; Lincolnshire: APC 2/46, 311; SPD 16/352-17-II, 421-74; Middlesex: 374-73; Westminster: APC 2/46, 320; SPD 16/348-3; APC 2/47, 433; Northamptonshire: SPD 16/409-114; Nottinghamshire: 376-116, 402-21; Oxfordshire: 395-59; Shropshire: APC 2/49, 284; 2/49, 571; 2/52, 592; Somerset: SPD 16/355-141, 369-86, 379-28; APC 2/50, 557; 2/51, 111; Staffordshire: 2/50, 120; 2/52, 523; Wiltshire: 2/50, 397; 2/50, 410; Worcestershire: 2/50, 249; Yorkshire: 2/49, 285.

assessed rates in the first place. While the assessment as such did not harm anyone, the litmus test of local officers' loyalty to the crown was their performance during the collection. Although the motives of disobedience cannot be always established, Constables usually succumbed to community resistance, and many may even have wholeheartedly supported their localities' reluctance to pay Ship Money. The main cause of arrears and civil unrest, outlined in Chapters 3.4. and 3.5., was the parishioners' determination not to pay, and, consequently, the inability and reluctance of local officers to break this resistance, as their superiors expected. Sheriffs' certificates bemoaning delays and refusals, indirectly made statements about the collectors' inefficiency in enforcing payment in their communities. The Privy Council failed to recognise that, ultimately, it was the weakest link in the administrative chain - High and Petty Constables - and not the Sheriffs, which faltered in carrying out its duties.

The breakdown of local government under Ship Money was universal under the 1639-writ. During the spring and summer of 1640, the Sheriffs of Berkshire, Cambridgeshire, Oxfordshire, and Shropshire certified that local officers were "slack and averse" and ceased to collect Ship Money.[1] Thomas Alderne, the unlucky Sheriff of Herefordshire, experienced enormous pressure from the Privy Council, and repeatedly swore his helplessness in controlling his subordinates, most of whom "utterly refuse to do any service".[2] In April 1640, the Oxfordshire Sheriff commanded all Constables to pay him at the Assize, but "they brought in scarce the tenth part of their assessments and about fyve pounds in money".[3] Sheriff Bellott of Staffordshire ordered all Petty Constables to report to him:

> "wherein I had not 6. 8 or 12 and sometymes more of them before mee [...] they generally answered, That they were soe menaced by theire neighbo^{r}, As they durst not [collect]".[4]

Even in counties where Ship Money had been successfully collected in previous years, local

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[1] Berkshire: SPD 16/449-8; Cambridgeshire: 463-43; Oxfordshire: 458-80; Shropshire: 450-43.

[2] SPD 16/454-10, 455-32, 464-98, 466-77, 467-130; a detailed report from Worcestershire: 455-127.

[3] BodL: Bankes MSS 42/47 (=ff.102-3);also SPD 16/455-115.

[4] SPD 16/452-10.

government crumbled under the strains of local resistance. Sheriff Holte of Lancashire lamented that he had only received £ 1319, and the hundreds of Amounderness and Lonsdale "altogether stand out".[1] Sheriff Milborne of Monmouthshire acknowledged that even his most resilient officers grew discouraged under the threats of suits, and he arrested three collectors of Usk who preferred prison to collecting or answering for their neglect before the Privy Council.[2] The Norfolk Sheriff praised some of his subordinates, but reported others who were "soe aboundinge in their owne Remissnes and obstinacye that they have done very little and of them div^{rs} nothing".[3] Sheriff D'Ewes of Suffolk was perplexed that the High Constables of Blything hundred had collected a mere 2s6d.[4] Sheriff Powell of Cheshire committed one of the High Constables of Nantwich hundred to prison, because, despite all his warrants "haveing (of all this yeare) payd mee but $2^{£}$-13^{s}-0^{d}" out of £ 400, "neither would he compel the Petty Constables under him to gather any".[5]

Where Ship Money caused disarray in local government from the very beginning, negligence was initially confined to individuals or parts of a county. In June 1635, Sir Robert Phelips' intransigence stirred one High Constable of Tintinhull hundred to tell Sheriff Hodges' servant that "he cared not a fart for the said warrant neither wold he doe anythinge thereuppon".[6] In January 1636, Sheriff Stephens of Gloucestershire named eleven Petty Constables of Kiftsgate hundred who ignored his warrants for assessment and collection.[7] In April 1636, Sheriff Whitehead of Hampshire was outraged by a Constable who "answered

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[1] SPD 16/455-35 (May).

[2] SPD 16/459-39 (July).

[3] SPD 16/456-21 (June).

[4] SPD 16/451-18-I (April); also Hertfordshire (March 1639): 414-162.

[5] SPD 16/460-35 (July).

[6] SPD 16/290-75, 291-57; see also 290-77.

[7] SPD 16/311-78.

I should never gather the mony whilest I lived".[1] In May 1638, Sheriff Astley of Norfolk was infuriated that the two High Constables of Blofield hundred "have not collected and paid unto mee one penny", and that one High Constable of Clavering and Deepwade displayed a derelict attitude.[2]

Yet, many reports exhibit *widespread* disintegration of local government during the years 1635 to 1638. In November 1635, Sheriff Newton of Shropshire was unable to find collectors unless he promised them sixpence in each collected pound.[3] In December 1635, Sheriff Chetham of Lancashire accused the High Constables of "a general defect, no one of them having received the sums", who, in turn, blamed the Petty Constables who "likewise for their excuse protested [that] they had given all diligence to have collected the money".[4] In July 1636, the Sheriff of Sussex and Surrey confessed that "I much feare it must be my owne worke to doe it, for I finde all men & my officers alsoe unwilling".[5] In February 1637 - four months into the collection - Sheriff Vincent of Surrey reported that "yett very few pishes have brought in their Rates [i.e. their assessment], but none at all their monyes; though I have fro time pressed y^{e} same wth much virulency".[6] In March 1637, Sheriff Cockayne of Northamptonshire was distressed that "No officer will do any service", and in April, the Undersheriff of Nottinghamshire found "much remissnes & neglect" in High Constables and collectors.[7] In May 1638, Sheriff Hewett of Huntingdonshire was frustrated that "the Collectors nor Constables doe obey my Warrants", and was "tould by a Constable to my face

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[1] SPD 16/319-76; other cases of locally limited negligence before 1640, e.g.: Bedfordshire: 390-62; Devon: APC 2/48, 206; Essex: 2/47, 18-19; Gloucestershire: 2/49, 395; Hampshire: SPD 16/380-71, 388-40; Hertfordshire: 381-71; Merionethshire: 313-76; Middlesex: 433-9; Somerset: 389-71; Worcestershire: APC 2/46, 462-3, 2/50, 365.

[2] SPD 16/389-9.

[3] SPD 16/302-80; order of the Privy Council prohibiting allowances (31 May 1636): APC 2/46, 223; permission of allowances: London: APC 2/49, 290 (24 June 1638); corporate towns: 2/51, 306 (February 1640); all Sheriffs and Mayors: 2/52, 523 (31 May 1640).

[4] SPD 16/304-34.

[5] SPD 16/329-37.

[6] SPD 16/346-106.

[7] SPD 16/349-74, 352-18; see also Leicestershire: 385-2.

they are not to pay now".[1]

3.6.3. LOCAL OFFICERS REFUSING TO ASSESS

While assessment disputes often did not directly involve local officers, Chapters 3.3. and 3.4. have demonstrated their difficulties, when inhabitants refused to agree on an assessment. The disobedience of local officers to enforce the assessment within parishes, was a step further towards the disintegration of local government, which particularly occurred under the last writ of Ship Money in 1639/40. In February 1640, Sheriff Childe of Bedfordshire ordered the High Constables to call all Petty Constables to divide the quota, but "only twoe cheife Constables did appeare before me & both of them answered y^{t} there cam very fewe of y^{e} pettye constables & townesmen to the saide meeting and [...]they refused to doe it [to tax]".[2] In March, Sheriff Brownlowe of Lincolnshire complained of some "directly refusinge to make any Assessmente" - altogether twelve High Constables, thirty-one Petty Constables, and thirty-nine assessors.[3] In April 1640, Oxfordshire Sheriff Warcopp named thirty-one negligent assessors from eleven parishes in seven hundreds.[4] In June 1640, the High Constables of Toseland and Leightonstone/Huntingdonshire exonerated themselves claiming that, despite sending 324 warrants to the parishes, the Petty Constables had not made any assessments.[5]

Yet, local officers refused to assess their localities not only in the final year of Ship Money. Even under the first writ of 1635, reports of refractory officers were sent from Essex,

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[1] SPD 16/389-133. Staffordshire High Constables mutinied, when the Sheriff failed to obtain a lower county-quota in 1636 and 1637: 346-108, 349-88, 371-78. Sheriffs listing negligent collectors: Lincolnshire: 345-18-I, 376-121, 427-106; Middlesex: 398-29; Somerset: 388-69, 433-10.

[2] SPD 16/445-49.

[3] SPD 16/445-52, 448-21, 457-92.

[4] SPD 16/450-57; also 458-81. Reports from other counties in 1640, e.g.: Berkshire: 449-8; Dorset: 445-18, 448-20; Gloucestershire: 335-57; Somerset: APC 2/51, 205-7; 2/51, 369-70; Warwickshire: SPD 16/465-30.

[5] SPD 16/458-3-II.

Gloucestershire, Oxfordshire, Warwickshire, and Wiltshire.[1] In May 1636, one High Constable of Harlow hundred/Essex found himself prisoner in the Fleet for not assessing Ship Money, and in February 1637, apparently all Cheshire Constables sabotaged Ship Money by denying Sheriff Delves any data of the previous assessment.[2] The same month, Sheriff Vaughan of Herefordshire required more time, since the Chief Constables "soe imperfectlie pformed" the assessment.[3] As early as November 1636, Sheriff Mildmay of Essex accused the hundredal bailiffs of deliberately undermining Ship Money by forwarding false information of assessments and arrears.[4] From February to April 1637, Sheriff Banister of Northamptonshire met massive resistance from officers in various parts of his county, who refused to assess despite being bound over to the Privy Council.[5] Although a number of certificates from 1638 and 1639 suggest that refusals of local officers often were linked to assessment disputes, others did so without any apparent reason, such as the officers of Hallingbury Magna/Essex, or Warkworth/Northamptonshire.[6] Yet, much depended on the Sheriffs' authority and determination, and Ship Money was bound to fail when Sheriffs abandoned all hope themselves and their pressure on local officers. Matthew Francis, serjeant at arms, sent to Northamptonshire "ad terrorem to the common people and officers", in September 1639, was dismayed to realise that:

> "neither the High Cunstables nor the petty Counstables have donne thire dutyes in makeing thire warrants or Assessments. Nor that M[r] Shreffe hath punished thire defallts. And now thinketh ytt to late for him todoe [...]. Nor desyeres

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[1] e.g. Essex: APC 2/45, 305; Gloucestershire: 2/46, 154-5; Oxfordshire: 2/45, 353; SPD 16/313-93, 315-123; Warwickshire: 322-8; Wiltshire: 302-18.

[2] SPD 16/320-6; 348-35.

[3] SPD 16/348-56.

[4] SPD 16/335-67.

[5] SPD 16/348-64, 348-64-I to VII; APC 2/47, 222; SPD 16/350-47, 354-72; references to difficulties under the 1636-writ in other counties: Gloucestershire: 347-51; Hertfordshire: BL: Add MSS 61681, f.14; Leicestershire: SPD 16/346-109, 351-91; Oxfordshire: 349-92; Somerset: 347-23; Staffordshire: 346-108, 349-88.

[6] APC 2/48, 584; SPD 16/380-100, 380-101; assessment disputes: e.g. Bedfordshire: 382-73; Cardiganshire: 370-85; Hertfordshire: 381-71; Huntingdonshire: 381-84; Leicestershire: 415-39; Lincolnshire: 415-33; Oxfordshire: 424-79-II; Somerset: 449-7.

> to doe soe. I may staye wth him ad infinitum. Nor does hee take care for my ffees & charge, But sayth plainly iit is his Ma[ts] service & his Ma[t] will pay mee."[1]

3.6.4. LOCAL OFFICERS IGNORING ORDERS FOR MEETINGS

Communication between Sheriffs and their subordinates was essential during the assessment and collection of Ship Money. Sheriffs' reports suggest that written communication was common between the tiers of local government (as already suggested in chapter 2.3.), particularly when superiors issued orders. Yet, the return of the assessments lists and the actual payment required personal contact between local officers and Sheriffs. According to certificates and notebooks, like that of Cholmondeley of Cheshire, Sheriffs spent a great deal of time and effort meeting High and Petty Constables at Assizes and Quarter Sessions, personally visiting their localities, or inviting them to their own homes.[2] In May 1639, the Sheriff of Denbighshire was convinced that Constables and collectors would pay soon, having been "quickned a litle by my often & sharpe calling on them".[3] In June 1640, Sheriff Agarde of Derbyshire confirmed that since the writ "came unto my hands from tyme to tyme [I] sent forth my warrants to the cheife Constables".[4] The same month, Sheriff Armyne of Huntingdonshire claimed that the High Constables had received twenty-four warrants since January, and "besides the great Travell of my servants and officers [...] I myself have had divers meetings".[5] The Sheriff of Berkshire met all High Constables at Abingdon, on 14

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[1] SPD 16/428-68; see also the memo by Bankes, Littleton, and Heath to the Privy Council, in July 1639, stating the responsibilities of Sheriffs to assess and collect, concluding: "And the Constables not makeinge of assessmts is noe excuse to the Sheriffe.": BodL: Bankes MSS 5/40 (=ff.86-7).See the remarkable outburst of Sheriff Buxton of Norfolk: SPD 16/407-45 (dated [1638?]); yet, no payment was made by January 1639, although the Chief Constables in charge had attended the Privy Council twice: APC 2/49, 158; SPD 16/397-46-I; APC 2/49, 397; SPD 16/400-14; 400-55; 400-75; 400-110; APC 2/49, 384; SPD 16/402-51; 410-65.

[2] JRL: English MSS 1091, ff. 9-9v, 11v, 12, 23-23v; see, for example, the impressive list of officers, Cholmondeley had to deal with: ff.13-13v.

[3] SPD 16/420-33.

[4] SPD 16/456-28; also Hertfordshire 346-96; Leicestershire: 415-39.

[5] SPD 16/458-3; a special messenger, reminding officers of the dates of payment: Cornwall (June 1640): 457-62.

August 1640, "to give him an Accompt of the pgresse of the busynesse".[1] The High Constables of Deerhurst hundred/Gloucestershire were directed to submit their assessments at the "White Hart" in Tetbury, on 20 November 1635 at 9 a.m..[2] Sheriff Irby's description of his meetings with subordinates at the Lincolnshire Lent Assize of 1638 related collegial and business-like gatherings.[3] In the summer of 1640, Sheriff Hughes of Flintshire travelled "through moste pte of the County" to examine the collectors, and in 1637, Sheriff Vaughan of Herefordshire "did eyther in pson or by my warrants call upon all the Cheeffe constables".[4]

The travel expenses entered in Constables' accounts reflect another aspect of the increased workload Ship Money entailed. Constables met with High Constables and the other Constables to set the parish quotas. They had the parish assessment confirmed by the Sheriff, before they were permitted to collect. Eventually, the money had to be delivered to the Sheriff or his Undersheriff. Assessment disputes and refractory taxpayers not only hampered the coordination by the Sheriff, but also put an extra travel-burden on Constables and those village representatives that accompanied them to the meetings. In 1636, the Constables of High Bray/Devon went with two, and in 1637 with three men to Shirwill to negotiate the parochial quotas.[5] On 19 January 1638, the Constable of Addlethorpe/Lincolnshire went to see the Sheriff "and was out iiii days", and afterwards travelled twice to Broxholme. On 20 April he was in Spilsby "about y^{e} Ship", and on 28 April in Boston.[6] In 1635, the Sidemen of Dartington/Devon were particularly affected by time and distance, and spent 4-3-9 [!] "for

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[1] SPD 16/464-24; similar orders to deliver accounts: Cornwall: 314-65; Dorset: 352-5; Gloucestershire: 302-3; Northamptonshire: 304-5.

[2] KAO(M): Sackville of Knole MSS, f.14; see also the warrant by Sheriff Ducy to two High Constables of an unnamed division to meet him at his place on 21 February 1637: f.14; also in 1640: SPD 16/464-64, 466-80; similar in Shropshire (August 1640): 463-85.

[3] SPD 16/385-75, 397-19.

[4] SPD 16/472-15; 366-43; the escheator of Herefordshire confirmed weekly or termly meetings: 467-130; in January 1639, Sheriff Irby of Lincolnshire delegated meetings to his Undersheriff: 409-92.

[5] DevonRO(N): 815 A/PW 1; also LeicsRO: Stathern C, DE 1605/56, f.49v (1635).

[6] LincsAO: Addlethorpe 12.

charge of menne and horse in travelling to exon 6 times About the Kinges busenesse".[1] In 1637, the Constable of Cransley/Northamptonshire made six journeys, one of two days duration, because he was forced to pay Ship Money in instalments.[2] In 1637/8, the Constables of Marston Trussel/Northamptonshire made four journeys to Rothwell and one to Welford.[3] In 1638/9, one of the two Constables of Fillongley/Warwickshire accounted for three journeys to Foleshill, the other for three trips to Warwick, one to Foleshill, and two to unnamed places where he had been summoned by the Sheriff.[4] In 1637, the Constable of Nether Whitacre/Warwickshire was not only "called to Foleshill in stid of Mr Bradney the last Const about the old ship money", but then travelled three times to Warwick, once to Foleshill, and once to Coventry, indicating that the parish was affected by the raging assessment disputes in Warwickshire.[5] Intensive travelling during the assessment and collection of Ship Money, besides the regular attendance of Petty Session and musters, increasingly transformed Constableships from a resident to a highly mobile job. Even if parishes were willing to reimburse Constables for their expenses, the officers themselves became tired of the constant travel, which added to their growing reluctance to execute their duties.

The antipathy Ship Money caused amongst local officers fostered a breakdown of communication which contributed to the collapse of local government in the late-1630s. High and Petty Constables frequently did not attend scheduled assessment meetings or collection dates, and ignored Sheriffs' warrants to assess, collect, or account for delays. Again, initially only a few individuals were disobedient. In November 1635, the Sheriff of Essex complained

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[1] DevonRO(E): EDRO Dartington PW 2.

[2] NorthantsRO: 89p/100.

[3] NorthantsRO: 206p/102.

[4] WarwsRO: DR 404/85.

[5] WarwsRO: DRB 27/9 (already in 1635/6 several journeys). Other references in Constables' accounts (though usually within the normal limit of two to three journeys): NorthantsRO: Marston Trussell C (1635), 206p/102; SalopRO: Stockton C (1637, 1639), 3067/3/1; SomsRO: Rode C (1636), D/P/rode 12/2/1; SuffRO(I): Gislingham C (1637), FB 130/I2/9; WarwsRO: Fillongley C (1636, 1639), DR 404/85; Nether Whitacre C (1636), DRB 27/9; also in the Churchwardens' accounts of Woodbridge (St.Mary)/Suffolk (1634 and 1638): SuffRO(I): FC 25 E1/1.

of Constables who "have given him noe answer", and in December 1636, the Hertfordshire Sheriff harshly reprimanded all High Constables for having "neither agreed to my rate, nor made any returns".[1] In March 1637, Sheriff Vincent of Surrey accused the officers of Reigate of "much contempt", since they "absolutely refused" to hand over their assessment "in absolute definace wth me".[2] In May 1638, Sheriff Boteler of Bedfordshire was perplexed, because he had sent warrants to the parish officers of Tilsworth "& appointed them severall daies of appearance & sent two particular messingers to them & yet could never have any answer".[3] When, in August 1640, the Staffordshire Sheriff "appoynted all the Constables of the Countie to give him account [...] not above haulfe of them appeared".[4]

Other reports suggest that the majority, if not all officers ignored orders and meetings. In April 1637, Sheriff Pelham of Lincolnshire had appointed a meeting with the collectors "at an other time and place, where I attended, but none came, though they were all somoned".[5] In 1638, Sheriff Hewett of Huntingdonshire repeatedly complained that none of his warrants were obeyed - "so cheap is the authority of the Sheriff grown amongst them".[6] Sheriff Bellott of Staffordshire was supposed to receive the money of all Constables at Stafford on 26 April 1640, "But none came in", and Sheriff Holman of Northamptonshire had directed payment on 24 June, "But as yett I can heare nothing from them".[7] In June, all Oxfordshire bailiffs had been warned to meet Sheriff Warcopp at the "Bear" at Oxford, but "they would not come att mee".[8]

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[1] BL: Add MSS 61681, f.14.

[2] SPD 16/350-3.

[3] SPD 16/390-62.

[4] SPD 16/465-73; also Herefordshire: 417-44 (April 1639).

[5] SPD 16/352-17; see also his earlier complaints in January: 345-18.

[6] SPD 16/389-133, 395-58, 398-121; other complaints about ignoring warrants: e.g. Nottinghamshire: 390-51; Banbury/Oxfordshire: 366-19; Somerset: 370-75; Surrey: 421-143; Wiltshire: APC 2/50, 659; Worcestershire: SPD 16/455-127.

[7] SPD 16/452-10; 425-38 (Holman's letter is dated 8 July); see already 417-5.

[8] SPD 16/463-86-II; 458-80.

3.6.5. LOCAL OFFICERS SUMMONED BEFORE THE PRIVY COUNCIL

The imprisonment of negligent officers was an unreliable punishment, since officers would absent themselves, or the appearance of the Sheriff's bailiffs provoked riots. Moreover, the administration of Ship Money came to a standstill for the period officers were imprisoned. A safer and more dreaded punishment was to report the officers' names to the Privy Council. While usually a letter signed by the noblest men of the realm was sufficient to jolt local officers into obedience, their summoning before the lords was bound to be successful. The burden of a long journey from their remote villages to London (at their expense, of course), the waiting for a scheduled appointment at the Privy Council, and their reappearance, after a first interrogation, to reinforce their conformity, was punishment enough.[1] The attendance before the lords was costly, since the clerks of the Council, messengers, and other functionaries demanded princely fees. Besides the sheer terror Petty and High Constables experienced facing their king and an array of dignitaries, the financial aspect of summonses was extremely painful for all who experienced them.[2]

Sheriffs frequently were reprimanded for blaming their subordinates, and reminded of their authority to deal with insubordination. Yet, occasionally they were encouraged to bind over refractory officers, or to certify their names.[3] In August 1640, Sheriff Pyrchard of Cambridgeshire was convinced that if the lords "send for some of them upp itt would soe deterre the rest as I veryly beleeve the service would bee effected".[4] The same month, the

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[1] George Plowright, Constable of Burton Latimer/Northamptonshire claimed to have spent six weeks in London, in early 1636, for merely submitting a petition against some refusers who had accused him of malicious overassessment: NorthantsRO: 55p/504, f.41.

[2] Technically, there were four ways of summonses. Either, a letter of the Privy Council ordered named local officers to conform or to attend, or they commanded them to attend at once. Alternatively, the Sheriff was directed to bind them over to the Privy Council, or one of the Council's messengers was sent into the county - undoubtedly the most expensive variant.

[3] Reprimands: e.g. Kent: APC 2/45, 50-1; Buckinghamshire: 2/46, 105-6; Northamptonshire: 2/49, 328-9; Somerset: 2/50, 507. Orders to bind: e.g. Essex: 2/47, 19-20; 2/47, 37; 2/47, 347; Gloucestershire: 2/46, 154-5; Huntingdonshire: 2/49, 352; Lincolnshire: 2/50, 139-40; Oxfordshire: 2/46, 135-6. Certifying names: e.g. Essex: 2/47, 85; Leicestershire: 2/51, 258-9; Somerset: 2/49, 283. Occasionally, the lords delegated the investigation to the Attorney General: e.g. Herefordshire: 2/52, 619 and SPD 16/458-57.

[4] SPD 16/463-43.

escheator of Staffordshire claimed "That Constables if some course bee not held agaynst them by the boarde will not distrain".[1] It is difficult to assess how frequently and successfully this instrument of pressure was used against local officers. As mentioned in Chapter 3.5.1.,the registers of the Privy Council are not always reliable and complete, and although they noted name and residence of attending persons, the reason of their summoning and their function (Constable, High Constable, collector) frequently remains unclear. During the first writ of 1635, one High Constable from Essex was detained in the Fleet; three High Constables from Oxfordshire and two hundredal bailiffs from Worcestershire were sent for by messengers.[2] Under the 1636-writ, one officer from county Durham, one from Essex, four from Lincolnshire, four from Northamptonshire, six from Oxfordshire, and four from Somerset were summoned to attend the Privy Council.[3] From 1637 to 1639, attending officers came from a wider range of counties. This suggests both that the Privy Council fully exploited the confirmed legality of Ship Money, after the first ruling of the judges and after Hampden's case, and that the tax-payers' resistance and the difficulties for local officers massively increased. Under the 1637-writ, nine officers from Bedfordshire attended the lords, two from Buckinghamshire, eleven from Essex, four from Gloucestershire, two from Hampshire, three from Hertfordshire, one from Lancashire, one from Lincolnshire, seven from Norfolk, eleven from Northamptonshire, three from Oxfordshire, and seven from Somerset.[4] From Middlesex,

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[1] SPD 16/465-73.

[2] SPD 16/320-6; APC 2/46, 163-4; 2/46, 354-5.

[3] I use the term "officer", because it is often uncertain, whether they were Petty or High Constables. Durham: SPD 16/366-18; Essex: APC 2/48, 325; Lincolnshire: 2/47, 425; SPD 16/357-124; APC 2/47, 468; SPD 16/357-96-VII; Northamptonshire: APC 2/47, 222; SPD 16/350-2; APC 2/47, 274; 2/47, 298-9; 2/47, 346-7; Oxfordshire: 2/47, 191-2; 2/48, 223; SPD 16/368-100; Somerset: APC 2/48, 207; 2/48, 211; SPD 16/368-36. *Holmes, Lincolnshire*, p.134, refers to the numbers of summoned officers from Lincolnshire in 1640 to demonstrate the collapse of Ship Money.

[4] It has to be considered that officers also were summoned for arrears, i.e. one or two years after their term had ended, which influences the statistics. Bedfordshire: SPD 16/382-73; 385-60; 390-62; APC 2/49, 193; 2/49, 432; 2/49, 444; Buckinghamshire: 2/49, 159; Essex: 2/48, 522 (three entries); 2/48, 534 (two entries); 2/48, 554; 2/48, 594; 2/49, 40; 2/49, 159; 2/49, 272; 2/49, 406; Gloucestershire: 2/49, 272-3; 2/49, 395; Hampshire: 2/49, 159; 2/49, 185-6; 2/49, 253; SPD 16/392-51; Hertfordshire: APC 2/48, 616; SPD 16/395-111; APC 2/49, 383; Lancashire: 2/49, 548; Lincolnshire: SPD 16/398-125; Norfolk: APC 2/49, 397; 2/49, 407; SPD 16/407-45; Northamptonshire: APC 2/48, 549; 2/48, 591; 2/48, 602; 2/48, 611; 2/49, 21; 2/49, 422; 2/49, 432 (three entries); 2/49, 435-6; Oxfordshire: SPD 16/370-18; APC 2/49, 435; Somerset: 2/48, 522 (two entries); SPD 16/380-75+76;APC 2/48, 562; 2/49, 271 (two entries); 2/49, 327.

twenty-six Ship Money-collectors were summoned to account for their negligence.[1] In 1638/9, seven officers from Buckinghamshire, four from Dorset, two from Essex, one from Gloucestershire, twenty from Kent, four from Lincolnshire, two from Somerset, five from Wiltshire, and probably three from Worcestershire were called to appear before the lords.[2]

The counties from which officers were summoned in 1637 and 1638 varied remarkably. Since the Privy Council never actively monitored Ship Money, and summoned local officers only when informed of their failures, the diverging geographic pattern (except for constant representation by Lincolnshire, Northamptonshire, Oxfordshire, and Somerset) could be explained by the quelling of opposition elsewhere. The reports quoted in chapter 3.5., however, do not seem to confirm this assumption. More likely, Sheriffs gave up sending the names of negligent officers to London, and employed their own personnel, or neglected Ship Money themselves. Alternatively, the Privy Council decided only to apply selective pressure on localities, knowing about its limited administrative capacity, and hoped that the story of exemplarily summoned officers would spread to neighbouring localities and counties. The number of acountable officers per county varied between 150 and more than 1 000, and when ten officers were summoned from one county during the course of a year, it was a small minority. It would have been impossible for the Privy Council to summon, for example, one third of the officers of a refractory county. Under the 1639-writ, one officer from Cheshire, three from Dorset, four from Gloucestershire, seven from Leicestershire, three from Monmouthshire, at least four from Oxfordshire, seven from Somerset, one from Warwickshire, and four from Worcestershire were summoned - a significantly lower number, although the

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[1] APC 2/48, 527; 2/49, 420; SPD 16/398-72; APC 2/49, 421.

[2] Buckinghamshire: APC 2/50, 52; 2/50, 343; 2/50, 632-3; 2/50, 642; 2/50, 644; 2/50, 689; Dorset: 2/50, 92; Essex: 2/50, 227; 2/50, 252; Gloucestershire: 2/50, 444; Herefordshire: 2/50, 645-5; Kent: 2/50, 19-20; 2/50, 24; 2/50, 27; SPD 16/409-143 and 144; APC 2/50, 30; 2/50, 34; 2/50, 37; 2/50, 43 (two entries); 2/50, 63 (two entries); 2/50, 338 (two entries); 2/50, 356 (two entries); 2/50, 363 (three entries); 2/50, 365; SPD 16/421-106; APC 2/50, 374; 2/50, 411; 2/50, 632-3; 2/50, 644; 2/50, 648 (two entries); Lincolnshire: 2/50, 632; 2/50, 644; Somerset: 2/50, 374; 2/50, 396; 2/50, 494; 2/50, 545-6 (three entries); 2/50, 565-6; 2/50, 642-3; 2/50, 658; Wiltshire: 2/50, 92; 2/50, 157; 2/50, 189; 2/50, 198; 2/50, 240; 2/50, 393; 2/50, 371; 2/50, 398; Worcestershire: 2/50, 19; 2/50, 43; 2/50, 70-1 (two entries); 2/50, 338; 2/50, 365; 2/50, 662.

Sheriffs' reports clearly indicate a peak of popular resistance and the disintegration of local government in 1639 and 1640.[1] The figures support the assumption that the Privy Council was never able to enforce more than one policy at the time, and that the mobilisation of the militias for the war with Scotland diverted the attention of the lords to more vital tasks than disciplining individual officers.

Some, however, defied even this ultimate means to restore conformity. In 1639, several officers from Kent, Somerset, and Wiltshire had to be called twice, because they had scorned the seriousness of their first summoning.[2] Others refused to be bound, or expressed their willingness to account for their negligence before the lords rather than to face more imminent dangers and unpopularity in their communities. In April 1639, Sheriff Whitney of Herefordshire had bound some officers to appear at the Privy Council, "but none of them as yet are come".[3] In May 1637, Leonard Browne, a Lincolnshire Chief Constable, replied "that he had rather answere afore the Lords of the Counsell then distrene his neighbors", and in September 1640, George Edgley, High Constable of Nantwich hundred/Cheshire refused to be bound to the lords, "sayinge wthall Hee would gladlye receive his punishm^{t} in the Countrey".[4] In August 1640, Somerset officers spurned orders to attend the lords, and "their answerares to the Sheriffe is they had rather fall into the hand of his Ma^{tie} then into the hands

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[1] Cheshire: SPD 16/460-35; APC 2/52, 684; SPD 16/466-46; 466-58; 468-78; Dorset: APC 2/52, 723; 2/52, 742; SPD 16/467-124; Gloucestershire: APC 2/51, 281; SPD 16/450-19; 454-95; Leicestershire: APC 2/52, 528; Monmouthshire: SPD 16/459-39; Oxfordshire: APC 2/52, 460; 2/52, 723; 2/52, 739; Somerset: 2/51, 260; SPD 16/443-82; APC 2/51, 409; Warwickshire: 2/52, 460; Worcestershire: SPD 16/457-13; APC 2/52, 550; 2/52, 552; 2/52, 554; SPD 16/457-32; APC 2/52, 683.

[2] Kent: Richard Joad, Constable of West Malling: first attendance on 22 January 1639 (APC 2/50, 37); second and third warrant to the messenger on 7 May and 16 September, and final discharge on 29 September (2/50, 338; 2/50, 632; 2/50, 648). John Burrell, late High Constable of the Bircholt Franchise, and Thomas Cuckowe, Constable of the township of Ashford: first attendance on 22 January 1639 (APC 2/50, 34; 2/50, 37), and second attendance on 16 May (2/50, 356). Roger Petty, late High Constable of Codsheath hundred: first discharge on 18 January 1639 (APC 2/50, 27), second discharge on 15 September (2/50, 633). Somerset: Thomas Saunders, late High Constable of Taunton hundred: first discharge on 28 May 1639 (APC 2/50, 396), and second appearance on 27 July (2/50, 546). Repeated order to John Burgh, late High Constable of Chewton hundred, ignored the first time: APC 2/50, 565-6; 2/50, 642-3. Wiltshire: Christoper Merriweather, High Constable of Melksham hundred, appearing for the first time on 14 March 1639, and committed to the Fleet until late-May: APC 2/50, 157; 2/50, 393.

[3] SPD 16/417-44.

[4] SPD 16/357-96-VII; 466-46.

of Resolute men".[1]

Although summonses before the Privy Council might create sufficient fear in local officers that they eventually saw to the assessment and collection of Ship Money, one must question the effect sheer terror had in a system of government which heavily depended on consensus and cooperation, and was ill-designed to enforce obedience by pressure, against the will of the people.[2] Refusals to appear before the lords, as well as willingness to bear punishment rather than to fulfill the office, indicate personal opposition to Ship Money, or fear of the consequences threatened by their communities.

3.6.6. EMPLOYMENT OF PRIVATE OFFICERS TO ENFORCE SHIP MONEY

Sheriffs who begged the Privy Council for support were frequently rewarded with scathing replies. In May 1636, the Sheriff of Gloucestershire, reporting negligent officers, was told that "you are in that case to make the Assessm^{t} or leavies yo^{r}selfe or by yo^{r} under Sheriffe", and, three months later, the Sheriff of Warwickshire read that he was "wthout further dispute or excuse to leavy the moneyes yo^{r}selfe [...] in all such places [...] officers have neglected their duties".[3] In June 1640, the Sheriff of Somerset was ordered to discipline his subordinates, or otherwise there "wilbee a Round Course taken agt you, and a quicke and Exemplary reparacon required of you, pporconable to y^{e} ill effects and dangerous Consequence of y^{or} Neglect".[4] Barnes has shown that much of the Somerset Sheriffs' work was done by Undersheriffs - experienced men and part of an "establishment" of second tier officers running most of the business single-handedly. Several documents suggest that to some Sheriffs they

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[1] SPD 16/464-23; officers who rather went to prison: Staffordshire: 452-10; Monmouthshire: 459-39.

[2] Petitions of officers: e.g. High Constables of Winterstoke hundred/Somerset (September 1637): SPD 16/537-48; the collector of Snodland/Kent (May 1639): 421-29; see also *Gill*, pp.214, 250.

[3] APC 2/46, 154-5; 2/46, 338; see, for example, the complaints of Sheriff Pennyston of Oxfordshire, in July 1638, who wanted to appoint collectors, "but finde all men generally refuse to take that imploym^{t}": SPD 16/395-59.

[4] APC 2/52, 538. Other examples: e.g. Oxfordshire (March 1636): 2/46, 45; Northamptonshire (May 1636): 2/46, 191-2; Shrewsbury/Shropshire (September 1638): 2/49, 416-7; Worcestershire (April 1639): 2/50, 249; Cardiganshire (July 1640): 2/52, 643; see also the circular letter to the Sheriffs of fourty-seven counties, in April 1639, charging them not to blame the Constables but to execute Ship Money themselves: 2/50, 318-9.

were indispensable.[1]

Personal collection, however, was next to impossible, and when local officers refused to collect or distrain, Sheriffs resorted to the bailiffs. Each hundred had one or two bailiffs who were in charge of distraining for county-rates. Hundredal bailiffs, however, were either patented out, or Sheriffs were convinced that they were corrupt and unsuitable men for this task. The escheator of Norfolk and Suffolk claimed that "the baylifs they are generally all of them poor indigent men, so as the said sheriffs cannot find out any amongst them whom they dare to employ".[2] In Oxfordshire, they were not only farmed out, but "in many places so mean and poor fellows".[3]

The most significant indication of the collapse of local government under Ship Money was the fact that Sheriffs (some from the very beginning) were forced to employ their private men for distraint, and even for collection.[4] It never seemed to occur to the lords that they were admitting defeat, when they ordered the employment of extraordinary officers. In January 1636, the Gloucestershire Sheriff was told "to make choyce of others", if officers refused or delayed the collection of Ship Money.[5] In July 1638, the Oxfordshire Sheriff read that "yo^{u} are by yo^{r} selfe and yo^{r} owne Ministers to performe the Service, as some other Sheriffs", and in January 1639, the Berkshire Sheriff was recommended to "make choice of such others as shall bee better affected, and will use more dilligence".[6]

The note-book of Sheriff Cholmondeley demonstrates that, even in comparatively trouble-free counties, the use of *ad hoc*-officers was commonplace. On 29 January 1638, one

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[1] *Barnes, Somerset*, pp.135-42; references to Undersheriffs: e.g. Devon: SPD 16/409-54; Dorset: 333-4; Gloucestershire: 302-3, 311-42; Oxfordshire: 389-6; see also an unmarked letter by Undersheriff George Bayfilde of Norfolk (2 August 1638): CUL: Buxton MSS, Box 96, C.60.

[2] SPD 16/464-12.

[3] SPD 16/395-59.

[4] See also *Lake*, p.64; *Faraday*, p.222.

[5] APC 2/45, 387-8.

[6] APC 2/50, 66; 2/49, 344-5; also e.g. Essex (February 1637): 2/47, 134; Staffordshire (September 1639): 2/50, 624-5.

Philip Denis, "my Bailiffe", received orders to committ six refractory Petty Constables to prison, and on 9 January, a warrant for imprisoning a High Constable was issued to the Undersheriff and one Richard Mason gent., "my deputie Sheriffe for the tyme and occasion only".[1] In July 1640, Sheriff Powell of Cheshire announced that "All my men are, att this instant, in sevall parts of the countye, distrayning for Ship money", and, in August 1640, the escheator of Cornwall confirmed that the Sheriff "doth Imploye some of his undersherieffes [and] baylieffes".[2] Whenever Sheriffs mentioned "my bailiffs" or "my own bailiffs", we can assume that they were not hundredal bailiffs, but privately hired officers. This also seemed to be the case, when, in September 1637, Sheriff Walter of Oxfordshire complained that "two of my officers" had been injured, and when, a month later, Sheriff Leigh of Gloucestershire claimed that "hee continually ymployde ffower companyes in the ffower divisions" to gather distresses. The dates of references show once again, how early and commonly private bailiffs were employed.[3]

Frequently, the terminology leaves it unclear whether these bailiffs were hired, or were the Sheriffs' servants. In August 1637, the Sheriff of Bedfordshire asked the lords, whether *his* bailiffs could have some allowance for the expenses of distraining.[4] In April 1638, Sheriff Coningsby of Hertfordshire merely stated that he "imployed my owne speciall Bayliffs".[5] When, in August 1640, the escheator of Warwickshire realised that "there can no speciall bailies be had or hired", he obviously referred to hiring, and also when, in May 1640, Sheriff Whatton of Leicestershire complained that he "indevored to streayne for their rates,

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[1] JRL: English MSS 1091, ff.25v, 26.

[2] SPD 16/460-35; 463-53 (see the plural of Undersheriffs!); for Cornwall, also June 1639: 424-43.

[3] SPD 16/367-53; 331-39; also e.g. Devon: 303-127 (December 1635); 372-3 (November 1637); Gloucestershire: 464-64 (August 1640); Lincolnshire: 357-96 (May 1637); 464-5 (August 1640); Northamptonshire: 333-2 (September 1636); 465-13 (August 1640); Somerset: 369-86 (October 1637).

[4] APC 2/48, 180.

[5] SPD 16/387-46.

but can not procure any officers to assist him, or any other unlesse poor fellowe".[1] Some reports indicate that only the riff-raff of society volunteered to get a paid job as Ship Money-bailiff. In September 1640, the escheator of Gloucestershire was told by the Sheriff "that he dare nott truste the Bayliffs wth the money because they are beggerlie the w^{ch} I verelye beleeve to be true", and, in February, Sheriff Childe of Bedfordshire had demanded sureties of his predecessors "to save me harmeles, if their Baylifes should doe any unlawful act, or runn a way with the money".[2] There is evidence that hired officers were incompetent, extortionate, and as intimidated by hostile communities as regular officers.[3] In August 1640, the escheator of Staffordshire observed that "where Constables have bene remisse The sheriffe hath c[h]arged others with the service whoe have utterly refused alledginge That if the [...] kings sworne officers durst not doe it, much lesse durst they".[4] And the same month, Sheriff Pyrchard of Cambridgeshire admitted that the "refractorie passages" of some villagers "soe discourageth my bayliffes that I canne scarce gett any to asiste mee in takeinge distresses".[5]

Where hired bailiffs failed or were unreliable, the last (and most common) resort for Sheriffs was their personal household-servants who had more loyalty than hirelings. In November 1636, late Sheriff Leigh of Gloucestershire acknowledged that he "hath ymployed his owne houshold servants to his great chardge & trouble", where Constables were negligent, and in December, Sheriff Mildmay of Essex sent the Underbailiff of Chafford hundred "together wth twoe men of my owne" to impound the goods of Sir Thomas Latham.[6] The same month, the late Sheriff Freke of Dorset announced that "y^{e} bailifs w^{ch} were my servantes fittest to act by distress ar now y^{e} next Sherife servantes" - a remarkable testimony to the

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[1] SPD 16/465-30; 455-126.

[2] SPD 16/466-80 (also 469-41); 445-49.

[3] Examples of extortion: e.g. Lincolnshire: APC 2/47, 470; Northamptonshire: SPD 16/376-132; an anonymous source reporting abuses by collecting too much: 351-70; see discussion in Chapters 3.5.4. and 3.5.6.

[4] SPD 16/465-73.

[5] SPD 16/463-43.

[6] SPD 16/337-27 (also 335-67); 335-57.

build-up of a second echelon of local government.[1] In August 1637, Sheriff Vaughan of Herefordshire "was driven to sende my owne servants both to encourage and to assist many of them [the Chief Constables]".[2] In June 1640, Sheriff Warcopp went out to distrain with a servant and two of his sons.[3] In September 1640, Sheriff Powell of Cheshire was particularly incensed at the failure of George Edgley, the High Constable of Nantwich hundred, because "I adioyned to Him the Bailiffe of the Hundred, and speciall Bailiffs of my owne servants".[4]

3.6.7. CONCLUSION

Under the growing opposition, local officers became increasingly reluctant to enforce assessment and collection of Ship Money. Yet, only in exceptional cases did they dare defy the Sheriffs' orders. The most reliable means of evading unpopularity and harm in their communities without incurring their superiors' wrath was covertly to cease enforcing the administration of Ship Money. Trusting poor communication and their superiors' inability to prove willful negligence, parish officers claimed that resistance was too powerful to fulfill their duties. The degree of popular opposition and the disintegration of local government can be measured by the administrative stage at which they ceased to operate. Some merely refused to distrain, which, to some extent, was justifiable, since Sheriffs could rely on statutory bailiffs, and the Privy Council's orders, though often contradictory, seemed to sympathise with the officers' reluctance. Others managed to collect most of the money but refused to hand it over to High Constables or the Sheriff, reflecting hopes for the possibile abolition of Ship Money during their term of office which would enable them to return the

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[1] SPD 16/337-36.

[2] SPD 16/366-43.

[3] SPD 16/458-80.

[4] SPD 16/466-46. Other references by Sheriffs using their own servants for collecting and distraining Ship Money: Cheshire: 466-58; Devon: 432-78; Hampshire: 373-21; Herefordshire: 429-29, 464-98; Huntingdonshire: 395-58, 458-3; Leicestershire: 421-175; Monmouthshire: 467-57; Warwickshire: 465-30.

sums to their fellow-parishioners. Fear and disobedience were most apparent when local officers completed the assessment but refused to collect Ship Money. In many places, however, they did not even dare make an assessment. Frequently, a complete breakdown of communication occurred, and officers neither attended scheduled meetings to account for their proceedings, nor replied to warrants by Sheriffs and High Constables to pay or meet. While personal disapproval of the tax and popular resistance by their communities were the main causes of the Constables' cautious or disobedient behaviour, the sheer amount of work, time, and travelling involved in assessment and collection was toilsome and deterring, particularly when parishioners or neighbouring parishes were unable to agree on an assessment. Although negligence and disobedience of parish officers was universal under the final two writs of Ship Money, it has to be acknowledged that Ship Money ceased to be collected, or was paid only under massive pressure in many parts of the country as early as 1636 or 1637. Between 1636 and 1638, local government experienced widespread disintegration and in 1638 its final collapse. Further evidence of this breakdown is the common use of privately hired bailiffs or household servants even during the early years of Ship Money. Sheriffs never exclusively relied on hundredal bailiffs or High and Petty Constables for the collection and distraint of Ship Money, which highlights the unreliability of the "inferior officers of the peace" for national tax-collection. Particularly detrimental to an efficient local government was the relative independence of officers from superiors and central government. Due to difficult communication and Sheriffs' awareness of their subordinates' predicaments, only exceptional cases of negligence and disobedience came to the Privy Council's attention. In an age which lacked sophisticated law enforcement mechanisms, the worst (and most unlikely) sanction was to be summoned at Westminster, although it was impossible to summon all recalcitrant assessors and collectors. Moreover, it soon became evident that sanctions and punishment were counter-productive and provoked even greater determination by local officers to not enforce Ship Money, who, given the choice, preferred to face the wrath of their superiors rather than that of their fellow-parishioners. Although the final part of my thesis will show

that the laborious tasks demanded by the Perfect Militia was the final straw which broke the proverbial camel's back, it was Ship Money which demoralised parish officers and led to the collapse of local government prior to the mobilisation for the two campaigns against Scotland.

4. THE PERFECT MILITIA

4.1. INTRODUCTION

4.1.1. ORGANISATION AND ADMINISTRATION OF THE MILITIA

The organisational and technological developments of the military revolution had left sixteenth-century England largely untouched. Successful abolition of the medieval retaining under Henry VII, and the financial and political inability of the crown to substitute the nobility's bands with a standing army or *ad hoc* mercenary-forces, created a military vacuum until the 1550s. Mary and Elizabeth consolidated England's military potential in a different system than that used on the Continent, based on the medieval concept of the subjects' obligation to defend the realm. In 1558, legislation defined those who were to muster annually. While all male subjects from sixteen to sixty were obliged to serve when called, in 1573, trained bands were formed as the core of this new militia. According to the degree of vulnerability to an anticipated invasion, coastal counties raised significantly larger trained bands than inland-counties. Their mission was to defend their counties against foreign invasion and substitute for the *posse comitatus* in quelling riots and rebellions. The decision to create a citizens' army and to fund its equipment and finance with the contributions of individuals and communities, gave the militia a highly decentralised character. Recruitment and organisation in regiments, companies, squadrons, and files was localised and based on hundreds and parishes. The social philosophy of the militia obliged wealthier subjects to provide men and money. The costly horse units - heavy cavalry (cuirassiers) and mounted infantry (harquebusiers) - were furnished by the gentry. The foot soldiers - pikemen and musketeers - also were expected to be men of substance, usually yeomen. Proprietors of large estates were required to provide one or more men, while parishes paid for the arms and outfit of a number of villagers according to the size of townland.

England's insular position and the decentralised and amateurish character of her army had significant consequences for the standardisation of equipment and proficiency of men. Individual supply of arms generated an assortment of pikes resembling agricultural implements

rather than weapons, and muskets of all calibres and designs. Men and officers were part-time soldiers lacking martial experience, save the occasional veteran of English volunteer contingents who had fought on the continent. Senior gentry secured regimental commands, but captaincies were often vacant or filled by either young or inexperienced minor gentlemen. Although some of the sergeants and corporals were retired mercenaries, most of the non-commissioned officers were only slightly more expert than their men.

The part-time status of this militia caused the separation of the command structure into a military and an administrative branch. Officers led their troops in training and combat in their functions as commanders of regiments, companies, squadrons, and files, but the peacetime recruitment, supply, and inspections were organised by the Lieutenants. Chosen from amongst the nobility and the small group of Privy Councillors, they possessed greater status and power than the commissions under queen Mary. Yet, while Lord Lieutenants were often in charge of several counties' militias, their political and private affairs frequently necessitated absence from the locality. This prompted the application of the Stuart system of administration by committees also in military matters, and in each county a number of Deputy Lieutenants was recruited from amongst senior JPs and relieved the Lord Lieutenant without relinquishing his ultimate authority. Thus the administrative burden could be discharged more efficiently - in fact, the day-to-day organisation of the militia was run almost exclusively by the Deputies.

Except when called to suppress a riot, or alerted during war, Deputy Lieutenants and the militia were inactive. Each regiment was mustered once annually, for usually two days, at a familiar meeting place, at which all soldiers attended. Besides checking their arms and equipment, musters mandated concluding or seperate training sessions for drill manoeuvres and marksmanship practice. These annual reviews required some administrative preparation. Warrants had to be sent to the officers of hundreds and parishes to summon the men and transport ammunition from the divisional arsenals. Deputy Lieutenants were to personally attend each muster. The ammunition consumed had to be replaced. A Muster Master, a

former professional officer, was employed by each county to properly train the militia, and received a salary. Frequently, Colonels and Captains demanded wages, and soldiers were reimbursed for their attendance. The expenses were covered by local rates, and the Deputy Lieutenants assessed the contributions of private arms. Muster rolls had to be kept, and soldiers absenting themselves or presenting faulty equipment, were reported to the Privy Council.

In the early-seventeenth century, this military system was shaken by the controversies over status, law, finance, and foreign policies. Although chosen from amongst JPs, the Commission of Lieutenancy was frequently regarded by the rest of the local Bench as a rival assembly competing for county predominance. Deputy Lieutenants themselves represented rival county-factions, whose squabbling jeopardised the discharge of military functions. Muster Masters were perceived as outsiders and challengers in rank and office to the unit commanders. With the repeal of the Marian and Elizabethan military legislation in 1604, the militia and Lieutenancy were deprived of their legal foundation. Subsequently, the Lieutenants' authority and the institutions of musters and military taxation rested on the prerogative, a shaky foundation, given the constitutional debates of the 1620s. In a period of increasing national and local taxation, individuals and communities fought over every penny they were to pay, although the communal costs of the militia were trivial, compared with a standing army. The non-garrisoned and decentralised character of the militias favoured individual negligence and indifference which was hard to monitor and prosecute. Reports of militia-men who did not attend Musters, neglected their arms, and spent the two days in the local alehouse, rather than at drill, were widespread. Finally, after 1588, the English people never felt sufficiently threatened to accept the personal sacrifice of serving in the militias for the defence of their country. Even in the 1620s, the chance of invasions seemed remote, and soldiers and officers probably had few illusions of the fighting value of their regiments.[1]

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[1] This section is based on: Lindsey Boynton, *The Elizabethan Militia, 1558-1638* (London/Toronto, 1967), particularly pp.3-125; *Barnes, Somerset*, pp.98-123.

Despite a long period of peace from 1558 to 1630, and the absence of invasions, the support of European Protestants since the 1570s required the occasional raising of expeditionary forces. Since foreign policy was a royal prerogative, and "defence of the realm" was interpreted broadly, every subject could be pressed into military service, although it had become an unwritten rule that members of trained bands were not to be sent abroad. The need of a strong home-defence, and the fear of loseing skilled men in campaigns with excessive attrition rates, preserved farmers and artisans from conscription, and only those who were unable to contribute to England's defence by personally raising arms were subject to drafts. Society was rid of vagrants and petty criminals, but, to fill their quotas, the press-men frequently had to rely on labourers and small farmers, who lacked personal connections, or had offended the local landlord or Constable. In the 1620s, reluctant conscripts found substitutes, or, in conjunction with corrupt conductors, bought their way out of the ranks, which further reduced the reputation of English expeditionary forces.[1]

England's involvement in the Thirty Years' War, from 1625 to 1630, highlighted the weakness of this conscription system and ended in disastrous campaigns against Cadiz and the Ile of Rhé. Yet, the war provided the opportunity to modernise the home defence forces, and in its swift and comprehensive implementation the Perfect Militia was comparable to the re-building of the navy and the enforcement of the Poor Laws. With relentless pressure, the Privy Council aimed at the modernisation, uniformity, and training of the militia according to continental standards. The initial response of the localities was positive, particularly when, in 1626, war-experienced veterans were detached to all militias to train their fellow-countrymen. Yet, the zeal quickly waned, especially since no money was forthcoming from Westminster, and the counties had to bear the costs of the intensified training themselves. Schemes to keep certain contingents in permanent alert and organise grand reviews of the

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[1] *Barnes, Somerset*, pp.254-5, 272; Mark Fissel, *The Bishops' Wars; Charles I's Campaigns against Scotland 1638-1640* (Cambridge, 1994), pp.215-63; see also Stephen Stearns, "Conscription and English Society in the 1620s", *The Journal of British Studies*, XI/2 (1972), pp.1-23.

forces proved to be excessive and unrealistic. Musters were still not held everywhere, regularly, and in full strength, and providers of private arms consistently refused to accept the Deputy Lieutenants' rule-of-thumb assessments. By the end of the wars, in 1629/30, the capacities of soldiers and Lieutenants, recruiting expeditionary forces and training county militias had been stretched as far as never since 1588. The apparent absence of a foreign threat, long standing irritation with military obligations, disagreements in Parliament over Stuart policies, and Charles I's decision not to call Parliament again, challenged the purpose and future of the Perfect Militia during the Personal Rule.[1]

4.1.2. HISTORIOGRAPHY

Remarkably little research has been done on the performance of the Stuart militia during the 1630s and the Scots' Wars. Boynton's most comprehensive study on the "Elizabethan Militia" is by no means outdated, although it is odd that the examination stops in 1637, ignoring the crucial Scots' Wars. In his work on the reformation of Stuart local government, Fletcher devoted an extensive section to the militia, based on his studies of a number of selected counties, and covering the years 1603 to 1688.[2] Carter's examination of the Lancashire militia is probably the most detailed military county study of the Caroline period.[3] Sharpe, in his encyclopedic book on the Personal Rule, covers the peace-time militia and its performance during the campaigns of 1639 and 1640.[4] Recently, a new and exhaustive study on the Bishops' Wars was published by Fissel, undoubtedly the most comprehensive explanation of the intricate military history of the Scottish rebellion, with enlightening sections on the use of mercenaries and the nobility, and on the complex issue of the substitution clause. Despite its age, however, the most comprehensible, concise, and informative analysis of the

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[1] *Boynton, Militia*, pp.209-91; *Barnes, Somerset*, pp.244-58; *Fletcher, Reform*, pp.286-316.

[2] *Fletcher, Reform*, pp.282-348.

[3] D.P. Carter, "The 'Exact Militia' in Lancashire, 1625-1640", *Northern History*, XI (1975), pp.87-106.

[4] *Sharpe, Personal Rule 1992*, pp.487-506, 792-812.

militia between 1629 and 1640 is Barnes' study on Somerset, although its geographic limitation necessarily does not permit national conclusions to be drawn.

Fragmentary source material has constrained historians to make judgements of the militia for the period 1630 to 1640 based on general conclusions, or findings from other aspects of the Personal Rule. Boynton has stated that "The Exact Militia has never attracted the notoriety of ship money, but it perhaps deserves more attention than it has yet been given". Yet, his study almost exclusively related to the 1620s only, and one small paragraph on the Scots' Wars refers to Barnes' verdict.[1] His overall judgement, however, is negative. Besides the unrealistic ambition of the Privy Council, Boynton blames long-standing political and financial irritation with military obligations, and their amalgamation with general opposition to the Personal Rule for the failure of the Perfect Militia. After stating that "It is not in dispute that the militia generally reached a low ebb during the 1630s", he concludes that the government "may not have appreciated the full extent of the deterioration which had taken place: that, in a few years, the militia had reverted to a condition unthinkable since the accession of Elizabeth".[2] Barnes also has stressed the context of the Book of Orders which kept those JPs serving as Deputy Lieutenants busy, and Ship Money which generated additional political antagonism. Yet, he has blamed the specific and inherent problems besetting the militia, which defied Charles's determination: the purposelessness of musters, incompetence of commanders, and hostility towards the Muster Masters.[3] Concluding with a negative account of the Scots' Wars, he has claimed:

> "Yet, beyond reiterating the demand, Whitehall did nothing during the golden years of the 1630s. In an era of peace, a demand alone was not enough to fashion an army out of actively hostile country-men, commanded by unconcerned and squabbling squires. [...] Purposelessness, personal rivalry, and opposition combined to destroy all the hopes so happily held by Charles and his ministers in 1626 that a real army could be created to support the King and

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[1] *Boynton, Militia*, pp.294-6, cf. p.243.

[2] *Boynton, Militia*, cf. pp.268 and 295; in general: pp.258-94.

[3] *Barnes, Somerset*, particularly pp.108-9, 116-23, 244-5, 258-80.

give effect to the King's policy".[1]

Carter's examination is in marked contrast to Barnes. Although he admits that the Lancashire militia was "no bulwark of defence", as Charles I had hoped, Carter has not discovered significant problems with Muster Masters and the payment of Coat and Conduct Money for the Scots' Wars. Its military organisation and value was probably better than in other counties.[2] Fletcher shares much of Barnes' criticism, but has acknowledged a general tendency towards a successful reform of the militia, particularly the increased size of the trained bands, provision of training, and improved quality of arms.[3] Without specifically referring to the period 1630 to 1640, and not once mentioning the Scottish campaign, he has maintained that "The achievement of the first Stuarts in putting the militia on a secure and lasting foundation deserves more credit than it has received", and later has claimed that "The exact militia was not a total failure".[4] Sharpe has not presented evidence which was essentially different from prior research. His interpretation, however, is exceedingly more favourable than Fletcher's:

> "But in many counties, with (often necessary) regard for local circumstances, they [the Deputy Lieutenants] worked hard to turn a reluctantly assembled home guard into a disciplined defence corps. Their success should not be underestimated. Those historians who dismiss the programme for an exact militia as an inevitable failure from the beginning are mistaken. [...] Local initiative suggests that some realization of the need for improved defences was also permeating to the shires.".[5]

Although Sharpe accurately describes the adversities leading to the disastrous outcome of the Scots' Wars, his conclusion is sympathetic. The contingents of Puritan Essex and Cambridgeshire are praised for their condition and discipline, and Sharpe esteems the shared hardship, camaraderie, and *in situ*-training as essential for producing a good morale of the

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[1] *Barnes, Somerset*, pp.279, 280.

[2] *Carter*, p.105.

[3] *Fletcher, Reform*, p.286.

[4] *Fletcher, Reform*, pp.286, 316.

[5] *Sharpe, Personal Rule 1992*, pp.503-4.

English troops.[1] Fissel has answered most of the questions which a study on the Scots' Wars needs to address. His detailed examination demonstrates that the disastrous outcome was a result of a combination of political and administrative failures, and he concludes that "Charles failed militarily because he was a failure as a politician. It was the administrator that failed, not the institutions.".[2] Yet, Fissel's verdict on the militia is not entirely negative. He suggests that the highest level of training of the Perfect Militia was achieved in 1638, and blames the substitution clause for the disastrous state of the troops in the North:

> "The King also had determined to create a 'perfect militia' during the Personal Rule. Charles, as was his style, had ignored the controversies over muster-masters, militia rates, and the like, and demanded compliance without considering the political situation in the localities. During the 1630s he remained oblivious to the process by which the trained bands would have to be transformed. He initiated an exact militia but did not persevere and guide the programme. Had Leslie's men found a couple of well-trained militia regiments [...] the English army might not have collapsed in September 1640. [...] But Charles never gave the militia, 'perfect' or not, a chance to prove itself.".[3]

It is difficult to establish a reliable judgement on the militias of over fifty counties which were part of a military system lacking a firm and centralised chain of command. The seasonal character of the militia failed to generate a regular and standardised flow of information to the centre, and an obligation to report periodically. The evidence is scattered, not always representative, and predominantly consists of the Privy Council's records, sporadic reports by Lords and Deputy Lieutenants, and a few surviving Lieutenancy books and muster rolls.[4] In comparison to the Book of Orders and Ship Money, data on the Perfect Militia is scarce. It is remarkable, however, that, except for Carter's study, two aspects surrounding the militia in the past have been completely neglected: the shape of men and arms, and the involvement of local officers in the Perfect Militia.

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[1] *Sharpe, Personal Rule 1992*, pp.802-4.

[2] *Fissel*, p.290.

[3] *Fissel*, pp.295-6.

[4] BL: Add MSS 26781 (Hampshire Militia Papers); BodL: Firth MSS C.4 (Essex Lieutenancy Books); Chester CRO: J.P. Earwaker Papers CR 63/2/6 (Chester Military Papers); GloucsRO: GBR H2/2+3(Gloucester Lieutenancy Order and Letter Books); HantsRO: Herriard MSS, Jervoise Papers, 44 M 69/G5/44 (Hampshire Lieutenancy Books).

4.1.3. LOCAL OFFICERS AND THE PERFECT MILITIA

The organisation of musters and trainings was predominantly a tug-of-war between Deputy Lieutenants and Muster Masters on the one side, and the providers of private arms on the other side. Nonetheless, a significant proportion of militia arms was raised by parishes. Their officers were not only in charge of storing and repairing town arms and equipment, but also paid the expenses of parish soldiers in attending the musters, and usually accompanied the soldiers in person. Additionally, parish officers paid rates levied on town land to the High Constables for the Muster Master and ammunition. Once war broke out, they were in charge of Coat and Conduct Money and the impressment of soldiers, which obviously had significant consequences for some fellow-parishioners.

Barnes has recognised the crucial role of the Constables in training and organising the militia. His statements, however, are only general, and he assumes that "the Constables who were the administrative backbone of the institution had troubled themselves even less with the deputies' orders than they had with the justices'".[1] The first, and so far only, pioneering analysis of this aspect of the Tudor and Stuart military constitution, was done by Kent.[2] Although her examination addressed a previously neglected subject, it does not fully describe the state of local militias during the Personal Rule, and the strains of military duties on local government in the 1630s. Due to the wide scope from 1580 to 1642, her coverage in parts is general, and the examination of mainly six parishes is representative, but not comprehensive. The Scots' Wars are hardly mentioned. In summary, Kent states that military obligations, though one of the Constables' main responsibilities, were less consistent than those linked to law enforcement, but that it was "unjust to blame these deficiencies [of the militia] on the negligence of constables". She rather vaguely concludes that "Their labours in connection with the militia may not have achieved the desired results, but their accounts

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[1] *Barnes, Somerset*, pp.121, 122.

[2] *Kent*, pp.175-85.

show that they were far from idle when it came to military matters".[1] Fissel stresses that Constables played a crucial role during the impressment of conscripts for the Scots' Wars and perceives the collection of Coat and Conduct Money as the true test of their loyalty and efficiency.[2]

My approach thus focuses on several, more detailed aspects of local government in conjunction with the militia. Can we deduce the standards of local trained bands from local sources? How well did parish officers fulfill their military duties during the Personal Rule? Did the performance vary regionally or even locally? Was the quality of local units improved from 1630 to 1640, and were they affected by the Scots' Wars? And finally, to what extent did the Perfect Militia exacerbate the hardships of local government in addition to the Book of Orders and Ship Money? The answer lies in sixty-four Churchwardens' and fourty-four Constables' accounts which, out of the more than five hundred surviving parish accounts of this period, contain the necessary, albeit sometimes fragmentary information about the militia from the parish perspective.

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[1] *Kent*, pp.41, 184, 185.

[2] *Fissel*, pp.232, 242, 131.

4.2. THE PERFECT MILITIA DURING THE PERSONAL RULE, 1631 TO 1637

4.2.1. INTRODUCTION

Boynton and Barnes have argued that, after an intensive period of armament and recruiting from 1625 to 1629, the enforcement of the Perfect Militia ceased during the Personal Rule. Although Westminster did not abandon its goal of a sufficient home defence-force, both central government and the localities apparently shared the belief that the militia deserved some rest. This military restraint, encouraged by the abandonment of an active foreign policy and a reliance on Ship Money-fleets, was abruptly disturbed by the Scottish rebellion which caught the trained bands unaware and resulted in their frantic re-activation and mobilisation in 1638/9.

The scattered and incomplete source material complicates a nation-wide analysis of the militia, particularly since Lieutenancy Books focus on the correspondence between Deputy Lieutenants and their superiors - Lord Lieutenants and the Privy Council - rather than on descriptions of the regiments' actual performance. Although parish officers' books accounted for the soldiers raised by communities (as opposed to the more numerous private arms) and merely represent a military microcosm, their detailed data permit reliable conclusions on military activities during the 1630s, and the involvement of parish officers. If Boynton's and Barnes' assumptions are true, parish officers' accounts would not contain concrete information except for general references to parish arms. Expenses parish officers accounted for, were based on activities, which, in military terms, meant more than mothballing arms until the next war. And since it was unlikely that expenses for replacement or repair of arms, and payments to individual soldiers occurred upon the parishes' own initiative, they indicate the existence of annual musters and the determination of Deputy Lieutenants to maintain their bands in an acceptable state. The duration and frequency of journeys, repair of arms, replacement of ammunition, payment to Muster Masters, and occasional remarks within accounts, evidence actual training beyond a brief annual parading of arms and equipment. I will analyse how

thoroughly and according to which chronological pattern the state of arms and men was checked and their skills improved. In the context of this thesis, I will examine the extent to which military obligations added to the Constables' labour, besides the administration of the Book of Orders, the levying of Ship Money after 1635, and the mobilisation of the militias from 1638 to 1640.[1]

4.2.2. RESPONSIBILITIES OF PARISH OFFICERS

Although most of the military obligations of parish officers were seasonal and reached their peak during the summer-musters, the work for maintenance, supply, and administration accumulated. Arms and ammunition needed to be stored, either in the church or a private house. The local blacksmith was reimbursed for cleaning, oiling, and occasionally repairing pikes, muskets, swords, and armour. High Constables demanded flat rates for ammunition, or ordered parish officers to buy powder, match, and bullets for their soldiers. Warrants were forwarded to the soldiers summoned for musters. Local carriers were hired, whose horses hauled the equipment to the muster place (no soldier seemed to be bothered to carry his equipment himself). Frequently, one parish officer accompanied the militiamen and gave them some pocket-money, or bought their food and drinks for the duration of the muster. Attending officers - colonels, captains, and sergeants - claimed recompense for their efforts in training the men, or for their mere presence. If the county had decided to hire a Muster Master, he received his salary on the spot, or in instalments payable to the High Constables at Quarter Sessions or Assizes. Equipment, which was faulty beyond repair was to be replaced. Butts, perforated by frequent firing-practice, needed to be mended. Occasionally, the Deputy Lieutenants updated their muster-rolls and required the parish officers to name all men between 16 and 60 capable to serve in the untrained bands during war. Additionally, saltpetremen foraging for the raw material of powder were to be supported, or otherwise

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[1] *Barnes, Somerset*, p.267, particularly refers to the sharp muster order of the Privy Council in 1635: APC 2/44, 536.

bribed to leave the community in peace.

The amount of military administration was dictated not only by the laxity or enthusiasm of Deputy Lieutenants, but also by the number of soldiers communities raised. There certainly was a difference whether officers administered equipment and training of one man, as in Charlton Marshall/Dorset and Dennington/Suffolk, three, as in Pattingham/ Staffordshire, or thirteen and seventeen, as in High Bray and North Tawton/Devon.[1] As in other matters of local government, military affairs were not exclusively the domain of Constables, who often were supported by the Churchwardens. Most Churchwardens, however, were not involved with the trained bands, and only a minority of their accounts referred to military expenses. While Warwickshire Churchwardens, and those of Melksham/Wiltshire, for instance, attended Petty Sessions, not a single account mentioned arms or soldiers.[2] In Sherbourne/Dorset and Checkley/Staffordshire, however, Churchwardens paid the Muster Master's fees, and provided powder and match in Stathern/Leicestershire.[3] In St.Neot/ Cornwall, Churchwardens were in charge of paying the carriers for the musters, and in Bere Ferrers/Devon,they reimbursed parishioners for storing arms.[4] In St.Breock/Cornwall,Bristol (All Saints), Exeter (Heavitree)/Devon, and most Suffolk parishes, Churchwardens even monopolised military organisation.[5] The officers usually in charge of the militia, however, were the Constables.[6] While most of their accounts display a variety of business, the

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[1] DorsetRO: PE/CHM CW 1/1 (1636-7); SuffRO(I): FC 112 E1/1 (1631, 1638-40); StaffsRO: D 3451/2/2 (1631-2, 1634); DevonRO(N): 815 A/PW 1 (1631, 1632, 1636, 1637); DevonRO(E): 2914 A/PW 1 (1639-account, referring to 1636 and 1637).

[2] WarwsRO: e.g. Fillongley CW, DR 404/48+49;Foleshill CW, DR 223/38; Nether Whitacre CW, DRB 27/5; WiltsRO: 1368/55.

[3] DorsetRO: PE/SH CW 1/104-108 (1633-7); StaffsRO: D 113/A/PC/1 (1633, 1638-9); LeicsRO: DE 1605/34 (1633, 1636-9).

[4] CornwRO: DDP 162/5/1 (1632, 1634-9); DevonRO(E): D 1815 (1631-2, 1635, 1638, 1640).

[5] CornwRO: DDP 19/5/2,7-10; BristolRO: P/AS/ChW 5; DevonRO(E): 3004 A/PW 4/1; SuffRO(I): e.g. Dennington: FC 112 E1/1; Framlingham: FC 101 E2/19-21, 26; Mendlesham: FB 159/61, 64, 65; Sibton:FC 61 E5/1; Woodbridge (St.Mary): FC 25 E1/1; (but not in Walberswick: FC 185 E1/2). Possibly also in Halberton CW/Devon: DevonRO(E): EDRO Halberton PW 1+2(1631-8, 1640).

[6] In Tortworth/Gloucestershire,this did not seem to be the case: GloucsRO: P 338 CO 1/1.

Constables of Egloskerry and St.Thomas by Launceston/Cornwall, North Tawton/Devon, and Salwarpe/Worcestershire devoted their work almost exclusively to military matters. This suggests that the rest of local government was either done by the Churchwardens, or ceased in periods of intensive military activities.[1]

The absence of military expense in some years of Churchwardens' accounts can be explained by their merely supportive role, but it is surprising that occasionally this was also the case in Constables' accounts. The Sidemen of Dartington/Devon of 1632, the Constables of Manchester/Lancashire of 1635, Croft/Lincolnshire of 1634 and 1637, Gissing/Norfolk of 1635, Shelton/Norfolk of 1637, Stockton/Shropshire of 1631, and Cheddar/Somerset of 1633 and 1635, did not mention any military expenditure, unlike in all other years.[2] Although the way parish officers kept their accounts can only be described as unorthodox, they generally are quite reliable, particularly since only correct accounts guaranteed reimbursement of expenses. Missing references, consequently, imply that Constables either had not spent money on maintaining equipment, or that Deputy Lieutenants had not held musters this particular year.[3] Although far fewer Constables' than Churchwardens' and Overseers' accounts survive for the 1630s, it is important to stress that generally all of them refer to military activities. This suggests that the trained bands during the Personal Rule - at least from the Constables' perspective - were far from dormant.

4.2.3. ARMS AND EQUIPMENT

Maintenance of arms and equipment was prerequisite for an effective militia. The representative cross-section of fourty-four English parishes from where Constables' accounts

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[1] CornwRO: DDP 53/9/2; DDP 221/9/2; DevonRO(E): 2914 A/PW 1; WorcsRO: 850 Salwarpe 1054/2 Bundle D. Admittedly, the only surviving accounts from North Tawton and Salwarpe are from 1639, the peak of the war preparations.

[2] DevonRO(E): EDRO Dartington PW 2+3;Manchester: *Manchester Constables' Accounts*; LincsArch: Croft 12/1; NorfRO: PD 50/36 (L); PD 358/33; SalopRO: 3067/3/1; SomsRO: D/SAS SE 14.

[3] Since soldiers raised by communitites (unlike private arms) were not likely to ignore orders to attend musters, their willful negligence can be excluded as factor.

survive (reinforced by several Churchwardens' accounts) shows a great deal of effort in cleaning and preserving town arms, and repairing or replacing faulty equipment.

Although the storage of equipment was a self-evident matter, some accounts explicitly mention it. In some places, the arms were kept in the church, or in a parishioner's house. In 1631, in Stradbroke/Suffolk:

> "The new towne costlet is left at Edward Barretts shoppe & the picke [pike] in the chuirhell [churchhall?] & the ould towne costlet Thomas Jordan have. And there is sent you evidents for to laye up but we have not the keyes."[1]

In some places the arms were kept in the church, or in a parishioner's house. In 1632, redecoration of the church in Chippenham/Wiltshire obliged the Churchwardens to remove the gunpowder, and the Constables of Cheddar/Somerset "paid the same Thomas [Smith] for setting up a frame in the Church to hange the armor upon".[2] The Constable of North Tawton/Devon of 1639/40 paid 6d rent "for a house to keepe the armor in", and in Bere Ferrers/Devon, Hugh Ball annually received a small salary "for the keeping of the p[ar]ish Armes".[3]

The costs for cleaning of equipment also depended on the number of parish soldiers. In 1637, the Churchwarden of St.Breock/Cornwall paid "for making cleane of the p[ar]ish armes vi d", a service which annually cost the Churchwardens of Banwell/Somerset 13s4d.[4] In 1635, the Constables of Croft/Lincolnshire spent 3s6d for dressing the corslet and two muskets, and, in 1636, their colleagues from East Harling/Norfolk paid 1s for "oyll and trymming the armour".[5] It is difficult to quantify the regularity of arms maintenance. While

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[1] SuffRO(I): FC 83 E1/1.

[2] WiltsRO: 415/6; SomsRO: DD/SAS SE 14.

[3] DevonRO(E): 2914 A/PW 1; D 1815 (quoted from the 1631-account). Other references e.g.: CornwRO: Egloskerry C (1633), DDP 53/9/2; DevonRO(N): High Bray C (1632), 815 A/PW 1; DorsetRO: Langton Long Blandford CW (1636, 1638, 1640), PE/LAL CW 1; LeicsRO: Stathern C (1633), DE 1605/56; Waltham C (1631-4), DE 625/60; SuffRO(I): Cratfield CW + C(1635), FC 62 A6/169; Stradbroke CW (1631), FC 83 E1/1; Woodbridge CW (1635), FC 25 E1/1.

[4] CornwRO: DDP 19/5/9; SomsRO: D/P/ban.4/1/2 (1635, 1637).

[5] LincsArch: Croft 12/1; NorfRO: PD 219/126.

the Constables' accounts of Branston, Stathern/Leicestershire, and Burton Latimer/ Northamptonshire annually referred to dressing and cleaning, this was never mentioned in the accounts of Manchester/Lancashire, Donington/Shropshire, Bicknoller/Somerset, Framlingham and Stradbroke/Suffolk.[1] The largely complete accounts of Bristol (All Saints), East Harling/Norfolk, Dennington/Suffolk, and Nether Whitacre/Warwickshire explicitly mentioned cleaning only in some years.[2] This aspect of military preparedness, however, should not be overestimated, since parishes accounting for repair of arms, or for musters and trainings (and that was the case in most parishes) must have taken care of the cleanliness and functioning of their equipment.[3]

The repair and replacement of faulty parts or entire arms did not only reflect an awareness in local officers of their military obligations, but displayed the Deputy Lieutenants' vigilance and the regular holding of practices. Arms were only fixed if they were presented to inspecting officers, or frequently used. Maintenance of muskets, pikes, and butts, consequently, prove the existence of musters and training sessions. In 1635/6, one of the Churchwardens of Mendlesham/Suffolk paid 3s6d "for a newe stocke & tricker for the Towne Musket", whose replacement, undoubtedly, was caused by excessive use.[4] The Constable of Croft/Lincolnshire of 1635 discovered that he needed "ii baggs to putt the bulletts in".[5] In

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[1] LeicsRO: DE 720/30; DE 1605/56; NorthantsRO: 55p/504; Manchester: *Manchester Constables' Accounts*; SalopRO: 3793/Ch/1; SomsRO: D/P/bic.13/2/1-11; SuffRO(I): FC 101 E2/19-26; FC 83 E1/1.

[2] BristolRO: P/AS/ChW 5 (1631, 1637-9); NorfRO: PD 219/126 (1636); SuffRO(I): FC 112 E1/1 (1631); WarwsRO: DRB 27/9 (1635-6).

[3] Other references to the cleaning of arms, 1631-1637: BristolRO: Christ Church Holy Trinity CW, P/XCh/ChW 1(b) (1636); CornwRO: St.Breock CW, DDP 19/5/2+9(1633, 1637); DevonRO(E): Halberton CW, EDRO Halberton PW 1+2 (1631, 1634-5); Modbury CW, 269 A/PW 8 (1631); Woodbury CW, EDRO Woodbury PW 1 (1632-3); DevonRO(W): Yealmpton CW, 731/34 (1633); DevonRO(N): High Bray C, 815 A/PW 1 (1631, 1635-6); NorthantsRO: Cransley C, 89p/100 (1637); Marston Trussell C, 206p/102 (1634-5); SalopRO: Lydbury North CW, 1777/B/2/1 (1631); SomsRO: Charlton Musgrove TM, D/P/ch.mu.12/2/1 (1633); Cheddar C, D/SAS SE 14 (1632, 1634); StaffsRO: Pattingham C, D 3451/2/2 (1634); SuffRO(I): Peasenhall CW, FC 67 E1/1 (1635-6); WarwsRO: Fillongley C, DR 404/85 (1636); Nether Whitacre C, DRB 27/9 (1636-7); BIHR: York (St.John Ousebridge) CW, PR/Y/J 17 (1637); York (St.Michael Spurriergate) CW, PR/Y/MS 5 (1635, 1637-9); York (Holy Trinity Goodramsgate) CW, PR/Y/HTG 12/1 (1631-3).

[4] SuffRO(I): FB 159/65.

[5] LincsArch: Croft 12/1.

1637/8, the Sidemen of Dartington/Devon expended 6s9d "for mending of two muskits and making cleane of an head peece", and for repairing "A coslet and belt".[1] The same year, the Churchwarden of Dennington/Suffolk paid 3s10d for fixing a belt and "for a butt of brasse to the pyke".[2] The Constables' account of Waltham/Leicestershire of 1637 is a nice proof of the link between repairs and trainings as well as for the absence of standardisation of arms, since they experienced the embarassment of disbursing 6d "for taking the bullett out of the muskett the bore being to little".[3] In 1637, the Constables' account of Burton Latimer/Northamptonshiretestified to the effectiveness of inspections, accounting for expenses "for carrying and dressing the Armor; which Armor the Leiftenn[ts] have wholly founde fault with and have enioyned the constables at their p[er]ills to p[ro]vide new against the next trayneing".[4]

Whenever accounts are complete, the chronology of use and repair of weapons can be traced in detail, like in High Bray/Devon and Stradbroke/Suffolk. In 1631, the Constables of High Bray, in charge of thirteen soldiers, saw to the purchase of a new bullet-bag and for the "setting right one pike". A year later, they bought a new musket-rest, one pike, "one pickax and new shovell for the pyoners", some bandoliers and other small stuff, and paid "to Abraham Scott for makinge longer the cheekes of there pikes & some other things". In 1633 only 1s2d needed to be spent "for mynding of the muskett that John Sloly serves withall". In 1634, two muskets required fixing, and, besides other repairs, "a leather bagge to bringe the gunpowder home" was procured for 1s4d. All subsequent years show equally intensive maintenance works.[5] The one or two soldiers Stradbroke raised, obviously caused less military repairs. In 1631, the Churchwardens had the butts mended and bought "a head for

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[1] DevonRO(E): EDRO Dartington PW 2, f.475.

[2] SuffRO(I): FC 112 E1/1.

[3] LeicsRO: DE 625/60, f.57.

[4] NorthantsRO: 55p/504, f.53.

[5] DevonRO(N): 815 A/PW 1.

the town pike", and, a year later, merely needed to purchase a strap for the corslet. In 1633 and 1634, only the butts required repair. By 1635, however, the need for restoration must have increased, and 2-2-0 were spent on general maintenance of arms and equipment. In 1636, consequently, only the pike had to be mended for 6d.[1] While frequent replacement of faulty equipment in High Bray is proof of regular trainings, recurring mending of the butts evidences frequent firing practice in Stradbroke.

It is difficult to quantify and evaluate the relevance of arms maintenance for the state of the militia. A correlation between the total of accounts which contain any military information, and the number of those that unmistakably refer to repair-works demonstrates the problems.[2] In Dartington and High Bray/Devon, the attrition of material was comparatively high, as well as in Fillongley and Nether Whitacre/Warwickshire, Bicknoller/Somerset, East Harling/Norfolk, Marston Trussell/Northamptonshire, and Stockton/Shropshire. The Constables of St. Thomas by Launceston/Cornwall, Manchester/Lancashire, Cheddar and Rode/ Somerset, however, did not spend much money on maintenance.[3] These figures are relative insofar as they contain both petty and substantial repairs, and the frequency of upkeep naturally depended on the number of soldiers and arms to be fitted out by each community. Parishes which supplied a dozen of soldiers were bound to spend more time and money on repairs than those which contributed merely one or two. Nonetheless, the data indicate that in most counties the equipment was monitored by the Deputy Lieutenants and actually used in training. This trend can be corrobated with additional information on the actual occurrence of trainings.

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[1] SuffRO(I): FC 83 E1/1.

[2] See Appendix, Table 6.1.15.

[3] See in detail: DevonRO(E): EDRO Dartington PW 2+3;DevonRO(N): 815 A/PW 1; WarwsRO: DR 404/85; DRB 27/9; SomsRO: D/P/bic.13/2/1-11;NorfRO: PD 219/126; NorthantsRO: 206p/102; SalopRO: 3067/3/1; CornwRO: DDP 221/9/2; Manchester: *Manchester Constables' Accounts*; SomsRO: D/SAS SE 14; D/P/rode 12/2/1.

4.2.4. MUSTERS OR TRAININGS?

Comments on the substance, frequency, and duration of musters permit conclusions as to whether arms were merely paraded at the General Muster, or regular training-sessions took place. Yet, the amateurish and kaleidoscopic nature of parish officers' accounts complicate a reliable interpretation of entries. In Branston/Leicestershire, the Constable of 1635 recorded two training-sessions at Melton in June, and one at Leicester in July, but, besides expenses for ammunition and transport of the arms, he also accounted for 1s6d "payd for my charges at Melton at the generall Muster", leaving it unclear, whether this entry referred to the exercises in June, or whether *four* sessions had taken place.[1] In 1631, Thomas Blome, the Constable of Gissing/Norfolk, accounted for 3s John Copwell received for serving three days in his corslet. Blome himself, however, had spent 2s for his "diet" at *two* trainings, and there are also two references to the Muster Master's fees and to purchases of ammunition. Had the soldier served only once, at a three-day exercise, or were the three days divided into two sessions?[2] In 1632, Gislingham/Suffolk, for example, expended 1-3-2 for ammunition and the soldiers' wages "at Mellis Green", suggesting only one training session, but there is no information about its duration and the number of trained men involved.[3]

Yet, musters seem to have been held annually throughout the period 1631 to 1637. All surviving accounts of the Constables of Branston/Leicestershire, Gissing/Norfolk, and Fillongley/Warwickshire, for example, referred to activities linked with inspections and trainings.[4] In other places, those references are missing in some years, such as in Stathern/

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[1] LeicsRO: DE 720/30, f.38v.

[2] NorfRO: PD 50/36 (L).

[3] SuffRO(I): FB 130 I2/5.

[4] LeicsRO: DE 720/30; NorfRO: PD 50/36 (L); WarwsRO: DR 404/85; see also BristolRO: All Saints CW, P/AS/ChW 5; CornwRO: St.Neot CW, DDP 162/5/1; NorthantsRO: Cransley C, 89p/100; SomsRO: Bicknoller TM, D/P/bic. 13/2/1-11; Charlton Musgrove TM, D/P/ch.mu. 12/2/1; Rode C, D/P/rode 12/2/1; StaffsRO: Pattingham C, D 3451/2/2; SuffRO(I): Gislingham CW+C,FB 130/I2/3-10; Horham CW, FC 85/I2/8, 9, 13; WarwsRO: Nether Whitacre C, DRB 27/9.

Leicestershire in 1637, East Harling/Norfolk in 1631, and Worfield/Shropshire in 1633.[1] While the well-kept accounts of Manchester/Lancashire and Marston Trussell/ Northamptonshire suggest that missing references were caused by a temporary interruption of training rather than slovenly accounting, omissions in Dartington/Devon and Waltham/ Leicestershire are inexplicable because accounts of other years testify to vigorous trainings.[2]

There is no obvious pattern which could explain the absence of entries on musters. In Leicestershire, references are missing in 1635 (Waltham) and 1637 (Stathern), with no gaps in Branston.[3] The proximity of Branston and Stathern suggests their affiliation to the same regiment, and since musters were held by the regiment, the omission in Stathern must have been caused by non-attendance of its soldiers or careless account-keeping. Burton Latimer, Cransley, and Marston Trussell, in Northamptonshire, probably also belonged to the same regiment, but while the accounts of Burton Latimer and Marston Trussell showed a gap in military activities in 1637, in Marston Trussell this was the case in 1636, and the only surviving account from Cransley alluding to training is from 1637.[4] The Constables of Stathern, however, spent money for gunpowder in 1637, and in Marston Trussell, the butts were repaired twice in 1637 - indication of some training.

While, apparently the state of soldiers and arms was annually checked in the peace years from 1631 to 1637, we need to examine the intensity and quality of these musters. Some parish accounts suggest only one annual muster. In 1632, the Constables of Donington and Stockton/Shropshire charged their parishes for journeys to one training session.[5] Once annually, the Tithingmen of Bicknoller and Charlton Musgrove/Somerset attended the musters

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[1] LeicsRO: DE 1605/56; NorfRO: PD 219/126; SalopRO: 1374/296; also: DevonRO(E): Exeter (Heavitree) CW, 3004 A/PW 4/1 (1634, 1637); Halberton CW, EDRO Halberton PW 1+2(1635, 1637); LeicsRO: Waltham C, DE 625/60 (1635); NorfRO: Shelton C, PD 358/33 (1637); NorthantsRO: Burton Latimer C, 55p/504 (1637).

[2] *Manchester Constables' Accounts* (missing 1632-7); NorthantsRO: 206p/102 (1636-7); DevonRO(E): EDRO Dartington PW 2+3(1634-5, 1637); LeicsRO: DE 625/60 (1632-3, 1635).

[3] LeicsRO: DE 625/60; DE 1605/56; DE 720/30.

[4] NorthantsRO: 55p/504; 89p/100; 206p/102.

[5] SalopRO: 3793/Ch/1; 3067/3/1.

at Bridgewater and Wells respectively.[1] The soldiers of Pattingham/Staffordshire, Gislingham, Horham/Suffolk, and Fillongley/Warwickshire also were inspected once a year.[2] Norfolk parishes, such as Denton, Gissing, East Harling, and Shelton, however, consistently sent their men to two musters.[3] The militia of Exeter (Heavitree) trained twice a year at Stoke Canon, Sowton Heath, or Halberton.[4] Elsewhere, the number of musters varied. Cheddar Constables accounted for one session in 1631, and two in 1632.[5] Soldiers of Nether Whitacre/ Warwickshire trained twice or three times in 1632, once in 1633 and 1635, and three times in 1637.[6] The recording pattern in Waltham/Leicestershire is particularly erratic, with entries of one training in 1636 and 1637, none in 1632 and 1633, but probably three in 1631, and five in 1634.[7]

References to several musters suggest military exercises beyond the inspection of arms and equipment. Although it is possible that Deputy Lieutenants resummoned soldiers who had showed faulty equipment the first time, it is more likely that one meeting was dedicated to roll-calls and examinations, while the others involved practicing. In 1633, the Constables of Egloskerry/Cornwall sent John Roger and Richard Dewning to the General Muster at Launceston, but Gregory Congdon "to a privite muster" at Lewannick.[8] The Churchwardens of Halberton/Devon usually referred to one General Muster and one "Petty Muster".[9] The Churchwardens of Cratfield/Suffolk paid for carrying arms to Joxford on 22 June 1636, and,

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[1] SomsRO: D/P/bic. 13/2/1-11; D/P/ch.mu. 12/2/1.

[2] StaffsRO: D 3451/2/2; SuffRO(I): FB 130/I2/3-10; FC 85/I2, 8, 9, 13; WarwsRO: DR 404/85.

[3] NorfRO: PD 136/57; PD 50/36 (L); PD 219/126; PD 358/33.

[4] DevonRO(E): 3004 A/PW 4/1.

[5] SomsRO: D/SAS SE 14.

[6] WarwsRO: DRB 27/9.

[7] LeicsRO: DE 625/60.

[8] CornwRO: DDP 53/9/2.

[9] DevonRO(E): EDRO Halberton PW 1+2.

a week later, to Blyford - two unusally close dates for consecutive inspections.[1] In 1636, John Borrett of neighbouring Stradbroke was paid 11s for "serving" at Bury St.Edmunds, but the Churchwarden also spent 2s "when they did exercise att our owne Towne".[2] In some counties, the Deputy Lieutenants inspected the regiments at General Musters, while additional Petty Musters probably comprised firing practices and exercises in better supervisable company formations, under guidance of the captains or Muster Master.

The duration of musters varied. The Constables of Marston Trussell entered musters on 13 July 1633 and 4 July 1635, and the dates mentioned in the Churchwardens' accounts of Peasenhall/Suffolk in 1635, and Woodbridge/Suffolk in 1634 also named only one day.[3] In Stockton/Shropshire, however, the Constables expended 9s3d "goinge with a soldier aboute trayning" - too large a sum for only one day.[4] In 1631 and 1633, the soldiers of High Bray/Devon attended two or three one-day musters, but in 1636 and 1637, the only annual session lasted two days.[5] The accounts of St.Breock, St.Neot/Cornwall, Exeter (Heavitree), Cratfield/Suffolk, Charlton Musgrave, Rode/Somerset, and Nether Whitacre/Warwickshire suggest two-day-musters.[6] On 19 January 1637, however, Edward Peerson of Cratfield was paid for three days training, and in 1632, the soldiers of High Bray/Devon exercised at Melton from 17 to 19 June.[7] The Vestry Minutes of East Budleigh/Devon for 1635, and the Sidemen of Dartington/Devon of 1636 referred to four-day General Musters.[8] Richard Bower of Shelton/Norfolk received pay for two days in 1633, three in 1634, five in 1635, and two in

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[1] SuffRO(I): FC 62 A6/171; unless the second was a re-examination of faults from the first muster.

[2] SuffRO(I): FC 83 E1/1.

[3] NorthantsRO: 206p/102; SuffRO(I): FC 67 E1/1; FC 25 E1/1.

[4] SalopRO: 3067/3/1; 8s3d wage for the soldier, and 1s for the Constable's expenses.

[5] DevonRO(N): 815 A/PW 1.

[6] CornwRO: DDP 19/5/7 (1635); DDP 162/5/1 (1634); DevonRO(E): 3004 A/PW 4/1 (1636); SuffRO(I): FC 62 A 6/165 (1633); SomsRO: D/P/ch.mu.12/2/1 (1633); D/P/rode 12/2/1 (1636); WarwsRO: DRB 27/9 (1634).

[7] SuffRO(I): FC 62 A6/171; DevonRO(N): 815 A/PW 1.

[8] DevonRO(E): 1180 A add 2/PW 15, f.42; EDRO Dartington PW 2.

1636.[1] Whether their commanders and administrators preferred a number of shorter musters or one comprehensive but longer-lasting exercise, it is unlikely that the average English militiaman practiced more than two to seven days in the years prior to the Scots' Wars.[2] Not only was it unusual that the soldier of Charlton Marshall/Dorset was one of the Churchwardens, but also that he trained thirteen days in 1636.[3] The account of St.Thomas by Launceston/Cornwall of 1633 sounds almost incredible, where Thomas Cooke was allowed £ 1 "for serving wth the p[ar]ish armes 35 dayes".[4]

Although it is likely that musters lasting more than two days per annum involved practicing, parish accounts do not contain a lot of information on their intensity. Surprisingly, in 1632, Edward Campion of Dennington *exercised* two days and *trained* two days at Saxmundham.[5] In 1637, the Constables of Nether Whitacre/Warwickshire also seemed to distinguish between musters and trainings, accounting for a muster at Warwick and training at Meriden "the tewsday after".[6] In 1636, the Sidemen of Dartington/Devon related to four days training of thirteen soldiers and to an extra-session for "10 trained Soldiers that be shot men [musketeers] for one daies training at totimes [Totnes?] to shut bullets".[7] Proper training was likely, when the Constables of Bishops Tawton/Devon "p^{d} the officers ffees of Captaine Giffourd his company at the Exercisinge the 16th of June 1631".[8] The phrase "training" also sounds credible, when the Constables of Branston/Leicestershire "payd for Charges training at Melton the 4 of June" in 1635, and when their colleagues of Waltham spent 4-10-0 at

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[1] NorfRO: PD 358/33; more than two days also in Denton: PD 136/57; East Harling: PD 219/126.

[2] See also Appendix, Table 6.1.16..

[3] DorsetRO: PE/CHM CW1/1 (Henry Coles).

[4] CornwRO: DDP/P 221/9/2.

[5] SuffRO(I): FC 112 E1/1.

[6] WarwsRO: DRB 27/9.

[7] DevonRO(E): EDRO Dartington PW 2, f.469; the other three were either the pikemen, had disfunctioning arms, or were otherwise indisposible.

[8] DevonRO(N): 1469 A/PC 6; also DevonRO(E): Exeter (Heavitree) CW, 3004 A/PW 4/1, f.142.

Leicester "when they Trained for ourselves and our horses" in January 1635.[1] In 1635, the parish soldiers of Cratfield/Suffolk enjoyed some private lessons in a jovial atmosphere, when 13s were given "to Oven Curtes wife for beere & for wine that Gregory Rouse brought when M[r] Ffriston excersised the soldiers on Norwood greene".[2] More ambiguous, however, are references to mere "musters" and similarly opaque expressions. In 1634, for example, the Constables of Stathern/Leicestershire paid 18s to the High Constable at Leicester "when I was there with the treane Ssoulger", and in September 1631, the Constables of Waltham merely referred to 5s expended "for the Armor lookinge".[3]

Although many tasks related to training could be accomplished within parishes, Constables needed to travel, either to pay their periodical rates to the High Constables, or to attend the musters themselves. Mere references to soldiers' wages, however, as the 14s3d paid by the Constables of Waltham/Leicestershire in 1631, or the 4s expended by their colleagues of Marston Trussell/Northamptonshire,do not prove the presence of parish officers at training sessions.[4] When the Constables of Fillongley/Warwickshire accounted for the carriage of arms, two new belts, the Muster Master's charges, and "our souldiers paie", they could have entrusted one of the soldiers with the money, without actually accompanying them.[5] Yet, in 1632, the Churchwardens of Wigston Magna/Leicestershire paid 20s "to John Ransford Constable when he went to Lei[ceste]r to y[e] training", and in 1633, the Constable of Egloskerry/Cornwall explicitly stated that he had attended the General Muster at Launceston.[6] In 1634, the Constable of Stathern/Leicestershire paid 18s to the High Constable at Leicester, "when I was there with the treane Ssoulger", and in 1631, his colleague

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[1] LeicsRO: DE 720/30, f.38; DE 625/60, f.46v.

[2] SuffRO(I): FC 62 A6/169; Mr. Friston probably was the Muster Master.

[3] LeicsRO: DE 1605/56, f.48; DE 625/60, f.37.

[4] LeicsRO: DE 625/60, f.40; NorthantsRO: 206p/102.

[5] WarwsRO: DR 404/85 (undated, but probably from the 1630s).

[6] LeicsRO: DE 384/36; CornwRO: DDP 53/9/2.

from Gissing/Norfolk charged his parish for his dinners at two trainings.[1] In 1635, Constable Thomas Springall of East Harling/Norfolk did not have to make an extra trip, since he was one of the militiamen of his parish himself.[2]

4.2.5. PURCHASE OF AMMUNITION

It is indisputable that ammunition was not used on parades, and that Muster Masters were not hired for decorative reasons. On the contrary, we can be sure that parishes and counties did not undertake an investment in powder and bullets and in an expensive expert without receiving maximum benefit. If we examine the data referring to the phrase "training", to Muster Masters, and to purchase of ammunition, we realise that in parishes which commented on these matters, proper training of soldiers was commonplace in the 1630s.[3]

Although it is impossible to assess the fighting capability and training standards of individual companies and regiments of the English militia, the value of musters in the 1630s can be deduced from the amount of firing practice musketeers received. The documentary evidence is scattered, and the analysis complicated by locally and annually varying prices of ammunition, and frequently lacking references to the number of parish soldiers sharing a defined quantity of powder and bullets. Without contextual data it is pointless to correlate the 8d spent by the Churchwardens of Cartmel/Cumberland "for powder & shott" in 1634, to the 7-17-6, which the Constables of Manchester contributed to the magazine the same year.[4] The systematic comparison of figures from parish accounts establishes that the average price for a pound of gunpowder was approximately 1s6d, and the fact that the price of the required

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[1] LeicsRO: DE 1605/56, f.48; NorfRO: PD 50/36 (L); see also SalopRO: Donington C (1632), 3793/Ch/1; Stockton C (1632), 3067/3/1; Worfield C (1634), 1374/297; SomsRO: Cheddar C (1631), DD/SAS SE 14; WarwsRO: Nether Whitacre C (1632), DRB 27/9.

[2] NorfRO: PD 219/126.

[3] See Appendix, Table 6.1.16..

[4] CumbriaRO(K): WPR 89/W1, f.230; *Manchester Constables' Accounts*, II, 20.

amount of match was quite negligible.[1] The average amount of powder required for a volley probably would be around five grams, i.e. one pound of powder would generate roughly eighty rounds. If we take, for example, the Cratfield account of 1632, knowing that this parish possibly did not send more than two soldiers to the muster, each of the trained men would have had about 6s worth of powder, four to five pounds, or 320 to 400 rounds to fire, provided both soldiers were musketeers.[2] When, in 1636, the Churchwardens of East Budleigh/Devon procured seven pounds of powder per musket, each of their soldiers had a combat stock of about 500 to 600 shots.[3] In 1637, Kings Nympton/Devon boasted a store of forty-eight pounds of powder - enough to fire more than 3 800 rounds.[4] Ilminster/ Somerset, whose number of soldiers is unknown, paid the Constables 1-6-8 for powder and match in 1633, and 3-11-8 in 1636, which would have bought approximately thirteen or twenty-five pounds of powder respectively, or 1 000 and 2 000 shots.[5] Assuming that about fifteen of the twenty-two soldiers of Exeter (Heavitree) had been musketeers, the 50s worth of powder bought in 1636 would have supplied each of them with about four pounds, or 320 rounds.[6] Although Manchester had as many as twenty soldiers, the 7-17-6 spent on powder and match in 1634 would have comfortably provided 8 000 shots, 400 per soldier.[7] In High

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[1] Regarding the price of powder: e.g. LeicsRO: Stathern CW, DE 1605/34 (1633): 1 lb/1s4d, (1636): 1 lb/1s9d; SuffRO(I): Framlingham CW, FC 101 E2/22 (1632): 2 lb powder and 3 yards of match/2s9d; CornwRO: St.Thomas by Launceston C, DDP 221/9/2 (1634): 4 lb/4s8d; DevonRO(E): Dartington SM, EDRO Dartington PW 2, f.467 (1636): 12 lb/13s, 3 lb of match 1s7d; NorfRO: Gissing C, PD 50/36 (L) (1634): 1½ lb powder/2s3d, 6 yards of match/6d.

[2] In fact, probably at least one in every three soldier was a pikeman.

[3] DevonRO(E): 1180 A add 2/PW 15, f.41.

[4] DevonRO(N): 3330 A/PO 1; the number of soldiers of this parish is not specified; the training expenses of 1-11-0 (soldiers' wages, carrying arms etc.), in 1637, however, suggest about eight to ten.

[5] SomsRO: D/P/ilm. 4/1/2; the usual uncertainty whether "Constables" meant Petty or High Constables, leaves it uncertain, whether this payment was made directly to the parish Constables, or to the High Constables, as part of a county rate.

[6] DevonRO(E): 3004 A/PW 4/1/, ff.155 and 161.

[7] *Manchester Constables' Accounts*, II, 63 and 20.

Bray/Devon, the per capita-amount of ammunition varied between 120 and 360 rounds.[1] Other parishes were a little more economical. The four soldiers of Framlingham/Suffolk annually consumed about two pound of powder, or fourty rounds each.[2] Neighbouring Mendlesham raised one soldier, who had one pound of powder available in 1634, or eighty shots.[3] The Constables of Gissing and East Harling/Norfolk provided about thirty to fourty rounds for each of their two soldiers.[4] Many more examples invite further calculations and speculations. Although it is not always evident, whether the purchased ammunition was used in practices, or merely kept in readiness, the figures suggest that English militiamen had, on average, about one hundred rounds available. Even by modern standards, this can be regarded as sufficient, particularly if we consider that they had only a couple of days of annual firing practice.[5]

4.2.6. PAYMENT OF MUSTER MASTERS

The other important indicator of the efficiency of trainings is the presence of Muster Masters. Only under expert instructions could militiamen learn how to march, develop battle-formations and concentrate fire effectively. The mode of payment varied, and in some parishes, the Churchwardens and Constables merely stated the sum they paid towards the cost of a Muster

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[1] DevonRO(N): 815 A/PW 1 (1637): 10 lb of powder; (1635): 25 lb; (1634): 32 lb; in 1631 and 1635, the accounts suggest that seven of the on average thirteen soldiers were musketeers (separate practice of seven men at Bratton in 1635, referred to as the "shoate men").

[2] SuffRO(I): FC 101 E2/19+22:1631: 3s for powder and match; 1632: 2 lb powder and 3 yards of match for altogether 2s9d.

[3] SuffRO(I): FB 159/64.

[4] NorfRO: Gissing PD 50/36 (L), 1631: 18d for powder and match; 1634: 1½ lb powder; East Harling PD 219/126, 1633: 8d for powder and match; 1634: ½ lb of powder; 1635: 1s6d for powder and match; references to two soldiers: Gissing: purchase of two knapsacks in 1634; East Harling: e.g. in 1634, Thomas Springall and John Truffeild attending musters.

[5] Regarding further references to ammunition, see Appendix, Table 6.1.15. (symbol **A**). Yet, see the low figure of 6 lb/company, as stated in an order by Hampshire Deputies in 1639: BL: Add MSS 26781, f.59.

Master.[1] In other places, for example in St.Breock/Cornwall in 1635, and in North Tawton/ Devon in 1633, the High Constables collected an annual rate, or received half-annual or quarterly instalments, together with contributions to the House of Corrections or funds for the maimed soldiers.[2] In Nether Whitacre/Warwickshire, in 1635, and in Horham/Suffolk, in 1632, apparently the soldiers or the Constables who accompanied them, paid the Muster Master directly.[3] The majority of parish accounts which contain military expenses indicate the employment of Muster Masters.[4] Since Muster Masters usually were engaged by a county rather than by a community or a single regiment, we need to look for cross-references in several surviving parish accounts of a county. Remarkably, mentions of Muster Masters are missing only in Northamptonshire and Somerset, but while in Northamptonshire the evidence of military activities is very poor in any case, it is better in Somerset. The Leicestershire militia also did not seem to be subject of intensive and professional training. Yet, in Cornwall, Devon, Norfolk, Suffolk, and Warwickshire, the employment pattern was far denser, and additional references from Chawton/Hampshire, some Dorset parishes, and the vouchers of a Nottinghamshire Constable indicate that the use of Muster Masters in the 1630s was far more common than heretofore assumed - except for Barnes' Somerset. Although the source material does permit only this general statement, the alleged antipathy to Muster Masters on constitutional or financial grounds needs to be reconsidered. The trivial expenses occasioned by these professional drill-instructors render financial objections as not very plausible. Large

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[1] e.g. BerksRO: Bray CW (1632), D/P 23/5/1; CornwRO: Egloskerry C (1633), DDP 53/9/2; DevonRO(E): Lapford CW (1634), 2021 A/PW 1; DorsetRO: Charlton Marshall CW (1636), PE/CHM CW 1/1; GloucsRO: Tortworth C (1636), P 338 CO 1/1; HantsRO: Chawton CW (1635), 1 M 70/PW 1; HerefsRO: Madley CW (1636), MX 818; LincsArch: Croft C (1632), Croft 12/1; NorfRO: Gissing C (1631), PD 50/36 (L); NorthantsRO: Cransley C (1637), 89p/100; NottsRO: Coddington C-vouchers (1631), PR 1529/57; SalopRO: Stockton C (1637), 3067/3/1; StaffsRO: Pattingham C (1633), D 3451/2/2; SuffRO(I): Gislingham C (1633), FB 130 I2/6.

[2] CornwRO: DDP 19/5/8; DevonRO(E): 2914 A/PW 1; other half-annual/quarterly or joint payments e.g.: DevonRO(E): Dartington SM (1636), EDRO Dartington PW 2; Chudleigh CW (1635), EDRO Chudleigh PW 1; Kilmington CW (1636-7), 3047 A/PW 2; Modbury CW (1634), 269 A/PW 8; DevonRO(N): High Bray C (1637), 815 A/PW 1.

[3] WarwsRO: DRB 27/9; SuffRO(I): FC 85 I2/8.

[4] See Appendix, Table 6.1.16.,symbol **O**.

parishes, like Exeter (Heavitree), expended 3s4d to 4s per annum on Muster Masters' wages; Dartington and High Bray, raising up to sixteen soldiers, paid on average 2s2d or 4s8d - the equivalent of one parishioner's poor tax.[1] Cratfield/Suffolk disbursed 9s6d in 1632, and Sherbourne/Dorset 13s4d in 1635 and 1636, but Horham/Suffolk contributed only 3s7d in 1632, Stockton/Shropshire 3s6d in 1637.[2] Occasional arrears can be explained by reluctance to fund Muster Masters, but also with the fact that many quarterly rates to High Constables were paid inconsistently. The Churchwardens of Cratfield entered 1-17-0 for the Muster Master in 1632 - as they admitted, for arrears - and the 1-17-6 Mendlesham expended the same year, suggests that the entire county had neglected his wages.[3] In 1633, the Constables of St.Thomas by Launceston/Cornwall accounted for 15s9d - the Muster Masters' fees for the past three years.[4]

4.2.7. CONCLUSION

Parish accounts indicate that military duties were an essential part of the officers' work, but that the brunt of the administration of the Perfect Militia was borne by Constables. The synopsis of the combined data on military activities does suggest a preparedness and quality of the English militia during the 1630s, which did not significantly differ from the state Boynton described for the 1620s. Regular musters were held almost everywhere, and references to the repair and replacement of arms and equipment, training sessions, ammunition purchases, and payments to Muster Master indicate that the Perfect Militia by no means fell into decay after the peace of 1629/30.[5] The documentary evidence is not complete, but the

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[1] DevonRO(E): 3004 A/PW 4/1 (e.g. 1631 and 1633); EDRO Dartington PW 2 (e.g. 1636); DevonRO(N): 815 A/PW 1 (e.g. 1631, 1634, and 1637); also NorfRO: Gissing C, PD 50/36 (L) (e.g. 1631 and 1634); East Harling C, PD 219/126 (e.g. 1632, 1633, and 1636); Shelton C, PD 358/33 (e.g. 1633, 1635, and 1636).

[2] SuffRO(I): FC 62 A6/162; DorsetRO: PE/SH CW 1/106+107;SuffRO(I): FC 85 I2/8; SalopRO: 3067/3/1.

[3] SuffRO(I): FC 62 A6/162; FB 159/61.

[4] CornwRO: DDP 221/9/2 (remarkable is the plural used!); also LeicsRO: Branston C, DE 720/30, f.31v.

[5] *Fissel*, pp.196-7, claims that the militias had attained their "highest level of proficiency" by 1638.

surviving information shows that 1635 did not mark a watershed in military activities.[1] Neither did the Privy Council's instruction for intensified training generate a visible increase of armament and exercises, but nor did the Constables' preoccupation with Ship Money seem to cause obvious neglect of musters and equipment. Although there is no direct information in parish accounts, the regular military activities reflect the strong influence of Deputy Lieutenants. Unlike the Book of Orders and Ship Money, the seasonal character of the Perfect Militia did not create sufficient tension to mobilise local sentiment and force local officers to adapt orders to local values and procedures. The next section will cover the final years of the Personal Rule and examine the impact the war-preparations had on the administrative work of parish officers, in a period when opposition to Ship Money reached its peak.

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[1] See Appendix, Table 6.1.16..

4.3. PREPARING FOR THE SCOTS' WARS, 1638 TO 1640

4.3.1. ARMS AND EQUIPMENT

The decision by Charles I to crush the rebellion against the Prayer Book required a two-fold strategy. All trained bands, particularly those of the Northern counties bordering to Scotland, were to prepare for an immediate Scottish attack, to resume intensified training with qualified men, and to keep their arms and equipment in shape. Additionally, selected contingents from various counties were to march North and to prepare for an invasion of Scotland. Consequently, both the home defence and expeditionary forces had to be at a peak of condition, skill, and morale. The burden of the preparation for war lay with the parish officers.

The short period of two years, from November 1638 to October 1640, necessarily limits the available source material, particularly since many parish accounts start dwindling in the late 1630s. Yet, there is sufficient documentation, and particularly parishes with surviving accounts from 1631 to 1637 facilitate the corelation of figures for both periods of the Perfect Militia. With regards to the upkeep of armament, two trends are obvious. Those parishes which continuously maintained their equipment during the early 1630s, did not have to change their routine. Others, which had done a bare minimum, suddenly increased their military efforts.

The Churchwardens of Dennington/Suffolk, who, in 1636 and 1637, had taken care of their parish equipment and spent on average 4s on mending the corslet, needed only to fix the town sword and buy "a new payer of Hangers for the said sword" in 1638.[1] The Sidemen of Dartington/Devon had continuously tended the state of their arms, bought a powder bag in 1634, "A Rest for A musket" in 1636, and a corslet and belt, plus maintenance of two muskets in 1637. Consequently, in 1638, they only needed to mend the cock of one of the muskets.[2] The intensive upkeep of equipment in High Bray/Devon, described earlier, continued in 1638

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[1] SuffRO(I): FC 112 E 1/1.

[2] DevonRO(E): EDRO Dartington PW 2.

and 1639, when - despite intensive training - only the "stocking" and locks of five muskets had to be repaired.[1] The Constables of Shelton/Norfolk had spent 1-1-8 on repairing pikes and armour in 1633, which necessitated minor repairs in 1635, and a mere "trimming" of the arms in 1639.[2]

Elsewhere, the preparation for the Scots' Wars required more attention to the upkeep of equipment than had been undertaken in earlier years. Despite regular replacement of faulty gear in Halberton/Devon, the Churchwardens' account of 1638 shows a massive increase of expenditure on military maintenance.[3] The Churchwardens of Lapford/Devon, who usually paid for the transport to musters and the Muster Master's wages only, were obliged to spend 20d on fixing a musket in 1638.[4] The Churchwardens of Weybread/Suffolk had never been bothered with military expenses, but in their 1638-account they entered maintenance totalling £ 3.[5] From 1631 to 1638, military expenses had been negligible in Mendlesham/Suffolk, while, in 1640, the unusually large sum of 4-4-0 was spent on replacing faulty equipment.[6] From 1631 to 1633, the Churchwardens of Framlingham/Suffolk annually expended only a couple of shillings on maintenance, but in 1640, the costs rocketed to a total of 1-19-2.[7] Unfortunately, no Constables' accounts of Algarkirk/Lincolnshire survive for the early-1630s, but the substantial sums spent to replace faulty equipment in 1638 and 1640 suggest that not very much had been done in previous years.[8]

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[1] DevonRO(N): 815 A/PW 1.

[2] NorfRO: PD 358/33; also East Harling C, PD 219/126; SomsRO: Bicknoller TM, D/P/bic.13/2/1-11.

[3] DevonRO(E): EDRO Halberton PW 1+2.

[4] DevonRO(E): 2021 A/PW 1; also DorsetRO: Langton Long Blandford CW (1640), PE/LAL CW 1.

[5] SuffRO(I): FC 99 E1/1; also SalopRO: Stockton C (1639), 3067/3/1.

[6] SuffRO(I): FB 159/60-69.

[7] SuffRO(I): FC 101/E2/19-26; see also NorthantsRO: Burton Latimer C, 55p/504; LincsArch: Addlethorpe C, Addlethorpe 12; WarwsRO: Nether Whitacre C, DRB 27/9.

[8] LincsArch: Algarkirk 12. More difficult to interpret are the accounts of the Fillongley Constables/Warwickshire, with expenses in 1632 and 1636, but none in 1634, and altogether moderate costs in 1638 and 1639: WarwsRO: DR 404/85. Also, the comparatively low expenses on military maintenance in Marston Trussell/Northamptonshire, and Branston, Stathern, and Waltham/Leicestershire, did not notably rise during the years of the Scots' Wars: NorthantsRO:

Obviously increasing repair-works during the late-1630s can be attributed to the commitment of both parish officers and Deputy Lieutenants in previous years, and attrition of armament during the intensive training of the militias in preparation of war.[1]

4.3.2. MUSTERS AND TRAINING

The frequency and duration of musters, trainings, purchase of ammunition, and regular payments for Muster Masters have established that in most parts of the country the militias undertook continuous exercise during the peace years before the Scots' Wars. Parish accounts which are complete for the *entire* Personal Rule prove the extent to which this training increased from 1638 to 1640. Although the imminent war justified more intensive military preparation, we must ask whether the record for the early 1630s was really so impressive. If the sources reveal the necessity of considerable improvements during the late-1630s to bring the militias to a war-footing, we must question the significance, worth, and benefit of the training conducted from 1631 to 1637 which was designed to achieve the same objective.

Only in very few parishes did the Scots' Wars leave no traces. In St.Neot/Cornwall, the Churchwardens' annual expenditure of 1s to 2s for one to two muster-days did not increase in 1638 and 1639.[2] The Churchwardens of Mendlesham/Suffolk always had paid a soldier for two or three days training, but despite significant repairs, did not account for increased exercises in 1639.[3] The amount the Sidemen of Dartington/Devon spent on their trained soldiers in 1638 was identical with 1637, and significantly lower than in 1636.[4] The Constables' accounts from Bicknoller/Somerset also show no increased activities, and referred

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206p/102; LeicsRO: DE 720/30; DE 1605/56; DE 625/60.

[1] For a quantitative interpretation of the data regarding references to musters, ammunition, and Muster Masters for the period 1638 to 1640, see Appendix, Table 6.1.17..

[2] CornwRO: DDP 162/5/1.

[3] SuffRO(I): FB 159/60-69. No significant changes are visible in the accounts of the Churchwardens of Charlton Marshall and Langton Long Blandford/Dorset: DorsetRO: PE/CHM CW 1/1; PE/LAL CW 1.

[4] DevonRO(E): EDRO Dartington PW 2.

to only one General Muster at Bridgewater in 1639.[1]

The majority of parish officers, however, experienced a considerable augmentation of military exercises. The Churchwardens of St.Breock/Cornwall usually had accounted for two annual muster-days from 1635 to 1637, but the training-expenses and payments to the High Constable significantly increased in 1639.[2] The Churchwardens of Crediton/Devon never had been concerned with military issues before 1638, when they disbursed 14s2d to "the officers for their labors at the dayes of Trayning", and 4-4-0 for the soldiers' wages and expenses.[3] Although the soldiers of Exeter (Heavitree) had exercised consistently in earlier years, at least eleven musters took place at various locations in 1639, and four in 1640.[4] In 1638, the soldier of Dennington/Suffolk received money sufficient for eight or nine days of exercise, and trained on five days in 1640, as opposed to two to four days in previous years.[5]

Due to their strong military emphasis, Constables' records better demonstrate the striking extent of the war preparations from 1638 to 1640. The soldiers of East Harling/ Norfolk routinely practiced twice or three times annually on one or two days, but apparently on fifty-two days in 1640.[6] The 8s5d expended by the Constables of Stockton/Shropshire in 1638, did not differ significantly from preceding accounts, but in 1639, their soldiers probably served more than fifteen days in arms.[7] The Constables' accounts of York (Holy Trinity

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[1] SomsRO: D/P/bic. 13/2/1-11.

[2] CornwRO: DDP 19/5/7-10; the references are difficult to identify, but the soldiers' wages had risen to at least 1-2-3.

[3] DevonRO(E): 1660 A/85-94; the accounts of 1639 and 1640 continued in that fashion.

[4] DevonRO(E): 3004 A/PW 4/1; also Halberton: DevonRO(E): EDRO Halberton PW 1+2.

[5] SuffRO(I): FC 112 E1/1; see also Framlingham CW, e.g. less than 8s in 1632, but 1-9-6 in 1640: FC 101 E 2/23+26; and Sibton CW, with references to usually one annual muster, but three in 1640 (though no references in 1637 and 1639): FC 61 E 5/1.

[6] NorfRO: PD 219/126; the Constables' accounts of Shelton are more confusing, with two to five days of musters between 1631 and 1637, apparently only two days in 1638, and seven in 1640. In 1639, however, the incredible amount of 5-6-3 was paid to the trained soldiers, although that might have included maintenance, Muster Master's wages, or even Coat and Conduct Money; three instead of the usual two musters for the soldiers of Gissing in 1640: PD 50/36 (L).

[7] SalopRO: 3076/3/1/; the account twice referred to six days each (6s), and once to expenses of 3s (=three days?), although, curiously, five entries mentioned ammunition-purchases - suggesting five firing practices?

Goodramsgate) of 1636 and 1637 did not mention any musters, but in 1638, thirty-two "view days" and "training days" were listed for the period November 1638 to June 1639 - on average two to three per month.[1] Although the precise identification of individual musters in the accounts of Algarkirk/Lincolnshire is next to impossible, on at least five to ten annual occasions the soldiers exercised or presented their arms at Boston, Kirton, and Sleaford from 1638 to 1640.[2] In 1638, the men of Burton Latimer and Marston Trussell/Northamptonshire, practiced seven times, as opposed to the one annual muster in previous years.[3] The Warwickshire accounts also illustrate the urgency under which the militias trained. In 1638, the soldiers of Fillongley were summoned at Warwick and Meriden at least seventeen times.[4] The Constables of Nether Whitacre entered at least six training-sessions in 1638, and ten in 1640.[5] In 1638, the Manchester Constables rather nicely stressed the vigour of their training; although just recently the drum had been fixed, more expenses were recorded "for repaireinge the Droome being burst".[6]

The interpretation of the exact number of training-sessions is not only hampered by crude account-keeping, but by the fact that some of the musters and exercises were reserved for the contingents designated to march to Scotland. Although the Constables organised the practices of both groups, the selected men appear to have received a particularly thorough training. In 1639, the Constable of Salwarpe/Worcestershire consistently referred to activities of the "prest" soldiers, without once mentioning the regular members of the trained bands.[7] In 1639, the Constables of High Bray/Devon reimbursed three men for two days training at

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[1] BIHR: PR/Y/HTG/ 15; only three more days are mentioned in the 1639-account, and none in 1640, however.

[2] LincsArch: Algarkirk 12.

[3] NorthantsRO: 55p/95; 206p/102.

[4] WarwsRO: DR 404/85.

[5] WarwsRO: DRB 27/9.

[6] *Manchester Constables' Accounts*, II, 63; increased expenses also in LeicsRO: Branston C, DE 720/30; Stathern C, DE 1605/56.

[7] WorcsRO: 850 Salwarpe/1054/2, Bundle D.

Bratton, but thirteen soldiers (the traditional strength of the parish band) for two days at Molton. At Bratton, three more exercises followed for four, seven, and three men.[1] In 1640, the Churchwardens of Crediton/Devon several times referred to four horses, belts, and pikes, but later paid one William Taylor "for carriage of 19 mens Armes at St. Thomas p[ar]ish and at Shobbrocke [Shobrooke]".[2] And while, in 1635, the Churchwardens of Exeter (Heavitree) mentioned exercises of twenty-two soldiers, various training sessions were held in 1639 and 1640 involving six or five men.[3] Most revealing is an entry in the Constables' account of Nether Whitacre, stating expenses for "2 select treyne men beinge trayned evy weeke for the space of 17. weeks begininge upon Wednesday March 27.1639".[4]

However difficult it is to prove to what extent this separation was applied, the accounts demonstrate that training generally increased during the war preparations.[5] The required firing practice and guidance of experienced drill instructors are reflected in expenses for ammunition and Muster Masters' fees. Again, we do not know whether both were utilised by the selected men rather than the entire trained bands. The amount of powder and match purchased by the Constables of Salwarpe, described as sufficient for thirty-one days, very much looks like a combat-ration. Crediton raised probably more than twenty soldiers (trained bandsmen and selected men), but bought the incredible amount of three hundredweights of gunpowder in 1638, and twenty-one pounds of match in 1640.[6] The seven pounds of powder purchased by High Bray/Devon seems to be a small amount, compared to earlier years, but was probably given to the conscripted men only.[7] The Constables of Manchester always had

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[1] DevonRO(N): 815 A/PW 1.

[2] DevonRO(E): 1660 A/94.

[3] DevonRO(E): 3004 A/PW 4/1.

[4] WarwsRO: DRB 27/9.

[5] *Fissel*, pp.249-51, made the point that, *de facto*, a two-tier-militia existed in those years; yet, I disagree with his suggestion that the regular trained bands were neglected.

[6] DevonRO(E): 1660 A/92+94.

[7] DevonRO(N): 815 A/PW 1.

been generous when it came to providing powder and shot, but increased their tax for ammunition to 15-15-8 in 1639 - if used, the equivalent of 12 000 rounds![1] Shelton/Norfolk did not contribute more than one soldier, but purchased powder, bullets, and match worth £ 4 in 1639.[2] In 1639, the Constables of Stockton/Shropshire on five different occasions provided powder and match totalling 1-16-7.[3] Only the sums spent on ammunition in Branston, Waltham/Leicestershire, and Gissing/Norfolk did not differ from earlier years.[4]

The data regarding Muster Masters are even more difficult to interpret than for the early years of the Personal Rule. Northamptonshire, Lincolnshire, and Leicestershire Constables still rarely referred to them. In Norfolk, only Shelton mentioned a Muster Master in 1640, while references in Gissing, East Harling, and most Suffolk parishes ceased. Conversely, Devon, Dorset, and Warwickshire relied on professional instructors, as in previous years.[5] The contradictory Norfolk and Leicestershire accounts, however, suggest that Muster Masters had been employed, and lack of references should be attributed to unprecise recording or failure to pay for their wages. The persistent absence of Muster Masters in Northamptonshire accounts implies that the commanders took on the training themselves. Yet, the Deputy Lieutenants of most counties seemed to play safe and transferred the exercising of trained and selected bands to professionals.

A comparison of the data on equipment and training for both periods, 1631 to 1637 and 1638 to 1640, displays a marked intensification in the final two years. The evidence of regular and unusually ardent maintenance and training in the early-1630s had been impressive. But apparently the militias had not been thoroughly stretched yet. If there was still room for improvement from 1638 to 1640, one might assume that the trained bands had not been in a

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[1] *Manchester Constables' Accounts*, II, 75.

[2] NorfRO: PD 358/33.

[3] SalopRO: 3067/3/1.

[4] LeicsRO: DE 720/30; DE 625/60 (compare with the accounts of 1637); NorfRO: PD 50/36 (L); in Gissing, the Constables for 1640 accounted only for half a pound of powder, as opposed to one pound in previous years.

[5] See Appendix, Table 6.1.17..

combat-ready state prior to that. Nonetheless, the final period was exceptional, and the impending war required extra efforts which a peace-time militia was unable to sustain for extended periods. The achievement of the Perfect Militia should not be underestimated, since it was relative, like that of the Book of Orders. The English militias had maintained a routine of musters and care for their equipment which was equivalent, if not superior to that of the 1620s. Yet, the threat of war facilitated the rapid improvement of material, supply of ammunition, and individual skill beyond the impressive routine of the peace years of the Personal Rule.

4.3.3. IMPRESSMENT AND SUBSTITUTION OF THE SELECTED BANDS

If the English militia was in an acceptable state in 1638, why did Charles I loose both campaigns against Scotland? Fissel has demonstrated that strategic, constitutional, and financial problems were to blame for the insufficient equipment, skill, and morale of the troops sent to the North. Lacking a centralised and mobile army, Charles had to utilise what the militias could offer him. The potential threat of foreign enemies exploiting England's concentration on the North by staging an invasion was real, albeit unlikely. This prevented the Council of War from massing all available county militias and throwing them against Scotland, which probably would have decided the war. This possibility was also thwarted by tradition and political opportunism, since the militias considered themselves local forces defending their shires against invasions, and were unwilling to cross their county-borders for other military operations. Yet, the financial situation prevented the crown from dispensing with the militias and hiring an army of mercenaries or volunteers instead. Political objectives and technical constraints forced the government to apply a military and financial mix. During the First Scots' War, the thirteen northernmost counties were to mobilise their trained bands fully and place them under the command of royal officers. They were reinforced by veterans from the continent and volunteers raised by gentry and noble households, but particularly by contingents of conscripted soldiers from a number of Midland and East Anglian counties. In

the Second Scots' War, all counties had to detach a certain number of their trained bands to support the militias of the Northern counties.[1]

Although Fissel has examined the condition of the expeditionary force, its deficiency cannot be stressed enough, particularly since Sharpe has recently argued the opposite.[2] With only few exceptions, the reports by Deputy Lieutenants and commanders in the North, during both campaigns, were a litany of complaints and desperation. Most soldiers were raw and inexperienced in handling their arms, which, for the greatest part were in a bad state, since the trained bands staying home, kept the best equipment and parted only with scrap.[3] Most disturbing, however, were consistent reports of soldiers rioting and deserting by the score, plundering the villages they passed through or where they were billeted, and threatening and killing their officers.[4] Besides general disaffection with the war aims and lack of payment, these alarming incidents can be explained by the fact that many soldiers were recruited from the dregs of society.

The determination of communities and trained bands not to relinquish men and arms indispensible for the local economy or the defense of their counties, prompted concessions of the crown which were detrimental to the war-effort.[5] The impressment in the Midland and

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[1] *Fissel*, pp.195-99, 207-13. First Scots' War: order to take men from the trained bands (19 January 1639): SPD 16/409-106; (February): 413-111; key of the contingents: 409-121, 409-148, 410-155, 414-130; order for musters and support by local officers: 409-59. Second Scots' War: order to take men from the trained bands: 455-19, 455-20, 458-93; key of the southern contingents: 451-116; August-mobilisation of all militias against an impending Scottish invasion: 464-33; response by the counties: Cumberland: 467-146; CumbriaRO(C): PR/112/324; Devon: SPD 16/467-17; Dorset: 468-56; Gloucestershire: GloucsRO: GBR H 2/3, f.22; Hampshire: HantsRO: Jervoise of Herriard MSS, 44 M 69/G5/45, 1.2.; SPD 16/468-113; Huntingdonshire: 466-85; Lincolnshire: 464-92.

[2] *Sharpe, Personal Rule 1992*, pp.802-4.

[3] First Scots' War: Durham: SPD 16/409-66; Cheshire and Lancashire: 410-102; Northumberland, Cumberland, Westmorland: 410-111, 414-101; Yorkshire: 409-24, 418-6; Kent: 417-110; Norfolk, Cambridgeshire: 418-83; Lincolnshire, Nottinghamshire: 412-85. Second Scots' War: Cumberland: 459-42; Westmorland: 442-77; Devon: 448-41; Essex: 454-46; Norfolk: 453-40; Berkshire, Oxfordshire: 468-138; Shropshire: 453-89; Yorkshire: 450-109.

[4] Berkshire: SPD 16/455-4; Cambridgeshire, Suffolk: 457-104; Cheshire: 454-85; Derbyshire: 460-37; Devon: 460-5, 460-28, 460-52; Dorset: 457-77; Durham: 451-63; Hampshire: 452-62, 454-99; Herefordshire: 459-86; Kent: 458-18; Lincolnshire: 455-91; London, Middlesex: 450-58; Norfolk: 453-40; Northamptonshire: 459-53; Somerset: 457-63, 457-91; Staffordshire: 460-8; Suffolk: 456-77.

[5] *Fissel*, pp.252-3; his examination of occupational data: pp.200-4, 226-31. Regarding arms, see the famous reply of a Kent-soldier, in April 1639, from Rossingham's newsletter: SPD 16/417-110; also Durham: 417-72. In 1640, the Constables of Algarkirk entered expenses for a journey "when wee weare to Cast Lottes for our Armes": LincsArch:

East Anglian counties during the First Scots War caused the flight of men into the conscription-free sanctuary of the trained bands, and the recruitment of able-bodied, but raw soldiers. During the Second Scots' War, the Privy Council insisted on the selection of contingents from all southern militias, but a substitution clause permitted drafted bandsmen to find alternatives. While, in 1639, the regionally limited conscription was successful except for the *quality* of arms and soldiers, in 1640, the widespread recruitment and the ruthless exploitation of the substitution clause by conscripts led to confusion and shortages in numbers. In June, the Lord General of the Army expressed his concern about the slow selection of troops from London, Kent, Surrey, Essex, Hertfordshire, Buckinghamshire, and Bedfordshire.[1] The Deputy Lieutenants of Dorset, Kent, and Northamptonshire, who attempted to press proper militia-units, met the collective resistance of their regiments.[2] In Leicestershire, Rutland, and Essex, married men were exempted from conscription.[3] Cornwall Deputies were dismayed at the liberal proviso of the substitution clause, which they blamed for the tardy recruitment.[4] In Hampshire, the selection cum impressment led to mass-desertions and draft-dodgers leaving the county.[5] In April, the trained bands of Cashio and Dacorum hundreds/Hertfordshire petitioned their Deputy Lieutenants, reminding them of the traditional exemption of militias from conscription. They argued that:

> "we are not, as we conceive, to be broken or disbanded until we be utterly

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Algarkirk 12. In August 1640, however, the Deputies of Kent complained that all their arms had been damaged, since they had been lent to the contingents during the previous campaign: 464-87.

[1] SPD 16/457-5; see also Brecon: 456-3.

[2] SPD 16/451-5; 453-11; 452-95, 454-44; on 25 March 1639, the High Constables of Rothwell hundred/ Northamptonshire were explicitly warned not to press from the trained bands: NorthantsRO: Maunsell of Thorpe Malsor MSS, M (TM) 485. The Durham and Yorkshire gentries demanded the command of their militias, as opposed to invested royal commanders: SPD 16/414-11; 450-92. Yorkshire (January 1639) and Boston (July 1640) petitioned to the Privy Council not to deprive their localities of the militias: 409-53; 461-71. On 15 March 1639, Plymouth argued in similar fashion and claimed "that there is cause rather to send forces to us; then to drawe anye from us" (they were to contribute thirty men): 414-99. This confirms Fissel's assumption (p.207), that during the First Scots' Wars even the Southern counties were to contribute contingents.

[3] SPD 16/458-4; BodL: MSS Firth C.4, f.610.

[4] SPD 16/456-15, 459-8.

[5] SPD 16/452-62; also Cornwall: 459-58.

> dissolved. That the trained soldiers are the chiefest strength and glory of this kingdom, and not to be employed in service but in case of necessity. That we cannot conceive that this famous and populous kingdom should be in this distress before one blow be struck to press the trained bands as if we were the meanest and basest of the King's subjects".[1]

While the Deputy Lieutenants determined the quota of soldiers raised from each community or regiment at a muster or via warrants, the ultimate decision about who was to go, rested with the "bearers of arms" - the landlords, or the parish officers. "Private arms" and Constables in conjunction with the conductors, were to pick the men of their villages who formed the county detachment. Like Ship Money and the prosecution of vagrants, the conscription for the Scots' Wars highlighted the responsibility and autonomy parish officers had in the implementation of central directives, and their ultimate dependence on their communities' approval. In May 1640, the Deputy Lieutenants of Hampshire had to reject a considerable number of conscript who were utterly unsuitable.[2] The bleak reports by their colleagues from most counties suggest that the Constables failed to provide trained men or proper substitutes. In Cornwall, they appeard to be so reluctant to press fellow-villagers, that the Deputy Lieutenants were compelled to conscript Constables themselves, "to enforce them to bring forth their able bodied men".[3] According to the Lincolnshire Deputies, the Constables:

> "in Generall doe not the service comannded them but thinke to satisfie us in the choise of soldiers wth lame, sicke and unserviceable men, and report that all other men more able in their towneships doe forsake theire habitacons, fly into the woods and there Arme themselves wth pitchforks and other weapons to defend themselves from the said Constables".[4]

In July 1640, the Constables of Chesham/Buckinghamshire were reprimanded by the Deputies for ignoring their impressment orders, merely warning the conscripts to appear, and attending

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[1] *Calendar of State Papers Domestic of the Reign of Charles I, 1640*, ed. William Hamilton (London, 1880), pp.95-6, dated [April] 1640.

[2] SPD 16/452-62.

[3] SPD 16/459-8.

[4] SPD 16/454-49.

only with two instead of eight men.[1]

Unfortunately, we do not know much about the concrete procedures Constables applied, and the difficulties they encountered during the impressment. As under Ship Money, personal favouritism and malice played an important role. In May 1639, the parson of Reepham/Lincolnshire accused the Constable of maliciously impressing Robert Beech, his servant and a trained soldier, although there were at least sixteen other parishioners as suitable as Beech.[2] Conversely, Stater and Fissel have shed light on the continuing saga from Burton Latimer/Northamptonshire,where George Plowright paid for his forwardness in collecting Ship Money and found himself impressed.[3] Most parish accounts indicate only the successful conclusion of conscription. The parish of Tilston anticipated the likelihood of excessive training of the Cheshire bands, and elected John Lea Churchwarden for 1639, "in the steed of Randle Bennion being one of his Maties Train'd souldiers".[4] In May 1639, the Churchwardens of Mickleton/Gloucestershire entered 2s6d, paid "to the Constable a leavie for the churchland for conduct mony and setting forth 2 Souldiers".[5] The Vestry Minutes of Weedon Beck/Northamptonshire for 1639 laconically stated that one Radhouse had been pressed for Scotland, and it is indicative that this name is not found on the parish officers' list of the previous ten years.[6] In 1638, the Constables of Algarkirk/Lincolnshire accounted for "carringe a warrant to Kirton for the payinge of xiiis iiiid for every souldier at the Randivoues".[7] In 1640, the Churchwardens of Wingfield/Suffolk spent £ 2 on one Thomas

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[1] SPD 16/460-58.

[2] SPD 16/421-97.

[3] Victor L. Stater, "The Lord Lieutenancy on the Eve of the Civil Wars: The Impressment of George Plowright", *Historical Journal*, XXIX/2 (1986), pp.279-296; *Fissel*, p.232-8.

[4] ChesRO: P 18/3608, f.65.

[5] GloucsRO: P 216 CW 2/1.

[6] NorthantsRO: Delta 1443.

[7] LincsArch: Algarkirk 12; in Addlethorpe, the Constables several times entered expenses for their three selected men: Addlethorpe 12.

Lanes "an Impressed solidre for the towne".[1] In 1638, the Churchwardens of Mendlesham/ Suffolk merely stated the payment of £ 4 to "Robert Dutton and Robert Fflatt of Mellis Green when they went Away being soldiers in the towne Armes".[2]

Other accounts were more precise. The Constables of Manchester/Lancashire apparently left the selection to their superiors. In 1639, they went to "Burie wth men for choice of the Trand band", and a year later, they expended 2s6d "for goinge 3 times to Bury about the electinge of a Traynd souldier".[3] We do not know who the unlucky Ling of Peasenhall/Suffolk was, who was "prest for a Solldier for o^{r} Towne by consent". The small sum of 10s he was given, and the conspicuous term "by consent" suggests that he was a local pauper or the village-idiot, who was naive and powerless enough to resist the "selection" by his fellow-parishioners.[4] It is noticeable, that it was not Richard Bower, the trained soldier of Shelton/Norfolk, who went to the North in 1639 and 1640, but one Robert Burke.[5] The entry in the Churchwarden's account of Dennington/Suffolk of 1638, recording £ 4 given to Gregory Meene "being *hired* to goe & serve in the towne armes against the Scotts" is relatively unambiguous.[6] Further indication of the recruiting practice of this parish, however, was the account of the following year. The Churchwardens selected one Robert Turner, probably a vagrant, "who was brought by cart to this towne in his weaknes being from hence pressed for a soldio^{r} for the north parts". Yet, either he was not accepted by the Deputies, or the support of "his wife towards the relief of hir & hir children in his absence" turned out to

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[1] SuffRO(I): FC 84 E 2/1.

[2] SuffRO(I): FB 159/68; the question is, whether both soldiers were from Mendlesham, or from Mellis who just happened to be billeted in Mendlesham. Similar accounts without reference to the mode of impressment: LeicsRO: Branston C (1638), DE 720/30; NorfRO: Gissing C+CW(1639), PD 50/36 (L); NorthantsRO: Burton Latimer C (1638), 55p/95; NottsRO: Upton C (1640), PR 1710; WarwsRO: Nether Whitacre C (1638 and 1639), DRB 27/9; WorcsRO: Salwarpe C (1639), 850 Salwarpe/1054/2, Bundle D; BIHR: York (Holy Trinity Goodramsgate) C (1639), PR/Y/HTG 15.

[3] *Manchester Constables' Accounts*, II, 65 and 75. It is unintelligible, why, in 1640, the Headboroughs of Biddulph/Staffordshire reimbursed one Overseer of the Poor "when wee went to take souldiers": StaffsRO: D 3539/2/1.

[4] SuffRO(I): FC 67 E1/1.

[5] NorfRO: PD 358/33; for an unknown reason, Burke's father received 2s in 1640.

[6] My italics.

be unprofitable for the community; however, the crafty Churchwardens found another vagrant, and pleased with themselves, accounted for 5s "given by the consent of the towne to another fellow being here pressed for the same service to free the town of him".[1] The Constable of Donington/Shropshire of 1638 accounted for "y^{e} charges of a supplie for the Trained souldier", and their colleagues from Worfield of 1640 were unashamed to enter a loan of 5s "to Robard Griffice being George barrets man beinge prest for a soldier to get him off".[2]

The brutal recruitment in Dennington, and the bribery used by the conscript of Donington are examples of the reluctance of trained men and other villagers to serve in the Scottish campaigns. As the Deputy Lieutenants' certificates and the parish officers' account demonstrated, there is only little evidence of the mechanics of selection and impressment. Most likely, the Deputy Lieutenants translated the quota for their county into the number of soldiers each larger household and parish was to contribute. In the case of the parishes, probably the Constables were in charge of nominating the men, who, for understandable reasons, spared those enlisted in the trained bands and concentrated on the wider group of able-bodied men between 16 and 60. If Constables consulted the community, they might agree on some vulnerable parishioner or a vagrant, who was forced to join the county detachment. If not, the selected men attempted to persuade (or better - buy) a substitute who did not mind going to Scotland instead. Although the bribing of substitutes (not the concept of substitution itself) was contravening the Privy Council's orders, the practice was acceptable if the substitute was able to fill the man's post. Other conscripts, however, approached and bribed the Deputy Lieutenants or conductors to effect their exemption without providing a replacement. In any case, the prominent role Constables played during the phase of

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[1] SuffRO(I): FC 112 E1/1; more ambiguous references from: WarwsRO: Fillongley C, DR 404/85; in 1638, payment of one John Tailer "when he went to press souldiers", a formula which could be completely harmless, but very much sounds like man-hunt; in 1639/40, for whatever reason, 4s were paid to the Muster Master "to presse the foure souldiers". It is neither clear, where John Tailer went, nor why the *Muster Master* decided about the selection of soldiers.

[2] SalopRO: 3793/Ch/1; 1374/298.

recruitment, selection, and substitution, is evident.[1]

Fissel has cast some light on the abuses during the impressment in 1639, and the application of the substitution-clause in 1640, and established that communities spared freeholders and young men who were economically vital.[2] It is difficult to assess how common the bribing of substitutes or conductors was. During the First Scots' War, the Privy Council ordered the strict investigation of the "great and intolerable exactions" demanded by conductors.[3] But the Deputies of Berkshire, Devon, Hampshire, Montgomeryshire, and Norfolk stated their ignorance about payoffs, and those of Cambridgeshire explained their policy of admitting substitutes who only were reimbursed by the militiamen for their clothes and wages.[4] The surviving examinations of individual conductors from Bedfordshire, Leicestershire, Lincolnshire, and Norfolk suggest that it was a matter of singular incidents.[5] In June 1641, however, Captain John Shuckburghe esq. of the Warwickshire trained bands, denounced William Boughton esq., one of the Deputies, for conniving the fraudulent practices of his servants who accepted bribes to discharge the conscripts Shuckburghe had supplied.[6]

Yet, historians of the militia have been unaware of an important document deposited in the Bodleian Library certifying the examination of bribery by the Lincolnshire Deputy Lieutenants in June 1639.[7] Almost three hundred manuscripts provide an insight in the ingenuity and shamelessness of corrupt company commanders and/or conductors, and the

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[1] See also *Fissel*, pp.232, 242, 254.

[2] *Fissel*, 200-6, 224-31, 238-41.

[3] Rumours e.g. in Rossingham's newsletter: SPD 16/417-110; orders of the Privy Council: 420-112 (9 May 1639); 423-123 (17 June 1639); order regarding bogus musters in 1640: 457-20 (15 June).

[4] SPD 16/455-4; 421-23; 423-61; 429-36; 421-137; 421-55.

[5] Bedfordshire: SPD 16/431-23, 431-24; Leicestershire: HMC 12th Report, part 2, II, 255; SPD 16/427-71; Norfolk: 426-8. *Fissel*, pp.255-61, describes the behaviour of several conductors.

[6] H of LMP, 1 June 1641.

[7] BodL: Hussey Letters & Military Papers, MS Top. Linc. c.3, ff.68-300; I am grateful to Clive Holmes for drawing my attention to this crucial source.

desperation of conscripts to escape active service.[1] Goddred Hearson of James Deeping was willing to pay 6-13-4 to Edward Prat, his substitute, plus £ 2 for his clothing and a fee of £ 1 for Captain Atkin's favour.[2] William Cole of Tallington paid 40s for a warrant of the Lord Lieutenant to get his substitute accepted by Captin Atkin, who initially refused. Yet, "upon the first day of theire march the said Cole gave him xxs to accept of the said supply the wch he received & thereupon dismissed him".[3] John Roome of Gretforth managed to get three substitutes from the Constable, plus the Lord Lieutenant's approval, but Atkin threw the warrant away "& said that that warrt would not free him soe that he was inforced to hyre a supply by the direction of the said Capt. & to give him soe much as he did appointe" [i.e. 20s].[4] William Sutton of Morton paid 3s10d to Lieutenant Colonel Hamond and 1s to his clerk, "wch was all the money he had but 3d wch the lieutenant would have had although he had fortie miles home".[5] Thomas Wright of Horbling bribed the Sergeants Baker and Crow with 20s each "to dismisse [...] his sonne in case the deputy leiftennts did not put him off".[6] John Hill of Folkingham, already dismissed by Captain Bertie, was forced to pay another 5s to Sergeant Baker for being allowed to take his arms back home.[7] Richard Cobbins of North Hykeham, however, paid £ 5 for his discharge and "left his armes".[8] Captain Disney told his clerk that "he would not discharge the said [Robert] Proctor [of Bessingham] if he would give him 30 £", but later was content to accept the 4-10-0 he had offered.[9] Constable Martin

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[1] The scrutinised companies were those of Captain Atkin, Captain Bertie, Lieutenant Colonel Hamond, Captain Disney, Sergeant Major Hamond, Captain Bradshaw, Captain Sherley, and Captain Whitmore.

[2] BodL: MS Top. Linc. c.3, f.75.

[3] *ibid*. f.79.

[4] *ibid*. f.82.

[5] *ibid*. f.109.

[6] *ibid*. f.115.

[7] *ibid*. f.121.

[8] *ibid*. f.124.

[9] *ibid*. f.134.

Brooke of Wrangle gave Lieutenant Colonel Hammond 2-6-0 to accept substitutes "for the four trayned men for the common armes", and Anthony Gaffe of the same village testified to have given Hammond 30s "or else I could not have gott of".[1] Unfortunately for Zacharias Burton of Surfleet, his substitute had run off, and Lieutenant Powell told Burton to give him £ 20 "or else he should serve in his owne armes".[2] William Callow of Sutton saw Robert Kelwyn, his supply, pay £ 4 to Captain Sherley and 10s to Lieutenant Unyon, plus Coat and Conduct Money.[3] Captain Whitmore mitigated his initial demand of £ 15 to discharge William Taylor of North Kyme, Thomas Ball's soldier, but, probably to make the deal look more credible, recommended Taylor "to exercise his armes [in front of the Deputies?] as though he were blinde".[4]

We need to ask, whether the testimonies of many more victims of merciless and greedy would-be Wallensteins were the disclosure of a unique conspiracy, or the result of the frictions within Lincolnshire local government which had become apparent during the collection of Ship Money. Alternatively, would other counties have produced similar evidence, if their Deputies had conducted a more thorough investigation? By June 1639, *after* the impressment had been concluded, it was not interesting for either party - Deputies and conscripts - how the mechanics of impressment had worked, and hence, most Deputies probably did not bother with the Privy Councils request for details. Besides, both bandsmen and conscripts probably feared legal consequences and were not willing to come forward with information. In the context of this thesis, however, the extent of exemption from active service is of particular interest. Although there are no references to the contingent raised by Lincolnshire in 1639, it is unlikely that the entire trained band went North, but that the eight companies examined by the Deputy Lieutenants were the troops to march. Admittedly, the material is not always

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[1] *ibid*. f.169.

[2] *ibid*. f.219.

[3] *ibid*. f.278.

[4] *ibid*. f.296.

intelligible as to which men belonged to which company, but we can assume that each company was about one hundred men strong - if the commanders managed to "overpress" by twenty percent, perhaps 120. Yet, I counted more than eighthundred names of soldiers who had bought themselves off. This means that virtually every pressed man successfully escaped conscription during the 1639-campaign.[1]

Conscripts effected their discharge by the Deputy Lieutenants at musters (with or without obligation to find a substitute) and were unlucky when the Captains demanded an extra-fee for the acknowledgment. Others agreed to their conscription, but then approached the Captains and bought themselves off at a later stage. Conductors either were ingenious in finding substitutes themselves, or simply claimed that the draft-dodgers had run away during the march. In the case of parish arms, the officers who negotiated exemptions with Deputy Lieutenants or Captains, certainly were the Constables. If they failed to find proper substitutions, and the conscripts personally effected their exemption, Constables repeatedly had to go through the process of recruitment. A standard parish with about fifty households raised not more than one or two trained soldiers, and had perhaps another twenty to thirty men on the list of able-bodied men. The choice of one or two conscripts out of thirty could have been not so difficult. The absence of a householder, particularly during a summer campaign, however, was detrimental to the local economy. If there were no resident (and able-bodied) paupers who could be forced to "volunteer", the search for a couple of conscripts could become a fierce battle - with the Constable as recruiting officer at its center. Besides the training of the regular trained bands and the special drill of the selected men, the conscription added an immense administrative and political burden on Constables. And as if it was not enough, the Constables were also in charge of assessing and collecting Coat and Conduct Money.

The danger of riots committed by troops marching North forced the Constables of

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[1] I counted 803 names.

those parishes *en route* to Scotland, or billeting them, to be extremely vigilant. Deserters and discharged soldiers added to the army of vagrants.[1] Algarkirk, in Lincolnshire, billeted soldiers and the Constables spent some considerable effort in searching for deserters. In 1638, they entered expenses for "a Hew & Crye to Sutterton which came from Captayne Tho: Shirley after ii souldires", and two more for soldiers "Runninge from thiere Colloures".[2] Manchester was especially plagued by the Welsh contingents, whose conductors considered the town as appropriate station on their march to Scotland. In 1639, amongst other sums, the Constables disbursed 3s9d "in Charges of m^{r} ffloyd Conductor of 70 men for fflyntsheire for watch and billiting them". On 27 June 1640, they accounted "ffor watchinge & wardinge when the Cheshire Souldiers weere heere 2 nights", and all the following month, watches of between six and twelve men were set to guard billeted troops and preserve order.[3]

4.3.4. COAT AND CONDUCT MONEY

Until the troops had assembled under the royal standard, and the Exchequer took over as paymaster, the soldiers were maintained by local taxation. While the exercises of the trained bands were paid for by the traditional local contributions - parish rates for town arms, and private money for private arms - the expenses for conscripts, from their impressment until the forming of regiments in the North, was covered by a county rate, called Coat and Conduct Money. This levy paid for additional equipment needed for an expedition (the coats), the soldiers' training prior to arriving at the destination, and their pay during the march to Scotland. Although its principles were similar to those of Ship Money, Coat and Conduct

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[1] References to deserters: e.g. DevonRO(E): Exeter (Heavitree) CW (1639), 3004 A/PW 4/1, f.178; NorthantsRO: Marston Trussell C (1638), 206p/102; SuffRO(I), Mendlesham CW (1639), FB 159/69; Peasenhall CW (1639), FC 67 E1/1. In 1638, the Constables of Burton Latimer possibly referred to two of their own soldiers who had deserted: "layd out at the Assizes for putting in a bill of Indictment against Basford and [blank] so favourably as that they escaped hanging for running out of his Ma^{ts} service in the Northerne expedition". It is remarkable, that deserters, apparently, were indicted!

[2] LincsArch: Algarkirk 12.

[3] *Manchester Constables' Accounts*, II, 62-3, 75; see also the 12-17-6 paid to "m^{r} Samuell Byrch highe Constable for disciplinninge of the souldiers", on 13 October, obviously an extra-tax to pay a hundredal guard or *posse* (p.75).

Money differed in two aspects: the quota was set by the Lieutenants (not the Privy Council) and depended on the number of conscripts the county contributed. In the Second Scots' War, populous Berkshire, for example, raised 600 soldiers, as opposed to 1 300 from Wiltshire, and 1 600 from Cornwall, counties which had larger trained bands, due to their strategic significance. There was no central accounting for Coat and Conduct Money, since the rates were instantly used for the local contingents.[1] Precise records of local Coat and Conduct Money rarely survived, since most Deputies were too busy mustering and raising troops, and treated assessment and collection as secondary. This is best demonstrated by their willingness to pay the entire sum out of their own pocket if they could circumvent administrative work and quarrels with communities and Constables.

Despite the lack of comparative data, petitions and comments by Deputy Lieutenants suggest that Coat and Conduct Money constituted a heavy burden on counties, particularly since it was often not only equivalent to Ship Money, but levied in addition, and within a matter of months, if not weeks.[2] Most documents of the collection of Coat and Conduct Money survived only for 1640.[3] In June, the Deputy Lieutenants of Cornwall questioned that the military preparations would succeed, since the Constables met the concerted resistance of the county, and a total of only £ 430 had been collected - not enough to furnish the 1 600 conscripted men. The hundreds of Lesneth and Stratton had not paid anything, and Trigg only £ 30.[4] Within six weeks, the Deputies of Essex had received only £ 540 of the assessed £ 2 400 and confessed that they "find our Country men so averse unto that service as wee forsee

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[1] In a letter to the Lord Lieutenants of East Anglia, the Council of War promised to reimburse the counties out of the Exchequer: SPD 16/414-157; see also *Fissel*, pp.129-37.

[2] e.g. Cheshire: ChesterCRO: J.P. Earwaker Papers CR 63/2/6, ff.68v-69; Derbyshire: SPD 16/460-37; Essex: 415-64; BodL: MSS Firth C.4, f.616; Hampshire: HantsRO: Jervoise of Herriard MSS, 44 M 69/G 5/44/7; NorthantsRO: Maunsell of Thorpe Malsor MSS, M (TM) 485; Sussex: SPD 16/454-61; Yorkshire: 414-93.

[3] For 1639, I found only one letter from the Deputy Lieutenants of Cambridgeshire and one from the Earl of Warwick, Lord Lieutenant of Essex (both April 1639): SPD 16/417-64, 417-69. Warwick stated that his county was £ 500 short of the "leviation".

[4] SPD 16/456-15, 459-8 (dated 3 June and 1 July).

a kind of impossibillitie to performing the same".[1] In Glamorganshire, the "heavy Groanes of the complayneing Inhabitan[ts]" caused the Deputies to pay the soldiers "out of our pticular pursses".[2] The Hampshire Deputy Lieutenants forwarded the money to buy coats upon their own credit, and then realised that some hundreds, particularly Alton and Odiham, refused to pay their rates. The Constables blamed Ship Money and the lack of severe punishment of its refusers as causes for the obstinacy. By late-May, £ 300 of the £ 2 500 was collected, by July only £ 500.[3] The Norfolk Deputies related to the Privy Council a "great aversnes and refusall to paie".[4] Assessment disputes hampered the collection in Shropshire.[5] The Somerset Constables were unable to collect a quarter of the assessed £ 3 000, and, when required to name the refusers, some replied that they would have to report their entire hundred.[6] By late-May, Southwark and Brixton had not paid a penny, and Surrey's West Division £ 3 of a total of £ 600.[7]

The difficulties Constables encountered during the collection of Ship Money can be extrapolated, and counterbalances the comparatively smaller documentation of Coat and Conduct Money. The pattern of refusers named to the Privy Council marks the inability of Deputy Lieutenants and Constables to enforce payment, and the unpopularity of the Second Scots' War in particular. While, apparently, only three reports survived from 1639, naming eleven refusers and two Constables from Northamptonshire, and nineteen from Lincolnshire, all others were returned between May and July 1640.[8] As with Ship Money, most Deputies

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[1] SPD 16/451-74, 453-48, 454-45; quoted from 457-23; see also the Mayor of Gloucester: GloucsRO: Gloucester Lieutenancy Order and Letter Books (1640-1660), GBR H 2/3, f.18.

[2] SPD 16/455-80.

[3] SPD 16/452-62, 453-23, 454-99, 459-13, 459-80.

[4] SPD 16/453-40, 456-33; also Herefordshire: 456-69.

[5] SPD 16/453-89, 453-115.

[6] SPD 16/459-7.

[7] Southwark: SPD 16/454-70, 460-82; West Division: 454-71, 456-68; also Suffolk: 456-42, 456-45.

[8] SPD 16/422-4, 423-90; 453-25; the Lincolnshire document, however, was written in May 1640, referring to defaulters in 1639. This suggests the possibility that some of the certificates from 1640, in fact, alluded to arrears from 1639.

probably trusted the effects of exemplary punishment, and certified only a few selected prominent refusers.[1] The Norfolk Deputies, however, returned all objectors.[2] Lord and Deputy Lieutenants of Northamptonshire initially named a few individuals, but in June, the Earl of Exeter send a letter with 102 names from Nobottle hundred alone.[3] Defaulters from localities which were notoriously disobedient and close to Westminster, such as Southwark and Middlesex, experienced more sweeping retribution, and were certified to the Privy Council by the score. Since there is no indication that Coat and Conduct Money was more unpopular in these locales than anywhere else, the reported figures show how unsuccessful its collection was in general.[4]

Like their shrieval colleagues, the Deputy Lieutenants soon accused High and Petty Constables of not properly enforcing the collection. In July, a Berkshire Deputy reported seven Constables and four assessors of his division who refused to account for their activities.[5] According to two Buckinghamshire Deputies, the Constables of Chesham had neither raised men, nor collected Coat and Conduct Money, and ignored all their warrants.[6] In Lincolnshire, the Constables of Bassingham were bound to their good behaviour for telling the High Constable that they would neither obey him nor his warrants. The Constable of Spalding reported that his town would neither pay nor raise any soldiers, and spurned orders for summoning the defaulters.[7] From May to July 1640, the Northamptonshire Lieutenants named three High Constables and eighteen Petty Constables to the Privy Council.[8] In June,

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[1] e.g. Windsor/Berkshire: SPD 16/456-80; Dorset: 456-27; Gloucestershire: 454-59; Hampshire: 454-48; Lincolnshire: 455-109; Middlesex: 455-30; Southwark/Surrey: 453-27; Warwickshire: 454-58.

[2] SPD 16/460-29.

[3] SPD 16/453-50, 453-69 to 71; 454-73; 455-18; 455-39; 455-74; 455-76; Nobottle hundred: 456-58.

[4] SPD 16/453-117 to 120; 457-28; 458-33; 459-55; 459-47; 459-54; 459-94; 460-79; 460-80; 461-42.

[5] SPD 16/460-4.

[6] SPD 16/460-58; later, another certificate followed, naming seventeen other Constables: 461-69.

[7] SPD 16/454-49.

[8] SPD 16/454-11; 455-68; 455-75; 458-32; 459-53; 463-89.

nine Warwickshire Constables were returned for not collecting Coat and Conduct Money.[1] The reasons for slack payment, as stated by the Constables, were similar to those responsible for the failure of Ship Money. In May 1640, one Mr. Creswell of Northamptonshire declared that he was maliciously overassessed by the Constable, who, in turn, claimed that Creswell had undervalued himself.[2] The Constable of Harkstead/Suffolk told the High Constable of Samford hundred that the inhabitants were willing but unable to pay the 2-17-8 demanded of his parish, due to economic difficulties and constant taxation.[3] In January 1641, however, Nicholas Marrat jr., the Constable Harpole/Northamptonshire, was arrested for returning Thomas Chater, an alleged refuser, without ever having required payment.[4]

A number of seemingly trivial documents from Hertfordshire reveal astonishing evidence which prove two assumptions I considered at an earlier stage, though in different contexts. Firstly, the opposition to both Coat and Conduct Money and Ship Money was to a large extent politically motivated. Secondly, in the filing of their reports, Constables were subject to significant influence from High Constables, scribes, and fellow-parishioners. In June 1640, several Hertfordshire Constables certified their inability to collect Coat and Conduct Money. The Constable of Aldenham stated that his parishioners "wold be ready and willinge to assease and pay what dues shalbe required But for this tax they conceive it not tobe due by the Lawes established in this Realme".[5] The parishioners of Norton told their

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[1] SPD 16/456-12; also Surrey: 458-7.

[2] SPD 16/455-86.

[3] SPD 16/454-86. Parish accounts, unfortunately, are not very precise in their accounting for Coat and Conduct Money (like Ship Money), and only comparatively few mentioned this tax at all - perhaps a statement about the failure in itself: DevonRO(E): Crediton CW (1640), 1660 A/94; North Tawton C (1639), 2914 A/PW 1; DevonRO(N): High Bray C (1638), 815 A/PW 1; GloucsRO: Mickleton CW (1639), P 216 CW 2/1; HantsRO: Chawton CW (1640), 1 M 70/PW 1; HerefsRO: Madley CW (1639, 1640), MX 818; Manchester (1638), *Manchester Constables' Accounts*, II, 55, 62; LeicsRO: Stathern C (1638), DE 1605/56, f.57v; LincsArch: Addlethorpe C (1640), Addlethorpe 12; NorfRO: Shelton C (1639, 1640), PD 358/33; SalopRO: Worfield C (1640), 1374/298; SomsRO: Bicknoller TM (1639), D/P/bic.13/2/8;SuffRO(I): Dennington CW (1640), FC 112 E1/1; Framlingham CW (1640), FC 101 E2/26; Surrey: *Lambeth Churchwardens' Accounts 1504-1645 and Vestry Book 1610*, ed. Charles Drew (Surrey Record Society, XLIV, pt.3, 1943), p.152; WarwsRO: Fillongley C (1639), DR 404/85.

[4] H of LMP, 8 January 1641.

[5] SPD 16/456-71-(II).

Constable that "if It might be by the usuall & Ancient waye of Parliament they would either sell their land or paie them for moneys for his mats speciall Imploym[t]".[1] Obviously, the Short Parliament had increased people's political awareness, but in connection with the evidence from Chapter 3.4.,there can be no doubt that political motives were one of the main sources of resistance to the financial schemes of the Personal Rule. The subsequent examination of the Constables by one of the clerks of the Privy Council disclosed surprising facts: the Constable of Newnham claimed that the report did not bear his signature, and that he had not given his consent to the contents. The Constable of Ippollitts confessed that a stranger wrote the return, whose name he did not know, but who had been recommended for his skills. The Constable of Bramfield acknowledged "that Godfrey the High Constable at his request wrote the Retourne". The Constable of Norton admitted "that hee heard the Constable of Powle Walden Jo: Sibley read a Retourne by him made for that Parrish, and that hee desired the High Constable to drawe his retourne in like manner".[2] These confessions prove in what dubious circumstances presentments for JPs, Sheriffs, and Deputies were drafted, and how unreliable the information from parish officers usually was.

4.3.5. CONCLUSION

Parish accounts provide evidence that the steady pace of maintenance and training the militias received from 1630 to 1637, was significantly accelerated from 1638 to 1640. While this seems to prove that the state of the trained bands could be improved if central government and localities agreed on the purpose, the extraordinary efforts militiamen and Constables displayed during those two years was dictated by the sheer necessity of defending the realm against a possible Scottish attack. Yet, the accounts also indicate that it was particularly the contingents of selected men that received the benefit of these efforts. Due to its part-time character,

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[1] SPD 16/456-71-(VII); see also the statements of ten other Constables.

[2] SPD 16/457-56.

decentralisation, and lack of standardisation, the military value of the English and Welsh militias must be questioned. Their vigorous upkeep was self-defeating when, once war broke out, raw men were pressed, and trained soldiers replaced by substitutes. The recruitment of conscripts as substitutes for trained men was to blame for the abominable state of the contingents and their lack of discipline. The vast numbers of Lincolnshire militiamen dodging the draft in 1639 indicate how desperately soldiers tried to avoid active service. Constables were not necessarily to blame for the riff-raff which assembled under the royal standard, since it was the soldiers who desired exemption, the Deputy Lieutenants who granted it, and the Captains who performed it to their obvious advantage. Constables merely were the transmitters of wishes and commands, or, as Fissel put it, "the conduit between the distant, closed council chamber, and the people of England".[1]

Although the documentation of Coat and Conduct Money is not as extensive as that of Ship Money, the existing evidence suggests that the attempt of introducing another local tax almost equivalent to the size of Ship Money for financing a national policy failed utterly. Deputy Lieutenants frequently paid the money out of their own pockets, and when the Privy Council postponed the march to Scotland in June 1640 for four weeks, they discharged the selected bands to save further wages. It was not surprising that contingents which were kept under arms started rioting over unpaid salaries, and that the numbers of those that were recalled for their march to Scotland had significantly decreased.[2] The army of the North was not defeated by the Scots, but by the English military constitution, draft-dodging, lack of finance, and opposition to the war and the concept and methods of the Personal Rule.

The problem of enforcing national policies had a central cause in the structure of local government and in the position of parish officers. The Book of Orders, Ship Money, and

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[1] *Fissel*, p.238.

[2] e.g. Dorset: SPD 16/452-68; Essex: 451-74; Glamorganshire: 455-80; Gloucestershire: GloucsRO: GBR H 2/3, f.18; Herefordshire: 456-69; Kent: 459-33; Leicestershire: 458-4; Lincolnshire: 456-14; Montgomeryshire: 453-30, 456-33; Somerset: 455-6, 457-50, 457-63; Suffolk: 456-42; references to temporarily returning soldiers in parish accounts: e.g. DevonRO(E): Exeter (Heavitree), 3004 A/PW 4/1, f.183 (1640); SalopRO: Stockton C, 3067/3/1 (1639).

Perfect Militia not only challenged traditional concepts of government, consensus, and loyalty, but also required the simultaneous performance in several administrative fields which local officers were unable to accomplish. During the final period of the Personal Rule, Constables were expected to enforce the Book of Orders to the letter, besides the traditional routine administration and law enforcement. Ship Money was to be collected with undiminished vigour, against all odds of economic distress, jurisdictional vendettas, and popular resistance. Parish arms required constant maintenance, and the trained bandsmen were to be selected and conducted to regular musters. The war added two burdens which in themselves were intolerable; Coat and Conduct Money meant the raising of yet another tax equivalent to Ship Money, but in years when the opposition against Ship Money was strongest and the cash less available than ever, its collection was futile from the start.[1] Besides emptying their fellow-parishioners' pockets, the most vexing task of Constables was the selection of neighbours for the contingents marching against Scotland. While the enforcement of the Book of Orders and, to a certain extent the upkeep of the militia, met with the approval of the people, Ship Money and Coat and Conduct Money made Constables the tools of an insatiable central government. The selection of parishioners for warfare, however, elevated Constables into a dubious position of masters over life and death.

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[1] See, for example, the complaint by the Lincolnshire Sheriff in April 1639, that local officers were too busy to collect Ship Money due to the military preparations: SPD 16/417-62.

5. CONCLUSION

The aim of this thesis was to examine the enforcement of the secular policies of the Personal Rule in the localities and the impact that these had on the organisation, work-load, and morale of parish officers. Charles I's government without Parliament displayed a novel enthusiasm for reform. Its social policies responded to the economic crisis of the late-1620s, and the reconstruction of the navy and the improvement of the army found their justification in the Thirty Years' War. None of the three projects - Book of Orders, Ship Money, Perfect Militia - was exceptionally innovative, and yet the attempt at reform was genuine. At its core was the conviction of Charles I and his advisers that "good government" was less about debating than implementing policies. This led to three conclusions. Firstly, since the "new policies" were based upon existing legislation and the "law of necessity", the crown could govern the country without unruly MPs and abandon Parliament at least for a limited period. Secondly, the attention of central government had to focus on those elements of the executive which were in charge of implementing policies, and which had apparently failed to do so in the past. Thirdly, since Charles I relinquished an active foreign policy and had access to a limited, independent revenue, he was able to govern with a lean governmental machinery and was exempt from financial pressure to call Parliament. The substance of the reforms - its local administration - was paid for by local taxation and extraparliamentary levies which were justified as emergency measures.

Inherent to this political concept was the belief that any policy could be enforced as long as it was well-administered. The approach of the Personal Rule to achieve governmental objectives, consequently, was bureaucratic rather than political. For the first time, Westminster seemed to be aware that blueprints were hollow if they were not enforced in the localities and bound every subject. This generated a particular interest of central government in the procedures and functioning of local government. Recent historiography has acknowledged the importance of policy enforcement as a vital counterpart to policy-making. A number of studies have examined the impact of central policies on individual counties and

the role their governors (JPs, Sheriffs, and Lieutenants) played in enforcing them. This approach, however, was unsatisfactory, since it overemphasised both regional idiosyncrasies, which were determined by local geography and political structures, and, more fundamentally, the influence of county governors. Although central policies were defined at Whitehall and supervised by county governors, their implementation ultimately depended on those officers who were the last in the chain of command to translate orders into actions and confronted the subjects on a permanent basis - the parish officers. Caroline government during the Personal Rule recognised that policies were worthless if parish officers failed or neglected to execute them.

What Charles tended to ignore was that the enforcement of national policies not only depended on the operational capacities of local government, but on their acceptance by the population. Although a period without Parliament was not unprecedented, after the controversies of the 1620s, the absence of Parliament caused suspicion and discontent amongst the political elite who were uncertain about Charles's intentions and feared the breakdown of communication between the king and his subjects. Besides matters of principle, the substance of some of the reforms did not win the undivided approval of the nation, since they lacked legitimacy or popularity. While the Book of Orders had its foundation in the Elizabethan and Jacobean Poor Laws and was largely accepted as useful, Ship Money and the Perfect Militia were based solely on the king's prerogative and the "law of necessity" and crippled the subjects' purses. The unpopularity of Charles's autocratic government culminated in the chaos of the Scots' Wars which highlighted the lack of consensus of the nation and the alienation the Personal Rule had caused between the governors and the governed. The sources relating to parish officers not only provide the answer as to how efficient and willing they were in conducting routine local government and implementing the policies of the Personal Rule. In the absence of Parliament as platform for expressing political views, they also illustrated the conditions under which parish officers operated, and the response of their fellow-villagers to royal policies. Only those officers who lived in real communities and were in constant touch

with popular opinion knew what the nation thought about the Personal Rule.

The names and income data listed in parish accounts disclose that the Personal Rule had no impact on the social profile of parish officers. This was due to the fact that offices usually were allocated by rotas which secured their distribution across all ranks of society. Elsewhere, offices were monopolised by parish oligarchies, and most holders were members of the parish gentry and middle-class. Despite their strong manorial ties and burdensome duties, Constables did not form a separate caste, but frequently served in other, arguably more prestigious, offices. There is also no evidence that villagers were increasingly reluctant to serve in parish offices or insisted on punctual discharge after one term. The enhanced scrutiny and work-load did not prevent the wealthy and influential from taking offices. On the contrary; it was in the interest of parochial elites to retain power and control over all offices, in order to preserve social stability and consensus and to buffer the disruptive effect of central policies.

In 1631, the Book of Orders was reissued to combat a sudden economic crisis and to put neglected social legislation into execution. Primarily, however, it aimed at the institutionalisation and standardisation of *ad hoc*-procedures in local government which had been established in some counties upon local initiative. The ubiquitous introduction of divisions of counties, monthly Petty Sessions, and compulsory quarterly reports were intended to transform JPs and their subordinates into a class of royal officers, and establish a hierarchical network of supervision and information. This was to enable the Privy Council and JPs to monitor the performance of subordinates and guarantee the enforcement of the Book of Orders. Yet, due to the preoccupation of JPs with their judicial duties and private business, individual negligence, and local shortages of magistrates, Petty Sessions were not necessarily held every month. JPs also modified the Privy Council's strict orders regarding the attendance of parish officers. Parish accounts confirm the irregular holding of Petty Sessions, the fact that Constables did not attend each meeting, and that Overseers and Churchwardens only occasionally accompanied them. JPs and local officers developed a

modus vivendi as to the frequency of meetings, who was to attend, and what information JPs could expect. The packed agendas of parish officers, and their preoccupation with their daily affairs obliged them to keep travel and loss of time to a minimum. Except for the issues which directly involved JPs, the data forwarded to the Privy Council were fairly general. This suggests that justices were ignorant about the details of local enforcement, and acknowledged that their prospects of monitoring the implementation of the Book in each community and of influencing the activities of their officers were slim. The Book of Orders provided an important impulse in the institutionalisation of local government, which was appreciated in many parts of the country. Yet, the attempt to establish Petty Sessions as continuous and stringent instrument of communication was circumvented, since the rigid directions of the Privy Council were adapted to local circumstances and necessities.

Fundamental to the pragmatic outlook of JPs was the conviction that the machinery of local government required a minimum of trust in the prudence of parish officers to implement useful policies. This was most obvious in those matters of the Book administered by parish officers without direct supervision by JPs - poor relief and the prosecution of vagrants. The quantitative and geographical aspect of both issues prevented the detailed monitoring by JPs, who had to rely on the statements their subordinates made at Petty Sessions. Although the causes of poverty were not always understood, society was aware that the acute economic crisis required an immediate response, and traditional means of poor relief were no longer sufficient. Again, the Book of Orders responded with the institutionalisation of poor relief instruments - the office of Overseers and the establishment of regular, compulsory poor rates. The directions regarding poor relief were unopposed because they were based on existing legislation. Moreover, there was universal consensus about both the necessity and the means of combating poverty. Poor relief was a matter of course, and the values of neighbourliness obliged communities to care for their destitute. The sharp economic crisis of the 1630s justified the introduction of obligatory taxation, and resistance was insignificant and usually financially motivated. Yet, although the office of Overseer (and

consequently poor rates) had been established almost everywhere, their accounts indicate that the rates were not levied on the terms the Privy Council had ordered. They were not raised monthly in every parish, nor were they kept up once the crisis had been weathered. The data suggest that Overseers were extremely flexible in utilising this novel source of income, and determined their total annual revenue according to local need and by expanding or contracting the number of contributors and their rates. The disparities in rating practices and the ways in which local rates adjusted over time indicates that the Book of Orders provoked a momentary enhancement of concern, but no fundamental shift in the highly localised practice. Yet, the accounts suggest that Overseers were committed and alert, and with a sophisticated combination of informal and public relief measures enabled local paupers to survive the crisis years of the 1630s.

The prosecution of vagrants was one of the main concerns of the Book of Orders, and the JPs' certificates indicate that a great deal of their attention was directed to this issue. There is evidence that magistrates utilised Petty Sessions to obtain information and exhort parish officers to be more vigilant and severe in dealing with vagrants. Yet, the reports of vagrancy usually were insubstantial. Most certificates gave an assurance that divisions were cleared, or that all vagabonds had been properly punished. Others used vague numbers in quantifying the problem, or stated suspiciously rounded figures. This suggests that Constables were unable or unwilling to submit precise numbers of punished vagrants. Parish accounts confirm that the regulations were not enforced to the letter. Churchwardens and Constables arbitrarily divided migrants into deserving and undeserving classes, and only beggars and vagrants who overtly offended local sentiments were whipped and formally conveyed to the Constable of the neighbouring parish. Most "travellers" were merely admonished to move on and provided with accommodation, some food, and pocket-money. This modification of the harsh legal provisions was no deliberate defiance of central directives. Of course, it was in the interest of communities to prevent access to the Overseers' funds to those who could become eligible. However, traditional values of pity, neighbourliness, and hospitality justified

merciful treatment of vagabonds, and administrative inertia turned a blind eye to those who used a village as a temporary resting place. Although some communities enforced the Book exemplarily, others considered it pointless to waste energy on manning elaborate watches and wards and systematically tracking down vagrants. The efficacy of punishment probably was never unquestioned, and since communities were small and supervisable, attempts at illicit settlements would have been easily discovered. It is virtually impossible to provide quantifiable data to measure the enforcement of prosecution and the impact the JPs' supervision had under the Book of Orders. The large numbers of registered vagrants and travellers in some accounts can be attributed to the increased vigilance of local officers, galvanised by a more thorough supervision by JPs. But the chronological and geographic pattern is too erratic to permit reliable conclusions, and probably was determined by the geography of a region and the zeal or laxity of individual officers, in whose discretion it was to decide who was a traveller, who a "professional" vagrant. Ultimately, the figures probably reflected only the rising poverty of the 1630s. The Book of Orders might have sharpened the awareness of JPs and their subordinates with regards to the problem of vagrancy. Yet, the quantitative and qualitative evidence does not suggest long-term changes in the effectiveness of prosecution. Local judgement was still at the heart of the process, and it appears that the Book did little to fundamentally change local perceptions and procedures in dealing with it.

Parish officers had always participated in the administration of local and central taxation, which in fact constituted a major part of their duties. The separate budgets of Constables, Churchwardens, Overseers, and Surveyors were financed by local rates and paid for the parish infrastructure, poor relief, the militia, and the administrative expenses of parish officers. Regional rates contributed to county institutions and to some national schemes, such as purveyance, the restoration of St. Paul's Cathedral, or the collection of saltpetre. Parliamentary subsidies also were assessed and collected locally. Ship Money, however, met the determined opposition of taxpayers. Although the reconstruction of the navy was necessary and accepted, the state of emergency which justified an unparliamentary tax was

questionable. Moreover, the annual levying of a tax of the size of several subsidies, in addition to expanding local taxation, hit a country in deep economic crisis. To conceal the fact that Ship Money became a permanent, unparliamentary tax, it was assessed like local rates, with fixed quotas for counties and towns, instead of the *per capita* assessments of subsidy lists. This had two negative effects which consistently thwarted swift collection. Firstly, parish officers enjoyed a wide-ranging latitude in determining individual assessments and were subject to the pressure of local elites to lower their rates. This fostered corruption and arbitrary adjustments, and frequently resulted in excessive assessments of those who could least afford it. Secondly, the partition of county-quotas according to local precedents revived traditional quarrels between localities about jurisdictions and proportions. This caused endless disputes between regions, communities, and individuals. Although the antiquity and ambiguity of precedents and their financial implications justified dissention, technical arguments frequently were covert expressions of political opposition, designed to obstruct the assessment and collection on grounds of principle. Once disputes were decided, parish officers of the defeated localities had the alternative either of insisting on a fair assessment and disobeying the Sheriff's orders to proceed with the collection, or facing the collective resistance of their communities. The statistics show that in almost all counties Ship Money was not collected by the time the treasurer of the navy expected payment. Significant arrears were not limited to the years after Hampden's case, but occurred in most parts of the country after the first and second writs. The reports from localities suggest that besides economic difficulties and assessment disputes, political dissent motivated opposition to Ship Money. Mounting pressure from the Privy Council on Sheriffs forced the collectors to resort to distraining on tax refusers. Communities responded with abuse, violence, and law suits against their own officers, causing escalating clashes between refractory parishioners and irritated local officers who merely obeyed orders under pressure of their superiors. Ship Money created an atmosphere of conflict within localities which was alien to the traditional values of consensual and harmonious government, and alienated parishioners from officeholders who were considered

puppets of an intrusive central government. Torn between their conflicting loyalties as headmen of their communities and royal administrators, these officers increasingly yielded to the more immediate pressure of their neighbours. Although officers rarely defied the Sheriffs' orders openly, many sided with their communities and ceased to collect Ship Money. Since punishment by the Privy Council was only exemplary and frequently counterproductive, Ship Money finally collapsed. More than any other policy of the Personal Rule, Ship Money demonstrated the dependency of both Westminster on parish officers, and of parish officers on their environment. The improvised and fragile hierarchy of local government the Personal Rule had attempted to establish, did not work satisfactorily under the Book of Orders and broke down under Ship Money. This was dramatically highlighted by the fact that Sheriffs increasingly were obliged to hire private officers to enforce the collection and distraint, thus relying on an alternative system of local government.

The success of the Perfect Militia was undermined by the lack of legal foundation, popular reluctance to undertake military duties, the unlikelihood of invasion, the amateurish nature of the forces, and the costs they involved. Although the standard of the militias at no stage can be described as "perfect", parish accounts suggest that the equipment and preparedness of the trained bands did not decline during the 1630s. Military obligations were an essential part of the parish officers' work, and the supervision by the Deputy Lieutenants at musters secured the sufficient provision of parish soldiers with arms and equipment. References in accounts, the consumption of ammunition, and the widespread use of Muster Masters indicate the existence of regimental inspections and company trainings. Their intensity and regularity varied locally and was restricted by the seasonal activities of the militiamen. The dependency on part-time soldiers set limits to the proficiency and availability of the trained bands, and the intensification of training from 1638 to 1640 demonstrated that there was still a lot of room for improvement. The Scots' Wars, however, politicised the popular perceptions of military duties. The king's purpose and military strategy, and the continuous absence of Parliament during both campaigns, were all contentious, and the war

lacked the general approval of the nation. This was reflected in the refusals of local militias to leave their counties, and in the large numbers of recruits who dodged active service by paying hired substitutes and bribing officers. In selecting the contingents which were to march North and preventing the drafting of economically viable parishioners, communities once more demonstrated their control over officers. The conduct of the war preparations was the charge of a local government which flagged under the unprecedented administrative burden of Ship Money. The Scots' Wars pushed the capacities of local administrators to the limit and showed that they could not properly enforce more than one unpopular policy at a time. Besides the routine administration of the Book of Orders and the collection of Ship Money, parish officers not only had to organise the resented and controversial recruitment and substitution of conscripts, but also the intensified training of regular militias and selected contingents, and the purchase of additional equipment and ammunition. Moreover, the provision of the soldiers on the march to Scotland was paid for by yet another local tax - Coat and Conduct Money - whose assessment and collection was based on dubious precedents and replicated the problems parish officers encountered with Ship Money. The Perfect Militia did not fail, since selective recruitment of contingents and the substitution clause prevented it from being put to the test. Yet, this defeated the whole purpose of the Perfect Militia, and the Scots' Wars highlighted the structural weakness of local government and its dependency on political consensus.

A thesis necessarily has to be limited in its scope, and it can never fully answer all the questions entailed in its focus. Several issues deserve further extensive research. Although the Personal Rule is one of the most significant and critical period in testing English seventeenth-century local government, general conclusions as to its efficiency only can be drawn in the context of the Jacobean period, the Civil War and Interregnum, and the Restoration. Some facets of the Book of Orders, Ship Money, and the Perfect Militia, and of the customary work of Churchwardens and Constables have been deliberately omitted, and their examination would involve the more intensive study of surviving Quarter Sessions

records. Our knowledge of the social profile of High Constables and the role they played in the coordination of local government is still unsatisfactory. Finally, the efficacy of poor relief and the containment of vagrancy have to be reassessed in a more wideranging study of parish accounts.

Yet, I believe, several general conclusions can be drawn from this thesis. The reforms of the Personal Rule were impaired and ultimately frustrated by technical problems and political controversy. Firstly, the executive power was amateurish, decentralised and overwhelmed by the magnitude and complexity of the projects. Secondly, the unpopularity of some of the policies generated conflicting loyalties in local officers as crown servants and spokesmen of their communities, which ultimately caused the paralysis of local government. Thirdly, central government and local governors were utterly dependent on parish officers, and their means to supervise and discipline them and to tip the balance of conflicting loyalty in their favour were insufficient.

Since parish officers usually were elected for one year, they lacked continuity in office and administrative training and expertise; in fact many of them were illiterate. The offices were part-time jobs, and the priorities of their holders undoubtedly lay in the pursuit of their personal business. Parish officers did not draw a salary, and there was no performance-related incentive for efficient execution of the offices. Villagers served in parochial offices because rotas so dictated so, or, if they represented the local elite, because they felt obliged, or appreciated the enhancement of status and political influence in their communities. While offices required a great deal of effort and commitment, the administrative demands dramatically increased during the Personal Rule. If the large group of "professional" Privy Councillors was unable to keep track of more than one policy at the time, it is not difficult to imagine that uneducated and unconcerned local farmers and artisans acting as part-time officers neither had the time, opportunity, energy, nor ambition to transform their villages into model-parishes, and do more than local necessities required.

While it was in the interest of communities to preserve a minimum of law and order,

parish officers had to accept that their role as crown servants entailed the enforcement of *all* central policies, however unpopular. The Personal Rule not only suffered from the deficiencies of local government, but from the widespread discontent the concept of unparliamentary government and the substance and methods of its policies generated. Communities also hated the insensitivity of central government to local perspectives and concerns, and Westminster's growing interference in local affairs exhausting local money and officers for unpopular, national purposes. Central directives always had been examined as to their necessity and their accord with local customs and sentiment. If parish officers were recruited from the local elite, they defined the purpose and necessity of national policies themselves. If not, they became subject of the will of local elites. And if policies were exceedingly unpopular and impossible to avoid, parish officers faced the collective opposition of their community. Both the pressure the Privy Council exerted on them, insisting on the unconditional implementation of central policies, and the resolution of communities not to comply with Westminster's objectives were unprecedented during the Personal Rule. The widespread opposition officers encountered in enforcing Ship Money and the recruitment for the Scots' Wars, put their loyalty to the crown to a severe test. The majority of officers succumbed to the pressure of their fellow-parishioners, which was more imminent and menacing. Although it was impossible to enforce policies against the will of communities, outright refusals to obey superiors' orders would have had serious consequences for parish officers. Thus, most officers deferred to local pressure by ignoring policies, until their superiors resorted to severe sanctions.

But punishment could be counter-productive and provoke yet more resentment. Local government depended on voluntary part-time officers, and excessive chastisement merely would have prompted requests for discharges after one term, and deterred fellow-villagers to accept an office. Ship Money demonstrated that the only effective punishment which was able to restore obedience partially were summonses at the Privy Council. Yet, local officers soon found out that the capacity of this sanction was limited and could only be applied selectively.

The ultimate failure of the reform projects of the Personal Rule highlights the two conditions under which an early modern English central government could devise policies. Firstly, with or without the consent of Parliament, any scheme which originated in Westminster was closely scrutinised by both the chief administrator of the counties and the rulers of parishes as to its compatibility with local values and practices. As a result, policies trickled down slowly and were considerably diluted in the localities. Secondly, in a system of local government which was based on relatively independent local elites who interpreted and modified policies according to the liking of their communities, the crown could not impose policies against the will of the nation. Unlike France, which transformed local government into a dependent class of professional officers, the English executive was ill-designed to enforce controversial policies.

While there were national trends in responding to central policies, this thesis has shown that early modern England was fragmented, and the reactions varied from county to county. Yet, the pattern of response and loyalty cannot be strictly defined according to county-borders. For subordinate officers the concept of a county community did not exist, and was only invoked for utilitarian reasons, for example when militia contingents refused to fight against Scotland. The JPs' returns under the Book of Orders prove that their focus increasingly shifted to their divisions. Although some counties and divisions displayed consistently idiosyncratic responses to the Personal Rule, the enforcement of the Book of Orders, Ship Money, and Perfect Militia was determined by each individual community.

The description of the limited success of some reforms and the failure of others did not suggest that the collapse of the Personal Rule was imminent. Charles I still was able to survive on his limited budget; the threat of invasion was unlikely; and there was no potential to wage a civil war against the king. The turbulent events of 1641/2 cannot be predated to 1637 or 1638, and the leaders of counties and communities were not poised to rebel. Although the Caroline regime did not induce sufficient fear to prevent the articulation of opposition, local officers were not inclined to lead a revolt, when it was sufficient merely to

paralyse certain policies by going on strike. With a local government which implemented orders selectively, the authority of the king was questionable. So was a government which collapsed under a trivial dispute with Scotland like a house of cards in a breeze. In that respect, the collapse of the Personal Rule may not have been imminent, but inevitable.

6. APPENDIX

6.1. TABLES

6.1.1. PARISH ACCOUNTS: OFFICER MOBILITY COEFFICIENT (OMC) AND CHURCHWARDENS' SUCCESSION OF SELECTED PARISHES, 1631-1640[1]

Parish Account	Offices:Names	OMC	Churchwarden Succession AB-BC
Bedfordshire			
Pulloxhill CW	60:43	1.39	
Berkshire			
Ashampstead CW	17:16	1.06	
Childsey CW	44:28	1.57	1631-1636
Reading (St.Giles) CW	100:64	1.56	X
Reading (St.Laurence) CW	15:10	1.50	X
Reading (St.Mary) CW	80:64	1.25	X
Standford in the Vale CW	16:8	2.00	X
Bristol			
St.James VMB	60:34	1.76	
St.Werburgh CW	11:11	1.00	X
Buckinghamshire			
Amersham OV	58:44	1.31	
Aston Abbots CW	18:13	1.38	
Great Marlow CW	110:69	1.59	X
Middle Claydon CW	23:14	1.64	
Wingrave CW	16:14	1.14	
Cambridgeshire			
Cambridge (St.Peter) VAB	38:25	1.52	
Cheshire			
Alderley CW	130:75	1.73	
Baddiley CW	33:17	1.94	X
Eccleston CW	43:15	2.86	
Frodsham CW	17:12	1.41	
Marbury CW	20:16	1.25	
Middlewich CW	19:15	1.26	

[1] I chose parishes with more than ten officers. Despite the label "Churchwardens' accounts" or "Overseers' accounts", parishes with more than twenty officers include other officers, or are, in fact, Vestry Minute Books.

Parish Account	Offices:Names	OMC	Churchwarden Succession AB-BC
Tilston CW	64:43	1.48	
Cornwall			
Saltash CW	80:70	1.14	
Liskeard CW	20:20	1.00	
St.Neot CW	14:14	1.00	
Derbyshire			
Derby (All Saints) CW	20:19	1.05	
Marston on the Dove CW	18:16	1.12	
Devon			
Ashburton OV	66:49	1.34	
Beaford OV	12:12	1.00	
Bere Ferrers OV	40:32	1.25	
Braunton CW	20:20	1.00	
Broadhemptson CW	20:19	1.05	
Buckland Monachorum CW	34:25	1.36	
Chudleigh OV	60:51	1.20	
Churston Ferrers OV	51:33	1.54	
Colebrooke CW	14:13	1.07	
Coombe Martin OV	27:27	1.00	
Dean Prior OV	40:30	1.33	
Exeter (Holy Trinity) VMB	103:49	2.10	X
Frithelstock OV	28:25	1.12	
Hartland CW	60:29	2.06	
Kilmington CW	24:16	1.50	
Lapford CW	31:25	1.24	
Modbury CW	101:67	1.50	
Northam CW	32:28	1.14	
Northam OV	36:36	1.00	
Parkham OV	27:26	1.03	
North Tawton CW	23:21	1.09	
Dorset			
Beaminster OV	36:29	1.24	
Bere Regis OV	24:23	1.04	
Cerne Abbas CW	20:14	1.42	
Charlton Marshall CW	17:14	1.21	

Parish Account	Offices:Names	OMC	Churchwarden Succession AB-BC
Sherborne CW	20:13	1.53	
Swanage OV	36:22	1.63	
Swyre OV	37:27	1.37	
Symondsbury CW	60:45	1.33	
Essex			
Ashdon (All Saints) VMB	53:29	1.82	X
Coggeshall VMB	91:80	1.13	
Debden PB	38:28	1.35	
Heydon CW	31:18	1.72	
Roydon (St.Peter) PB	40:25	1.60	
Toppesfield VMB	45:39	1.15	
Waltham (Holy Cross) CW	40:35	1.14	
Gloucestershire			
Barnsley CW	18:16	1.12	
Bromsberrow CW	16:6	2.66	
Daglingworth CW	18:12	1.50	
Dursley CW	24:23	1.04	
Eastington CW	20:17	1.17	
Gloucester (St.Michael) CW	98:58	1.68	X
Tetbury (St.Mary) CW	20:18	1.11	
Slimbridge OV	18:18	1.00	
Stroud (St.Lawrence) CW	23:14	1.64	
Tewkesbury Abbey CW	16:10	1.60	
Hampshire			
Alton (St.Lawrence) CW	30:17	1.76	
Bramley CW	62:35	1.77	X
Chawton CW	20:16	1.25	
Chawton OV	18:11	1.63	X
Durley CW	60:41	1.46	
Ellingham CW	60:43	1.39	
South Warnborough CW	54:29	1.86	
Weyhill CW	54:31	1.74	
Wootton (St.Lawrence) CW	20:10	2.00	
Herefordshire			
Hereford (All Saints) CW	20:11	1.81	X

Parish Account	Offices:Names	OMC	Churchwarden Succession AB-BC
Madley CW	19:10	1.90	
Hertfordshire			
Aldenham OV	28:25	1.12	
Ashwell CW	20:13	1.53	X
Aston VMB	20:13	1.53	X
Bennington CW	84:31	2.70	X
Little Munden CW	41:32	1.28	
Sacombe OV	24:19	1.26	X
Stevenage VMB	82:48	1.70	
Watton-at-Stone CW	68:63	1.07	
Kent			
Biddenden CW	22:12	1.83	X
Bredgar OV	30:23	1.30	X
Charing CW	19:11	1.72	
Milton Regis CW	96:78	1.23	X
Sandhurst CW	80:49	1.63	X
Tenterden CW	72:49	1.46	X
Lancashire			
Goosnargh CW	32:27	1.18	
Leicestershire			
Leicester (St.Martin) CW	30:19	1.57	
Stathern OV	33:26	1.26	
Wigston Magna (All Saints) CW	20:16	1.25	
Lincolnshire			
Billingborough CW	52:22	2.36	
Heckington CW	116:66	1.75	
Horbling TB	60:24	2.50	X
Langton by Wraggoe TB	26:11	2.36	
Waddingworth PB	18:4	4.50	
Witham on the Hill CW	20:9	2.22	X
Northamptonshire			
Burton Latimer CW	20:11	1.81	1631-1633
Cottingham CW	20:16	1.25	
Irchester CW	82:27	3.03	
Weedon Beck VMB	64:34	1.88	

Parish Account	Offices:Names	OMC	Churchwarden Succession AB-BC
Wellingborough (All Hallow) CW	62:37	1.67	
Nottinghamshire			
Upton CW	20:20	1.00	
Oxfordshire			
Spelsbury CW	16:12	1.33	
Woodstock CW	14:9	1.55	
Yarnton CW	16:5	3.20	
Rutlandshire			
Lyddington CW	12:11	1.09	
Uppingham CW	15:10	1.50	
Shropshire			
Condover CW	18:15	1.20	
Lydbury North CW + OV	18:18	1.00	
Shawbury CW	16:12	1.33	
Stockton CW + C	19:12	1.58	
Somerset			
Axbridge CW	18:13	1.38	1631-1634
Banwell CW	20:15	1.33	
Bishops Hull CW	36:25	1.44	
Cameley CW	20:19	1.05	
Crewkerne CW	20:18	1.11	
Drayton OV	60:41	1.46	
Ilminster OV	60:43	1.39	
Norton Fitzwarren VMB	79:62	1.27	
Pilton CW	20:15	1.33	
Pitminster OV	36:35	1.02	
Shepton Mallet OV	42:36	1.16	
Trull OV	34:30	1.13	
Wellington (St.John) CW	24:23	1.04	
Staffordshire			
Biddulph CW + OV	29:24	1.20	
Checkley CW + OV	37:33	1.12	
Hanbury CW + OV	14:13	1.07	
Suffolk			
Benhall CW	46:33	1.39	

Parish Account	Offices:Names	OMC	Churchwarden Succession AB-BC
Cratfield CW + OV	41:15	2.73	
Flowton CW + OV	26:9	2.88	
Gislingham CW + C	13:11	1.18	
Henley OV	22:14	1.57	
Hessett TB	60:23	2.60	Overseers
Little Waldingfield PB	93:53	1.75	
Mellis OV	36:26	1.38	
Peasenhall CW	16:8	2.00	
Sibton CW	50:32	1.56	
Stansfield PB	31:24	1.29	
Weybread CW	18:13	1.38	
Yoxford TB	80:49	1.63	
Surrey			
Alford VMB	60:48	1.25	
Great Bookham VMB	20:15	1.33	
Horley CW	58:40	1.45	X
Lambeth CW	29:16	1.81	
Mortlake VMB	136:64	2.12	
Seale CW	32:15	2.13	X
Weybridge VMB	40:33	1.21	
Sussex			
Barcombe CW	50:31	1.61	
Beckley CW	49:24	2.04	X
Chailey VMB	36:30	1.20	
Hastings (All Saints) VMB	66:49	1.34	
Lewes (St.John) VMB	77:57	1.35	
Uckfield CW	90:60	1.50	
Warwickshire			
Coventry (Holy Trinity) CW	40:40	1.00	
Fillongley CW	51:40	1.27	
Foleshill CW	50:32	1.56	
Southam CW	28:23	1.21	
Wiltshire			
Ashton Steeple CW	56:39	1.43	
Broad Blunsdon CW	60:26	2.30	

Parish Account	Offices:Names	OMC	Churchwarden Succession AB-BC
Calne CW	72:57	1.26	
Chippenham CW	20:17	1.17	
Heddington CW	20:17	1.17	
Mildenhall CW	27:18	1.50	except 1639-1640
North Newnton CW	12:7	1.71	
Pewsey CW	40:24	1.66	X
Wanborough CW	56:30	1.86	X
Worcestershire			
Badsey CW	41:31	1.32	
Dowles VMB	43:25	1.72	X
Elmley Castle CW	18:15	1.20	
South Littleton CW + OV	16:14	1.14	
Yorkshire			
York (St.John Ousegate) CW	18:18	1.00	
York (St.Michael + Gregory)CW	30:21	1.42	

6.1.2. PARISH ACCOUNTS: ASSESSMENT OF OFFICERS IN SELECTED PARISHES[1]

Parish	Year	Office	Name	Assessment	Range
Ashampstead/ Berkshire	1632	CW	William Pococke Thomas Sadler	3d 3d	2d-6s
	1635	CW	John Pococke John Justice	1s 9d	7d-18s
	1636	CW	John Justice William Head	3d 1s	3d-6s
Ashburton/ Devon	1631	CW	Nicholas Reese Henry Farniaux	4s ?	3d-20s
		OV	Sampson Bounde Richard Jefferye John Furst Thomas Kelley	7d 2s 9s 3s	
	1632	CW	Moses Tozen Robert Lowman	3s 4s	8d-26s
		OV	Thomas Harris John Sherwill Edward Woodley gent. Henry Cole	10s 2s4d 12d 3s4d	
	1633	CW	George Fabian Thomas Kelley	5s 4s	3d-26s8d
		OV	Richard Miller Moses Tozen John Yolland George Elliott	9s 3s 10s6d ?	
	1634	CW	John Mathewe William Soper	3s 4s8d	3d-26s8d
		OV	Thomas Cruse gent. Roger Caunter Richard Fursland gent. Robert Lowman	9s 5s4d 3s 4s	
	1635	CW	Bartholomew Woodeley gent. William Avoke	2s ?	3d-26s8d
		OV	George Crust sr. Richard Jefferey William Bowden George Bowden	13s ? ? 3s4d	
	1636	CW	John Dolbeare Richard Fursland gent.	3s 3s	3d-26s8d

[1] Question marks indicate officers whose assessments were either illegible or who could not be found in the list.

Parish	Year	Office	Name	Assessment	Range
		OV	John Furse Richard Tippett Walter Cater John Sherwill	9s ? ? 2s4d	
	1637	CW	Edward Woodlye gent. John Steephens	2s 4s	3d-26s8d
		OV	John Townsend gent. John Caunter George Morten sr. William Faremouth	8s8d 10s 6s 6s	
	1638	CW	John Furse Peter Gawde	7s ?	3d-26s8d
		OV	Samson Bound Nicholas Reese Nicholas Harris Francis Hole	11s8d 4s ? 4s	
	1639	CW	Henry Cole Walter Cater	5s 4s	
		OV	Peter Woodley gent. Nicholas Harell Thomas Furseman John Dolbeare	12s 8s8d 4s4d 5s	
	1640	CW	Humphry Strong John Dolbeare	8s 5s	8d-18s
		OV	John Yolland sr. Thomas Harris William Eales Stephen Hunter	11s 6s 5s4d 3s8d	
Dean Prior/ Devon	1631	CW	John Cowne jr Henry Goodman	2s 1s10d	4d-27s6d
		OV	William Gile Christopher Dunruidge	10s ?	
	1632	CW	Gabriel Gest Thomas Colman	6s 4s2d	4d-27s6d
		OV	Jefferey Scabble John Hext	6s 1s	
	1633	CW	Symon Ball John Parnell	1s 10d	4d-27s6d
		OV	Richard Cavers Danyell Weatherdon	1s6d 10d	
	1634	CW	John Collinge John Abraham	5s 2s6d	4d-27s6d
		OV	Thomas Head sr. John Cowne sr.	13s10d 10s	

Parish	Year	Office	Name	Assessment	Range
	1635	CW	Sir Edward Giles Gefferey Windeatt	27s6d 4s	4d-27s6d
		OV	Robert Furze gent. Richard Cowne	17s3d ?	
	1636	CW	Robert Mudge John Hext	11s8d 1s	4d-27s6d
		OV	Jeffrey Scabble Walter Sheere	6s 4s	
	1637	CW	Robert Furze gent. Robert Mudge	17s3d 11s8d	4d-27s6d
		OV	Thomas Parnell William Casley	1s6d 1s6d	
	1638	CW	John Cowne sr. John Mudge sr.	10s ?	4d-27s6d
		OV	Giles Lowman Thomas Luscombe	1s6d 1s	
	1639	CW	Robert Mudge John Cowne jr.	18s9d 9s9d	4d-27s6d
		OV	William Gill Agnes Knowling	15s5d 3s	
	1640	CW	William Gill Thomas Parnell	14s4d 8s3d	4d-27s6d
		OV	Thomas Maddock Richard Currier	9s 2s9d	
Halberton/ Devon	1631	CW	Henry Gray John Mander	2s ?	2d-7s
	1632	CW	Nicholas Osmond Edward Hitchcocke	1s10d 1s6d	3d-11s
	1635	CW	John Wese esq. Robert Chowne	11s3d 7s6d	3d-15s
	1636	CW	Humfrey Holmead Thomas Manley	2s1d 5d	3d-15s
	1637	CW	Ambros Shere Robert Trente	3s1d 6s3d	6d-8s1d
	1638	CW	Edward Harris Thomas Knight	? 1s8d	2d-16s2d
	1639	CW	John Ellis John Osmond	4s8d 2s4d	4d-16s2d
	1640	CW	Nicholas Turner gent.	3s1d	1d-4s9d
Parkham/ Devon	1632	OV	John Galsworthy John Barley Phillip Stabledon	16s3d ? 3s3d	13d-38s

Parish	Year	Office	Name	Assessment	Range
	1633	OV	John Prowe Leonard Southcott William Galsworthy	15d 3s ?	1s-48s
	1634	OV	Philipp Power Stephen Morecott Robert Hooper	4s 1s ?	2s-42s
	1635	OV	Nicholas Haine William Colscott John Gloudge	6s5d 2s9d 1s4d	11d-38s
	1636	OV	Thomas Glover Thomas Davy John Ellis	4s 5s 2s	1s-42s
	1637	OV	Sebastayne Whetfell Arthur Tricke Walter Horne	3s 13s 1s6d	1s-42s
	1638	OV	John Praunce John Palmer John Wigures	6s 3s 1s	1s-48s
	1639	OV	John Galsworthy Thomas Galsworthy Thomas Britton	15s 18s 4s	1s-48s
	1640	OV	Matthew Guill John Keyn Lawrence Reed	9s9d 6s6d 2s2d	1s-52s
Bere Regis/ Dorset	1631	CW	Nicholas Deering John Dawe	4d 6d	1d-4s
		OV	Robert Sexey William Boles John Clench William Foye	4d 10d 3d 1d	
	1632	CW	Leonard Clench Lewes Tylsted	4d 4d	1d-4s
		OV	Nicholas Williams John Dyett Martin Lockier John Skimer jr.	? 4d 1d ?	
	1633	CW	Thomas Trewe William Clench	1d 2d	(1634-ass.)
		OV	Lewes Williams gent. Henry Burley gent William Bolter Thomas Wilcox	20d 3d 2d 2d	
	1635	CW	William Stevens John Clench	1d 3d	(1634-ass.)

Parish	Year	Office	Name	Assessment	Range
		OV	William Boles Thomas Morgan William Wilcox John Wyme	10d 3d 2d 1d	
Charlton Marshall/Dorset	1632	CW	Dennis Cockery Henry Jenkins	33s2d 4s	2s-33s2d
	1633	CW	John Burt Thomas Flark	7s9d 9d	9d-33s10d
	1634	CW	John Isake John Tollerfield	6d 2s4d	6d-16s7d
	1635	CW	Richard Hubgood William Jenkins	16s6d 20s?d	1s5d-33s3d
	1636	CW	Charles Walter Henry Coles	15s 3s	1s-16s6d
	1637	CW	John Coles Morris Dolman	? 1s2d	1s-16s7d
	1638	CW	Matthew Lockett John Burt	4s10d 7s9d	1s-16s6d
Dursley/ Gloucestershire	1631	CW	Thomas Smith Guy Finch	2s6d 10d	10d-13s4d (1632-ass.)
	1632	CW	William Burnell Richard Martin	3s4d 3s4d	10d-13s4d
	1633	CW	Richard Webb William Stephens	0s0d 0s0d	6d-15s (1636-ass.)
		B	Nicholas Daingerfield	10s8d	
	1634	CW	John Tyler John Tilladams	5s4d 5s4d	6d-15s (1636-ass.)
	1635	CW	William Hill John Jackman	? 4s	6d-15s (1636-ass.)
		B	Thomas Watkins	4s	
	1636	CW	Richard Oliver Samuel Harding	4s 15s	6d-15s
	1637	CW B	Henry Smith John Browning	10s 10s	10d-25s
	1638	CW	George Grace Richard Nash	? 2s	4d-12s
	1640	CW	Richard Tippetts Tobyas Peglar	5s4d 8s	1s4d-16s
Slimbridge/ Gloucestershire	1635	OV	Richard Bower Richard Williams Thomas Gefferis	4d ? ?	1d-6s

Parish	Year	Office	Name	Assessment	Range
	1636	OV	Thomas Daniell Thomas Powell Elbright Staple	? 2d 1s	1d-6s
	1637	OV	John Horrod John Wade Richard Seniger	10d 1d 4d	1d-6s
	1638	OV	John Tayler Morris Bendall William Weyman	? 8d 1s10d	1d-6s
	1639	OV	William Taylor William Partridge William Daves	8d 8d 1s8d	1d-6s
	1640	OV	Richard Byford gent. Robert Davies William Cawley	3s1d ? 1s7d	1d-6s
Chatham (St.Mary)/ Kent	1635	CW	Nathaniel Apslin Hugh Fletcher William Dalton Nathaniel Terne	12s 9s 7s6d ?	1s6d-25s6d (1638-ass.)
	1636	CW	Laurence Fisher John Roggers	10s 12d	1s6d-25s6d (1638-ass.)
	1637	CW	Israel Reynoldes John Baynnard	10s ?	1s6d-25s6d (1638-ass.)
	1638	CW	Thomas Cooke Thomas Long	10s6d 25s6d	1s6d-25s6d (1638-ass.)
	1639	CW	Hugh Fisher John Rawlines	10s ?	1s6d-25s6d (1638-ass.)
	1640	CW	Joseph Petter George Weade	10s6d 6s	1s6d-25s6d (1638-ass.)
Marston Trussell/ Northamptonshire	1634	CW	Thomas Simon William Buswell	1s11d 2s	3d-7s9d
	1635	CW	Clement Ireland William Mahon	18d 3d	3d-18d
	1639	CW	Richard Chapman John Smeeton	27s6d 11s	12d-33s
	1640	CW	John Campion William Buswell	1s3d 6d	6d-1s3d
Condover/ Shropshire	1632	CW	Thomas Campion Moses Reynolds	? 15s	1s-17s
	1633	CW	Thomas Campion Francis Maunsell	15s 6s	1s-17s
	1634	CW	William Bromley Jacob Whitfoot	3s4d 4s4d	4d-5s

Parish	Year	Office	Name	Assessment	Range
	1635	CW	William Crompton Thomas Butler	4s8d ?	4d-10s
Tintinhull/ Somerset	1631	CW	John Napper John Priddell jr.	13s6d or 28s 12s6d	3s-28s
	1635	CW	Samuel Napper Robert Colbert	15s 6d	6d-21s5d
	1636	CW	Adam Smith John Lye	6s 3s6d	3d-8s7d
	1637	CW	John Hopkins William Richards	6, 13, or 18d 6d	1d-4s3d
	1638	CW	John Osser Thomas Chaffy	2s4d 2s	1d-4s3d
	1640	CW	Edward Baunton Edward Hopkins	3s4d ?	1d-4s3d
Flowton/ Suffolk	1636	CW	John Snelling George Gardiner	21s 2s	12d-24s
		OV	Thomas Bull William Boggas	24s 6s	
	1637	CW	Edward Rudland Abraham Heyward	15s8d 5s9d	16d-53s2d
		OV	Thomas Bull William Boggas	53s2d 12s2d	
	1638	CW	George Gardiner Edward Rudland	3s8d 16s6d	1s-55s
		OV	Thomas Bull William Boggas	55s 12s10d	
	1639	CW	Edward Rudland George Gardiner	4s 18s	4d-14s
		OV	Thomas Bull William Boggas	14s 4s	
		C	John Snelling[1] Thomas Webb	9s 6s6d	
	1640	CW	William Clark William Goodall	18d ?	3d-7s
		OV	Thomas Bull William Boggas	7s 2s	
Gislingham/ Suffolk	1632	C	William Smere William Brett	1s9d 1s	(1640-ass. to collect 40s)
	1633	C	John Shepparde Thomas Offwood	2s6d 1s1d	

[1] In the 1637-assessment, Snelling was rated at 38s5d, and Webb at 20s3d.

Parish	Year	Office	Name	Assessment	Range
	1636	C	John Levell Thomas Bedwell	3d ?	
	1637	C	Christopher Smeare	3s	

6.I.3. BOOK OF ORDERS: JPs' CERTIFICATES PER COUNTY

County	Total Number	Assize Circuit
Bedfordshire	6	Norfolk
Berkshire	35	Shropshire
Bristol	1	West
Buckinghamshire	26	Norfolk
Cambridgeshire	27	Norfolk
Cheshire	12	Chief Justice of Chester
Cornwall	43	West
Cumberland	0	North
Derbyshire	23	Lincoln
Devon	49	West
Dorset	29	West
Durham	2	North
Essex	39	Kent
Gloucestershire	14	Shropshire
Hampshire	34	West
Herefordshire	21	Shropshire
Hertfordshire	111	Kent
Huntingdonshire	21	Norfolk
Kent	57	Kent
Lancashire	53	North
Leicestershire	53	Lincoln
Lincolnshire	45	Lincoln
London	9	Kent
Middlesex	34	Kent
Monmouthshire	27	Shropshire
Norfolk	72	Norfolk
Northamptonshire	23	Lincoln
Northumberland	0	North
Nottinghamshire	12	Lincoln
Oxfordshire	13	Shropshire
Rutlandshire	4	Lincoln
Shropshire	86	Shropshire
Somerset	86	West
Staffordshire	30	Shropshire
Suffolk	39	Norfolk
Surrey	62	Kent
Sussex	88	Kent
Warwickshire	9	Lincoln
Westmorland	1	North
Wiltshire	29	West
Worcestershire	13	Shropshire
Yorkshire	54	North
Anglesey	0	Council of the Marches of Wales
Brecon	5	Council of the Marches of Wales
Caenarvonshire	0	Council of the Marches of Wales
Cardiganshire	0	Council of the Marches of Wales
Carmarthenshire	1	Council of the Marches of Wales
Denbighshire	0	Council of the Marches of Wales
Flintshire	2	Council of the Marches of Wales
Glamorganshire	1	Council of the Marches of Wales
Merionethshire	0	Council of the Marches of Wales
Montgomeryshire	0	Council of the Marches of Wales
Pembrokeshire	7	Council of the Marches of Wales
Radnor	4	Council of the Marches of Wales
Total	1412	

6.1.4. BOOK OF ORDERS: ANNUAL DISTRIBUTION OF JPs' CERTIFICATES

County	Total	1630	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640
Bedfordshire	6		4			1				1		
Berkshire	35	2	11	1	3	9		6	3			
Bristol	1	1										
Buckinghamshire	26	1	17			4		1	1	2		
Cambridgeshire	27		10			10	1	2	2	2		
Cheshire	12		10					1	1			
Cornwall	43	4	11	4	11	6	6		1			
Derbyshire	23		17	1			3	1	1			
Devon	49		15	1	9	8	6		4	6		
Dorset	29		15		6	3	4	1				
Durham	2							1	1			
Essex	39	2	16		2	5		1	6	4	3	
Gloucestershire	14	1	9		2	2						
Hampshire	34		21	1	7	1	3			1		
Herefordshire	21		11		2	5		3				
Hertfordshire	111		34	9	15	5	1	7	22	14	4	
Huntingdonshire	21		8		3			4		6		
Kent	57		5	3	3		1	12	16	12	5	
Lancashire	53		2			8	2	9	15	17		
Leicestershire	53	1	24	19		2		4	3			
Lincolnshire	45		11	3	2	8	10	7	4			
London	9	4	3	2								
Middlesex	34	6	9	2	6	5		3			3	
Monmouthshire	27		8			8	5	2	4			
Norfolk	72	2	26	4		13	1	9	10	6	1	
Northamptonshire	23		10	3		2	1	1	6			
Nottinghamshire	12		3			1	1	2	5			
Oxfordshire	13		2			6	5					
Rutlandshire	4		1		1		1		1			
Shropshire	86		27	20	8	22		4	5			
Somerset	86	5	35	16	12	10	7		1			
Staffordshire	30		13	3		6	4	4				
Suffolk	39		11	4		7		4	5	8		
Surrey	62	3	9		4	9		9	13	12	3	
Sussex	88	1	16	6	6	5		12	20	16	6	
Warwickshire	9		5		1		2	1				
Westmorland	1										1	
Wiltshire	29		6	6	4	10	2		1			
Worcestershire	13		7	5					1			
Yorkshire	54		22		3	4	12	2	6	5		
Brecon	5	1	3	1								
Carmarthenshire	1		1									
Flintshire	2		2									
Glamorganshire	1		1									
Pembrokeshire	7	2	5									
Radnor	4		4									
Total	**1412**	**36**	**479**	**114**	**110**	**185**	**78**	**113**	**158**	**112**	**26**	

6.1.5.BOOKOF ORDERS: PETTY SESSIONS IN JPs' CERTIFICATES

County	Term "Monthly Meeting" Used	"Monthly Meeting" Dated	Other References to Meetings	Total Documents
Bedfordshire	-	-	1	6
Berkshire	15	-	9	35
Bristol	-	-	-	1
Buckinghamshire	3	-	4	26
Cambridgeshire	5	1	13	27
Cheshire	-	-	-	12
Cornwall	3	3	9	43
Derbyshire	12	-	1	23
Devon	4	1	1	49
Dorset	6	-	8	29
Durham	-	-	-	2
Essex	2	-	1	39
Gloucestershire	1	-	-	14
Hampshire	4	1	7	34
Herefordshire	14	2	1	21
Hertfordshire	20	2	8	111
Huntingdonshire	12	6	-	21
Kent	10	1	2	57
Lancashire	40	21	-	53
Leicestershire	18	-	3	53
Lincolnshire	22	1	4	45
London	1	-	-	9
Middlesex	5	-	-	34
Monmouthshire	2	-	2	27
Norfolk	25	-	-	72
Northamptonshire	9	-	9	23
Nottinghamshire	4	-	1	12
Oxfordshire	6	-	3	13
Rutlandshire	-	-	2	4
Shropshire	40	-	6	86
Somerset	9	5	9	86
Staffordshire	15	-	1	30
Suffolk	21	1	2	39
Surrey	16	-	5	62
Sussex	37	-	5	88
Warwickshire	7	-	-	9
Westmorland	-	-	-	1
Wiltshire	8	1	4	29
Worcestershire	4	-	4	13
Yorkshire	15	-	10	54
Brecon	-	-	-	5
Carmarthenshire	-	-	-	1
Flintshire	-	-	1	2
Glamorganshire	-	-	1	1
Pembrokeshire	-	-	-	7
Radnor	3	-	-	4
Total	**418**	**46**	**137**	**1412**

6.I.6. BOOK OF ORDERS: LOCAL OFFICERS AT PETTY SESSIONS IN JPs' CERTIFICATES

County	Definitely Present	Likely Present	Total Documents
Bedfordshire	-	2	6
Berkshire	10	6	35
Bristol	-	-	1
Buckinghamshire	3	5	26
Cambridgeshire	9	2	27
Cheshire	2	-	12
Cornwall	6	4	43
Derbyshire	3	4	23
Devon	-	4	49
Dorset	2	10	29
Durham	-	-	2
Essex	1	1	39
Gloucestershire	-	1	14
Hampshire	7	2	34
Herefordshire	2	-	21
Hertfordshire	15	6	111
Huntingdonshire	2	3	21
Kent	8	-	57
Lancashire	12	12	53
Leicestershire	5	30	53
Lincolnshire	9	5	45
London	-	1	9
Middlesex	4	1	34
Monmouthshire	2	-	27
Norfolk	2	3	72
Northamptonshire	11	3	23
Nottinghamshire	1	-	12
Oxfordshire	3	3	13
Rutlandshire	2	-	4
Shropshire	15	13	86
Somerset	1	6	86
Staffordshire	4	6	30
Suffolk	5	4	39
Surrey	7	15	62
Sussex	25	22	88
Warwickshire	5	2	9
Westmorland	-	-	1
Wiltshire	2	-	29
Worcestershire	3	1	13
Yorkshire	9	11	54
Brecon	1	-	5
Carmarthenshire	-	-	1
Flintshire	-	-	2
Glamorganshire	1	-	1
Pembrokeshire	-	-	7
Radnor	1	1	4
Total	**212**	**177**	**1412**

6.1.7. BOOK OF ORDERS: POOR RELIEF IN JPs' CERTIFICATES

County	Mentioned	Total Documents
Bedfordshire	3	6
Berkshire	16	35
Bristol	-	1
Buckinghamshire	9	26
Cambridgeshire	15	27
Cheshire	6	12
Cornwall	10	43
Derbyshire	14	23
Devon	8	49
Dorset	16	29
Durham	-	2
Essex	12	39
Gloucestershire	7	14
Hampshire	19	34
Herefordshire	12	21
Hertfordshire	80	111
Huntingdonshire	11	21
Kent	5	57
Lancashire	23	53
Leicestershire	20	53
Lincolnshire	24	45
London	2	9
Middlesex	10	34
Monmouthshire	16	27
Norfolk	57	72
Northamptonshire	11	23
Nottinghamshire	9	12
Oxfordshire	12	13
Rutlandshire	3	4
Shropshire	59	86
Somerset	30	86
Staffordshire	15	30
Suffolk	27	39
Surrey	14	62
Sussex	27	88
Warwickshire	4	9
Westmorland	-	1
Wiltshire	8	39
Worcestershire	8	13
Yorkshire	25	54
Brecon	1	5
Carmarthenshire	-	1
Flintshire	-	2
Glamorganshire	-	1
Pembrokeshire	1	7
Radnor	3	4
Total	**653**	**1412**

6.1.8. BOOK OF ORDERS: PROSECUTION OF VAGRANTS IN JPs' CERTIFICATES

County	Prosecution of Vagrants	Vagrants Numbered	Watch and Ward	Privy Search	Provost Marshal	Total Documents
Bedfordshire	2	2	1	-	-	6
Berkshire	26	7	20	2	1	35
Bristol	-	-	-	-	-	1
Buckinghamshire	12	3	4	-	-	26
Cambridgeshire	18	7	10	2	-	27
Cheshire	4	-	2	-	4	12
Cornwall	15	14	-	9	-	43
Derbyshire	13	-	9	-	-	23
Devon	24	22	7	1	-	49
Dorset	10	1	11	-	-	29
Durham	-	-	-	-	-	2
Essex	12	9	2	1	-	39
Gloucestershire	3	-	2	-	-	14
Hampshire	20	3	13	1	-	34
Herefordshire	17	12	9	1	-	21
Hertfordshire	87	65	62	4	9	111
Huntingdonshire	12	9	10	-	-	21
Kent	43	40	6	-	-	57
Lancashire	42	32	10	7	3	53
Leicestershire	39	5	9	1	-	53
Lincolnshire	33	11	10	2	-	45
London	3	1	1	-	1	9
Middlesex	13	6	5	1	3	34
Monmouthshire	25	18	18	-	-	27
Norfolk	43	5	21	4	-	72
Northamptonshire	7	-	2	1	-	23
Nottinghamshire	9	4	1	1	-	12
Oxfordshire	9	-	4	2	-	13
Rutlandshire	3	2	1	-	-	4
Shropshire	68	24	15	-	-	86
Somerset	34	15	25	1	-	86
Staffordshire	18	5	15	1	6	30
Suffolk	25	6	18	-	-	39
Surrey	48	44	11	-	-	62
Sussex	73	48	26	12	1	88
Warwickshire	4	-	1	1	-	9
Westmorland	-	-	-	-	-	1
Wiltshire	18	3	12	-	-	29
Worcestershire	9	9	5	-	-	13
Yorkshire	30	4	6	1	-	54
Brecon	-	-	1	-	-	5
Carmarthenshire	-	-	-	-	-	1
Flintshire	-	-	-	-	-	2
Glamorganshire	1	-	1	-	-	1
Pembrokeshire	-	-	-	-	-	7
Radnor	-	-	3	-	-	4
Total	**872**	**432**	**388**	**55**	**29**	**1412**

6.1.9. SHIP MONEY: SOURCE OF DOCUMENTS

County	Total	Privy Council	Sheriffs/ Mayors	Local Officers	Escheators	Petitions	Treasurer of the Navy	Other
Bedfordshire	70	44	8	1	1	2	8	6
Berkshire	51	35	6	-	2	-	3	5
Bristol	14	9	1	-	-	-	4	-
Buckinghamshire	66	58	2	-	1	2	1	2
Cambridgeshire	43	15	14	1	-	1	8	4
Cheshire	85[1]	32	34	-	-	4	7	8
Cornwall	40	15	14	-	2	-	8	1
Cumberland	17	5	8	-	-	-	3	1
Derbyshire	49[2]	19	21	2	-	3	2	2
Devon	111	36	50	-	2	5	15	3
Dorset	71	31	28	3	1	3	4	1
Durham	30	14	9	1	-	3	3	-
Essex	155	110	15	8	-	9	9	4
Gloucestershire	98[3]	48	27	2	4	3	11	3
Hampshire	116	57	34	6	-	8	6	5
Herefordshire	111	39	39	21	2	2	8	-
Hertfordshire	78	30	28	2	-	6	10	2
Huntingdonshire	45	16	17	1	-	2	7	2
Kent	172[4]	97	27	5	-	8	31	4
Lancashire	36	11	15	-	-	3	7	-
Leicestershire	30	8	16	1	2	-	3	-
Lincolnshire	196	83	73	15	1	8	14	2
London	91	57	11	6	-	13	2	2
Middlesex	87	33	16	15	-	6	15	2
Monmouthshire	15	3	9	-	-	-	2	1
Norfolk	97	47	29	5	1	1	12	2
Northamptonshire	231[5]	111	58	28	1	24	3	6
Northumberland	39	14	15	-	-	1	9	-
Nottinghamshire	62	21	28	3	-	7	2	1
Oxfordshire	132	52	57	11	2	5	3	2
Rutlandshire	19	3	13	-	1	-	2	-
Shropshire	108	66	30	1	1	5	4	1
Somerset	298	147	76	25	1	23	25	1
Staffordshire	34	19	12	-	1	2	-	-
Suffolk	52	28	12	2	1	2	7	-
Surrey	66	40	18	2	-	3	3	-
Sussex	69	32	9	5	-	2	21	-
Warwickshire	59	37	16	-	2	1	3	-
Westmorland	6	2	2	-	-	-	2	-
Wiltshire	73	53	11	2	-	2	3	2

[1] Do not include JRL: English MSS 1091.

[2] Do not include DerbysRO: Gell Papers.

[3] Do not include KAO(M): Sackville of Knole MSS U 269/O 267.

[4] Do not include BL Add MSS 34163 (Twysden's notebook); KAO(M): Twysden MSS U 47/47 O 1; U 47/47, Z 2; Dering MSS U 350/O 10; U 1107/C 12; U 1107/O 3; Darell of Calehill MSS, U 386/O 5.

[5] Do not include KAO(M): Sackville of Knole MSS U 269/O 267.

County	Total	Privy Council	Sheriffs/ Mayors	Local Officers	Escheators	Petitions	Treasurer of the Navy	Other
Worcestershire	65	42	14	3	1	-	5	-
Yorkshire	49	21	12	1	-	5	8	2
Anglesey	7	1	2	-	1	-	3	-
Brecon	9	4	2	-	-	-	3	-
Caenarvonshire	7	1	4	-	1	-	1	-
Cardiganshire	23	8	5	-	1	2	5	2
Carmarthenshire	12	-	7	-	1	-	3	1
Denbighshire	20	4	12	-	-	-	4	-
Flintshire	36	9	22	-	1	1	2	1
Glamorganshire	13	7	2	-	1	-	2	1
Merionethshire	21	7	10	-	-	1	3	-
Montgomeryshire	14	4	7	-	-	-	2	1
Pembrokeshire	14	4	7	-	-	-	3	-
Radnor	9	1	5	-	-	1	2	-
Total	**3519**	**1689**	**1018**	**178**	**36**	**179**	**336**	**83**

6.1.10. SHIP MONEY: PAYMENT UNDER THE 1635-WRIT (figures are rounded)

County	Total Charge (£)	paid by 1 Jan.1636	paid by 1 Apr.1636	paid by 1 Jul.1636	paid by 1 Oct.1636	paid after 1 Oct.1636	arrears by 1 Jan.1638
Bedfordshire	3000	-	1644 (50.4%)	?	2950 (98.3%)	?	- 74
Berkshire	4000	-	4000 (100%)				-
Bristol	2000	-	1000 (50%)	1200 (60%)			-800 (40%)
Buckinghamshire	4500	?	?	?	-1330 (-29.5%)	?	-188 (4.1%)
Cambridgeshire/ Huntingdonshire	5500	-	3930 (70.5%)	4010 (72%)	-1390 (-25.2%)	?	-78 (-1.4%)
Cheshire	3500	-	3500 (100%)				-
Cornwall	6500	-	4000 (61.5%)	?	?	4365 (67.1%)	?
Cumberland	500	?	?	?	?	?	?
Derbyshire	3500	3500 (100%)					-
Devon	9000	-	7930 (88.1%)	?	?	?	?
Dorset	5000	?	?	?	?	+ 1624(30.8%)	-209 (4.1%)
Durham	2000	-	-	2000 (100%)			-
Essex	8000	?	?	400 (5%)	?	?	-1250(15.6%)
Gloucestershire	5500	-	3866 (70.2%)	4758 (88.3%)	-592 (-10.7%)	?	-220 (4%)
Hampshire	6000	-	4000 (66.6%)	?	?	?	-72 (1.3%)
Herefordshire	4000	-	-	3564 (89.1%)	?	?	-88 (2.2%)
Hertfordshire	4000	-	3295 (82.3%)	?	?	?	-28 (0.6%)
Kent	8000	-	6176 (77.2%)	?	?	?	-
Lancashire	4000	-	3600 (90%)	3980 (99.5%)	?	4000 (100%)	-
Leicestershire	4500	200 (4.4%)	?	?	?	?	-
Lincolnshire	8000	4000 (50%)	?	7606 (95%)	?	?	-
Middlesex	5500	-	-	2800 (50.9%)	3600 (65.4%)	?	-347 (6.3%)
Monmouthshire	1500	1500 (100%)					-
Norfolk	8000	-	525	7760	7979 (99.7%)	?	-
Northamptonshire	6000	-	3355 (55.9%)	?	?	?	-467 (7.7%)
Northumberland	5000	-	1250 (25%)	?	?	1650 (33%)	?
Nottinghamshire	3500	-	3200 (91.4%)	?	?	?	-
Oxfordshire	3500	-	1600 (45.7%)	?	1900 (54.2%)	?	-500 (14.2%)
Rutlandshire	1000	-	1000 (100%)				-
Shropshire	4500	-	-	4321 (96%)	?	?	-42 (0.9%)
Somerset	8000	-	4000 (50%)	5693 (71.1%)	?	?	-1056 (13.2%)
Staffordshire	2000	?	?	?	-300 (-15%)	?	-
Suffolk	8000	-	-	-	7615 (95.1%)	?	-
Surrey	4000	?	?	?	-1175 (29.3%)	?	-350 (8.7%)
Sussex	5000	-	4575 (91.4%)	4598 (91.8%)	?	?	-
Warwickshire	4000	-	267 (6%)	3708 (92.6%)	?	?	-229 (5.7%)
Westmorland	500	-	500 (100%)				-
Wiltshire	7000	-	6543 (93.4%)	?	?	?	-
Worcestershire	4000	1900 (47.5%)	2166 (54.1%)	2638 (65.9%)	-	4000 (100%)	-
Yorkshire	12000	2000 (16.6%)	11767 (98%)	?	?	?	-
Anglesey	448	-	448 (100%)				-
Brecon	933	-	933 (100%)				-
Caenarvonshire	447	-	447 (100%)				-
Cardiganshire	654	-	654 (100%)				-
Carmarthenshire	760	?	?	?	?	600 (78.9%)	?
Denbighshire	1117	-	-	32 (2.8%)	-	1117 (100%)	-
Flintshire	738	-	738 (100%)				-
Glamorganshire	1449	-	1389 (95.8%)	?	?	?	?
Merionethshire	416	-	416 (100%)				-
Montgomeryshire	833	-	833 (100%)				-
Pembrokeshire	713	-	670 (93.9%)	?	?	?	?
Radnor	490	448 (91.4%)	?	?	?	?	?
[Northwales]	4000						-2000 (50%)
[Southwales]	5000						-203 (4%)

6.1.11. SHIP MONEY: PAYMENT UNDER THE 1636-WRIT (figures are rounded)

County	Total Charge (£)	paid by 1 Jan.1637	paid by 1 Apr.1637	paid by 1 Jul.1637	paid by 1 Oct.1637	paid after 1 Oct.1637	arrears by 24 Mar.1638
Bedfordshire	3000	700 (23.3%)	2100 (70.0%)	?	?	2600 (86.6%)	- 90 (3%)
Berkshire	4000	-	-	3600 (90%)	4000 (100%)		-
Bristol	1000	-	-	-	-	759 (75.9%)	-224 (22.4%)
Buckinghamshire	4500	?	?	?	?	-2230 (-49.5%)	-1530 (34%)
Cambridgeshire	3500	-	-	1100 (31.4%)	1900 (85.7%)	3500 (100%)	-
Cheshire	3000	-	-	2330 (77.6%)	2740 (91.3%)	2940 (98%)	-
Cornwall	5500	-	4000 (72.7%)	4920 (89.4%)	?	5500 (100%)	-
Cumberland	700	?	?	700 (100%)			-
Derbyshire	3500	?	?	?	?	?	-
Devon	9000	?	6650 (73.8%)	8559 (95.1%)	?	9000 (100%)	-
Dorset	5000	-	-	3200 (64%)	4500 (90%)	?	-320 (6.4%)
Durham	2000	?	?	?	?	?	-
Essex	8000	?	?	?	1700 (21.2%)	2970 (37.1%)	-30 (0.3%)
Gloucestershire	5500	?	?	400 (7.2%)	?	500 (9.0%)	-250 (4.5%)
Hampshire	6000	?	?	3453 (57.5%)	5867 (97.7%)	?	-42 (0.7%)
Herefordshire	3500	-	2780 (79.4%)	?	?	?	-76 (2.1%)
Hertfordshire	4000	-	-	2590 (64.7%)	3225 (80.6%)	3668 (91.6%)	-254 (6.3%)
Huntingdonshire	2000	-	-	-	2000 (100%)		-
Kent	8000	-	350 (4.3%)	7000 (87.5%)	-	7800 (97.5%)	-200 (2.5%)
Lancashire	4000	-	-	-	-	4000 (100%)	-
Leicestershire	4500	-	200 (4.4%)	-	-	4500 (100%)	-
Lincolnshire	8000	-	3640 (45.5%)	7483 (93.5%)	7785 (97.3%)	8000 (100%)	-
Middlesex	5014	-	-	202 (4.0%)	3202 (63.8%)	?	-488 (9.7%)
Monmouthshire	1500	-	1500 (100%)				-
Norfolk	7800	-	-	-	7224 (92.6%)	7800 (100%)	-
Northamptonshire	6000	?	?	1000? (16.6%)	?	?	-850 (14.1%)
Northumberland	2100	-	-	1400 (66.6%)	-	-	-700 (33.3%)
Nottinghamshire	3500	-	-	-	3390 (96.8%)	?	-30 (0.8%)
Oxfordshire	3500	?	?	?	?	?	-485 (13.8%)
Rutlandshire	800	-	-	800 (100%)			-
Shropshire	4500	?	?	?	?	?	-131 (2.8%)
Somerset	8000	-	?	1402 (17.5%)	?	1500 (18.9%)	-438 (5.4%)
Staffordshire	3000	?	?	?	?	?	-300 (10%)
Suffolk	8000	-	4402 (55%)	-	6350 (79.3%)	7800 (97.7%)	-52 (0.6%)
Surrey	3500	-	-	3000 (85.7%)	?	?	-255 (7.2%)
Sussex	5000	-	-	4365 (87.3%)	4787 (95.7%)	4887 (97.7%)	-32 (0.6%)
Warwickshire	4000	?	?	?	?	?	-634 (15.8%)
Westmorland	700	-	700 (100%)				-
Wiltshire	7000	-	-	3400 (48.5%)	-	5800 (82.8%)	-1200 (17.2%)
Worcestershire	3500	-	-	-	-	3000 (85.7%)	-330 (9.4%)
Yorkshire	12000	-	11862 (98.8%)	-	-	12000 (100%)	-
Anglesey	462	-	-	200 (44.6%)	448 (99%)	?	?
Brecon	987	-	-	500 (50.6%)	-	900 (91.1%)	?
Caenarvonshire	447	-	-	447 (100%)			-
Cardiganshire	654	-	-	10 (1.5%)	654 (100%)		-
Carmarthenshire	760	-	360 (47.3%)	760 (100%)			-
Denbighshire	1117	-	-	-	32 (2.8%)	1088 (97.4%)	?
Flintshire	338	?	?	?	?	?	?
Glamorganshire	1449	-	1449 (100%)				-
Merionethshire	416	-	-	400 (96.1%)	-	416 (100%)	-
Montgomeryshire	833	?	?	?	?	?	?
Pembrokeshire	713	?	?	?	?	?	?
Radnor	490	?	?	42 (8.5%)	?	?	?
[Northwales]	4000						-76 (1.8%)
[Southwales]	5000						-146 (2.9%)

6.1.12. SHIP MONEY: PAYMENT UNDER THE 1637-WRIT (figures are rounded)[1]

County	Total Charge (£)	paid by 3 Mar.1638	paid by 30 Jun.1638	paid by 29 Sep.1638	paid by 27 Apr.1639
Bedfordshire	3000	-	1500 (50%)	1900 (63.3%)	2603 (86.7%)
Berkshire	4000	-	3000 (75%)	3860 (96.5%)	3980 (99.5%)
Bristol	800	-	400 (50%)	600 (75%)	700 (87.5%)
Buckinghamshire	4500	-	700 (15.5%)	2000 (44.4%)	3300 (73.3%)
Cambridgeshire	3500	-	1060 (30.2%)	2060 (58.5)	3360 (96%)
Cheshire	3000	2000 (66.6%)	2629 (87.2%)	2949 (98.3%)	2980 (99.3%)
Cornwall	5500	4000 (72.7%)	5200 (94.5%)	5200 (94.5%)	5500 (100%)
Cumberland	700	-	646 (92.2%)	646 (92.2%)	646 (92.2%)
Derbyshire	3500	1560 (44.5%)	2260 (64.5%)	2260 (64.5%)	3388 (96.8%)
Devon	9000	3793 (42.1%)	6975 (77.5%)	7060 (78.4%)	7737 (85.9%)
Dorset	5000	-	2699 (53.9%)	3461 (69.2%)	4052 (81.2%)
Durham	2000	-	860 (43%)	860 (43%)	1570 (78.5%)
Essex	8000	-	6060 (75.7%)	6870 (85.8%)	7880 (98.5%)
Gloucestershire	5500	-	2400 (43.6%)	3448 (62.6%)	4963 (90.2%)
Hampshire	6000	-	5758 (95.9%)	5767 (96%)	5940 (99%)
Herefordshire	3500	-	800 (22.8%)	800 (22.8%)	2290 (65.4%)
Hertfordshire	4000	-	1500 (37.5%)	2572 (64.3%)	2973 (74.3%)
Huntingdonshire	2000	-	817 (40.8%)	1431 (71.5%)	1915 (95.7%)
Kent	8000	1172 (14.6%)	5020 (62.7%)	6047 (75.5%)	7094 (88.6%)
Lancashire	4000	1000 (25%)	3007 (75.1%)	3007 (75.1%)	3827 (95.6%)
Leicestershire	4500	1400 (31.1%)	2500 (55.5%)	2940 (65.3%)	4000 (88.8%)
Lincolnshire	8000	220 (2.7%)	3520 (44%)	4020 (50.2%)	5251 (65.6%)
Middlesex	5014	300 (5.8%)	2560 (51%)	3662 (73%)	4011 (79.9%)
Monmouthshire	1500	1400 (93.3%)	1400 (93.3%)	1470 (98%)	1500 (100%)
Norfolk	7800	2514 (32.2%)	4720 (60.5%)	6870 (88%)	7722 (98.9%)
Northamptonshire	6000	-	360 (6%)	1700? (28.3%)	4002 (66.7%)
Northumberland	2100	-	1000 (47.6%)	1000 (47.6%)	1200 (57.1%)
Nottinghamshire	3500	-	1150 (32.8%)	1890 (54%)	3500 (100%)
Oxfordshire	3500	-	1100 (31.4%)	1600 (45.7%)	2800 (80%)
Rutlandshire	800	-	800 (100%)	800 (100%)	800 (100%)
Shropshire	4500	-	1545 (34.3%)	2166 (48.1%)	4327 (96.1%)
Somerset	8000	-	3500 (43.7%)	5500 (68.7%)	7610 (95.1%)
Staffordshire	3000	2000 (66.6%)	2380 (79.3%)	2380 (79.3%)	2880 (96%)
Suffolk	8000	1200 (15%)	3700 (46.2%)	4000 (50%)	7519 (93.9%)
Surrey	3500	850 (24.2%)	1650 (47.1%)	2902 (82.9%)	3217 (91.9%)
Sussex	5000	4000 (80%)	4407 (88.1%)	4809 (96.1%)	5000 (100%)
Warwickshire	4000	-	1650 (41.2%)	1850 (46.2%)	3000 (75%)
Westmorland	700	-	300 (42.8%)	460 (65.7%)	460 (65.7%)
Wiltshire	7000	-	3034 (43.3%)	3412 (48.7%)	5442 (77.7%)
Worcestershire	3500	-	590 (16.8%)	840 (24%)	1650 (47.1%)
Yorkshire	12000	8349 (69.5%)	10231 (85.2%)	10231 (85.2%)	10762 (89.6%)
Northwales	4000	-	1674 (41.9%)	2174 (54.4%)	3785 (94.6%)
Southwales	5000	-	2329 (46.5%)	2949 (58.9%)	4651 (93%)

[1] From: SPD 16/385-20, 393-81, 399-33, 418-77.

6.1.13. SHIP MONEY: PAYMENT UNDER THE 1638-WRIT (figures are rounded)[1]

County	Total Charge (£)	paid by 18 May 1639	paid by 28 Sep.1639	paid by 14 Dec.1639	paid by 16 May 1640
Bedfordshire	1100	250 (22.7%)	389 (35.3%)	389 (35.3%)	389 (35.3%)
Berkshire	1450	300 (20.6%)	630 (43.3%)	830 (57.2%)	1030 (71%)
Bristol	250	-	200 (80%)	250 (80%)	250 (80%)
Buckinghamshire	1650	800 (48.4%)	900 (54.5%)	1315 (79.6%)	1315 (79.6%)
Cambridgeshire	1300	520 (40%)	820 (63%)	1270 (97.6%)	1270 (97.6%)
Cheshire	1150	600 (52.1%)	1150 (100%)	1150 (100%)	1150 (100%)
Cornwall	1700	1000 (58.8%)	1000 (58.8%)	1317 (77.4%)	1637 (96.2%)
Cumberland[2]	300	-	-	-	-
Derbyshire	1300	-	730 (56.1%)	1030 (79.2%)	1030 (79.2%)
Devon	3150	2067 (65.5%)	2386 (75.7%)	2848 (90.4%)	3075 (97.5%)
Dorset	1750	-	1000 (57.1%)	1400 (82.3%)	1400 (82.3%)
Durham	700	-	-	-	-
Essex	2750	-	1500 (54.5%)	2539 (92.3%)	2715 (98.6%)
Gloucestershire	2000	680 (34%)	1280 (64%)	1680 (84%)	1680 (84%)
Hampshire	1950	1407 (72.1%)	1622 (83.1%)	1822 (93.4%)	1845 (94.6%)
Herefordshire	1200	-	-	660 (55%)	660 (55%)
Hertfordshire	1500	-	532 (35.4%)	872 (58.1%)	970 (64.6%)
Huntingdonshire	750	-	479 (63.8%)	519 (69.2%)	519 (69.2%)
Kent	2750	1524 (55.4%)	2019 (75.4%)	2413 (87.7%)	2439 (88.6%)
Lancashire	1600	-	-	-	1600 (100%)
Leicestershire	1650	500 (30.3%)	1572 (95.2%)	1572 (95.2%)	1572 (95.2%)
Lincolnshire	2900	860 (29.6%)	1266 (43.6%)	2164 (74.6%)	2214 (76.3%)
Middlesex	1800	200 (11.6%)	1030 (57.2%)	1332 (74%)	1375 (76.3%)
Monmouthshire	650	393 (60.4%)	649 (99.8%)	649 (99.8%)	650 (100%)
Norfolk	2700	1500 (55.5%)	2150 (79.6%)	2550 (94.5%)	2622 (97.1%)
Northamptonshire	2150	-	311 (14.4%)	1311 (60.9%)	1311 (60.6%)
Northumberland	700	-	-	-	-
Nottinghamshire	1250	700 (56%)	800 (64%)	1000 (80%)	1050 (84%)
Oxfordshire	1300	-	300 (23%)	600 (46.1%)	604 (46.4%)
Rutlandshire	350	100 (28.5%)	350 (100%)	350 (100%)	350 (100%)
Shropshire	1650	-	650 (39.3%)	1162 (70.3%)	1542 (93.4%)
Somerset	2800	300 (10.7%)	1600 (57.1%)	2362 (84.3%)	2467 (88.1%)
Staffordshire	850	-	250 (29.4%)	690 (81.1%)	833 (98%)
Suffolk	2800	2063 (73.6%)	2078 (74.2%)	2178 (77.7%)	2430 (86.7%)
Surrey	1250	650 (52%)	786 (62.8%)	836 (66.8%)	969 (77.5%)
Sussex	1800	1687 (93.7%)	1763 (97.9%)	1800 (100%)	1800 (100%)
Warwickshire	1450	-	300 (20.6%)	670 (46.2%)	790 (54.4%)
Westmorland	300	-	-	-	-
Wiltshire	2200	300 (13.6%)	300 (13.6%)	706 (32%)	906 (41.1%)
Worcestershire	1250	-	260 (20.8%)	590 (47.2%)	690 (55.2%)
Yorkshire	4250	3040 (71.5%)	3340 (78.5%)	3740 (88%)	3740 (88%)
Northwales	1500	100 (6%)	978 (65.2%)	1088 (72.5%)	1088 (72.5%)
Southwales	1900	524 (27.5%)	937 (49.3%)	1755 (92.3%)	1867 (98.3%)

[1] From: SPD 16/421-80, 429-44, 435-78, 453-99.

[2] Cumberland, Durham, Northumberland, and Westmorland were exempt from payment.

6.1.14. SHIP MONEY: PAYMENT UNDER THE 1639-WRIT (figures are rounded)[1]

County	Total Charge (£)	paid by 20 Jun.1640	paid by 2 Oct.1640	paid by 31 Dec.1640
Bedfordshire	3000	-	-	-
Berkshire	4000	129 (3.2%)	129 (3.2%)	129 (3.2%)
Bristol	800	240 (30%)	240 (30%)	240 (30%)
Buckinghamshire	4500	-	-	-
Cambridgeshire	3500	1015 (29%)	1015 (29%)	1240 (35.4%)
Cheshire	3000	-	1100 (36.6%)	1200 (40%)
Cornwall	5500	1170 (21.2%)	2800 (50.9%)	2800 (50.9%)
Cumberland	700	-	-	-
Derbyshire	3500	500 (14.2%)	500 (14.2%)	500 (14.2%)
Devon	9000	3617 (40.1%)	4837 (53.7%)	5099 (56.6%)
Dorset	5000	1150 (23%)	1750 (35%)	1750 (35%)
Durham	2000	-	-	-
Essex	8000	181 (2.2%)	331 (4.1%)	331 (4.1%)
Gloucestershire	5500	100 (1.8%)	100 (1.8%)	100 (1.8%)
Hampshire	6000	3356 (55.9%)	3720 (62%)	3720 (62%)
Herefordshire	3500	200 (5.7%)	650 (18.5%)	650 (18.5%)
Hertfordshire	4000	-	-	-
Huntingdonshire	2000	-	261 (13%)	261 (13%)
Kent	8000	2577 (32.2%)	2665 (33.3%)	2665 (33.3%)
Lancashire	4000	1319 (32.9%)	2448 (61.2%)	2448 (61.2%)
Leicestershire	4500	200 (4.4%)	1170 (26%)	1170 (26%)
Lincolnshire	8000	950 (11.8%)	1389 (17.3%)	1439 (17.9%)
Middlesex	5000	833 (16.6%)	963 (19.2%)	1074 (21.4%)
Monmouthshire	1500	400 (26.6%)	400 (26.6%)	800 (53.3%)
Norfolk	7800	1100 (14.1%)	1659 (21.2%)	1659 (21.2%)
Northamptonshire	6000	32 (0.5)	32 (0.5%)	32 (0.5%)
Northumberland	2100	-	-	-
Nottinghamshire	3500	641 (18.3%)	714 (20.4%)	714 (20.4%)
Oxfordshire	3500	218 (6.2%)	218 (6.2%)	218 (6.2%)
Rutlandshire	800	-	-	-
Shropshire	4500	-	-	113 (2.5%)
Somerset	8000	200 (2.5%)	264 (3.3%)	334 (4.1%)
Staffordshire	3000	-	-	-
Suffolk	8000	550 (6.8%)	775 (9.6%)	775 (9.6%)
Surrey	3500	278 (7.1%)	683 (19.5%)	878 (25%)
Sussex	5000	1559 (31.1%)	2195 (43.9%)	2195 (43.9%)
Warwickshire	4000	107 (2.6%)	107 (2.6%)	107 (2.6%)
Westmorland	700	-	-	-
Wiltshire	7000	516 (7.3%)	586 (8.3%)	902 (12.8%)
Worcestershire	3500	-	680 (19.4%)	836 (23.9%)
Yorkshire	12000	-	-	810 (6.7%)
Northwales	4000	1742 (43.5%)	2202 (55%)	2462 (61.5%)
Southwales	5000	1884 (37.6%)	2204 (44%)	2204 (44%)

[1] From: SPD 16/457-85, 461-17, 473-103.

6.1.15. PERFECT MILITIA: REFERENCES TO MAINTENANCE IN PARISH ACCOUNTS[1]

Parish Account	1631-1637	1638-1640
Bristol		
All Saints CW	1/4	0/2
Christ Church Holy Trinity CW	0/1	0/0
St.James CW	0/1	0/0
St.Thomas CW	0/2	0/1
St.Werburgh CW	0/0	0/1
Cornwall		
Egloskerry C	0/1	-
St.Breock CW	0/4	0/2
St.Neot CW	0/2	0/0
St.Thomas by Launceston C	1/6	-
Devon		
Bere Ferrers CW	0/5	0/2
Bishops Tawton CW	1/1	-
Bishops Tawton C	0/1	-
East Budleigh CW	0/4	-
Chudleigh CW	0/1	0/0
Crediton CW	0/0	2/2
Dartington SM	3/6	1/1
Exeter (Heavitree) CW	0/7	0/3
Halberton CW	3/7	2/2
High Bray C	6/7	1/2
Kilmington CW	0/2	-
Lapford CW	0/3	1/1
Modbury CW	0/7	0/1
Kings Nympton CW	1/2	-
North Tawton CW	0/0	1/1
Whitchurch CW	0/1	0/0
Woodbury CW	1/4	0/0
Yealmpton CW	0/2	-
Dorset		
Cerne Abbas CW	0/2	0/0
Charlton Marshal CW	2/3	0/0
Langton Long Blandford CW	0/2	1/2
Sherborne CW	0/4	0/1
Gloucestershire		
Mickleton CW	-	0/1
Tortworth C	0/1	0/2

[1] Accounts referring to maintenance in relation to accounts referring to military matters; e.g. 1/3 means, one annual account referring to maintenance out of three accounts referring to military matters. (-) = no surviving accounts. Maintenance does not include the "dressing" or cleaning of arms.

Parish Account	1631-1637	1638-1640
Hampshire		
Chawton CW	0/4	0/1
Herefordshire		
Madley CW	0/2	0/3
Hertfordshire		
Bengeo OV	0/1	-
Kent		
East Farleigh CW	0/0	0/1
Loose CW	0/0	0/1
Lancashire		
Manchester C	1/6	1/2
Leicestershire		
Branston C	1/5	1/2
Stathern CW	0/3	0/2
Stathern C	0/7	2/2
Waltham C	1/6	0/1
Wigston Magna CW	0/1	0/0
Lincolnshire		
Addlethorpe C	0/0	1/1
Algarkirk C	-	1/3
Croft C	1/2	-
South Kyme C	-	0/1
Norfolk		
Denton CW	1/2	0/0
Dereham East CW	1/1	-
East Harling C	4/7	1/2
Gissing C	1/2	0/2
Hilgay C	0/0	0/2
Shelton C	2/6	0/2
Northamptonshire		
Burton Latimer C	2/7	1/1
Cransley C	1/1	-
Lowick C	0/2	-
Marston Trussell C	5/5	2/2
Weedon Beck VMB	0/0	0/2
Nottinghamshire		
Upton C	-	1/1
Shropshire		
Donington C	0/1	1/1
Lydbury North CW	0/1	0/0
Stockton C	2/2	2/2
Worfield C	1/3	0/1
Somerset		
Banwell CW	0/2	0/0
Bicknoller TM	3/3	2/2
Charlton Musgrove TM	1/2	-

Parish Account	1631-1637	1638-1640
Cheddar C	0/4	0/0
Churchill CW	-	0/1
Crewkerne CW	0/0	0/1
Ilminster CW	1/3	0/1
Rode C	0/3	-
Staplegrove CW	1/3	0/0
Wrington CW	1/1	0/0
Staffordshire		
Biddulph PA	0/0	1/2
Checkley CW	0/1	0/2
Gayton CW	1/1	0/0
Pattingham C	2/4	-
Suffolk		
Cratfield CW	1/7	0/1
Dennington CW	2/5	2/3
Framlingham CW	2/2	1/1
Gislingham C	1/4	-
Mendlesham CW	2/3	1/1
Peasenhall CW	0/2	1/2
Sibton CW	0/4	0/1
Stradbroke CW	5/5	-
Weybread CW	0/0	1/3
Wingfield CW	-	1/2
Woodbridge CW	1/4	2/2
Warwickshire		
Fillongley C	2/3	2/2
Nether Whitacre C	3/5	1/2
Worcestershire		
Salwarpe C	-	1/1
York		
Holy Trinity Goodramsgate CW	1/3	0/0
Holy Trinity Goodramsgate C	1/2	3/3
St.John Ousebridge CW	2/3	0/0
St.Martin cum Gregory CW	1/2	0/0
St.Michael Spurriergate CW	0/3	0/2

6.1.16. PERFECT MILITIA: REFERENCES TO MUSTERS IN PARISH ACCOUNTS, 1631-1637[1]

Parish Account	1631	1632	1633	1634	1635	1636	1637
Berkshire							
Bray CW		O				///	
Bristol							
All Saints CW	R		1?/?	1?/?		///	1?/?
Cornwall							
St.Breock CW			1/?		O 1?/2	O	?/2
St.Neot CW	///	1/?	///	1/?	1/?	1/2	1/?
Egloskerry C			O 2/2?				
St.Thomas by Launceston C	2/3?	1?/?	O ?/35	AO 1?/?	AO 1?/?		RAO 1/?
Devon							
Bere Ferrers CW	///	O	///	///	///		
Bishops Tawton C	RTO 2?/2?						
East Budleigh CW		///	1/3	1?/?	1/4	A	
Chudleigh CW	///	///	///	///	O	///	///
Dartington SM	T 1?/1?	///	TA 2?/2	RAO 1?/?	O ?/?	RTAO ?/5?	RO ?/?
Exeter (Heavitree) CW	TO 2/2	TO 1/1	TO 2/?	///	AO 2?/4	TAO ?/2	O 2/1?
Halberton CW	2/?	R 2/?	R 3/?	2/?	///	///	R ?/4
High Bray C	RO 3/3?	RAO 2/4	2/2+	RTAO 4?/6	RA 2/2+	RO 1/2	AO 2/3
Kilmington CW	///	///		///	///	O	O
Lapford CW	1/?		///	O	///	///	1/?
Kings Nympton CW						TA	RTAO
North Tawton CW		///	O	O	O	O	O
Woodbury CW	///	1/?	O 1/?	3/?	R 1/?	///	///
Yealmpton CW			///	///	///	1/?	///
Dorset							
Cerne Abbas CW	///	///	?/?	?/?	///	///	///
Charlton Marshal OV	R	R	///	///	///	TO? ?/13	T?

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[1] Symbols:

Shade = no surviving account
/// = surviving account, but no reference to military duties
R = repair and replacement of equipment beyond cleaning
T = "training" mentioned
A = references to ammunition
O = references to Muster Masters' or officers' payment
2/4 = e.g. two musters/four days duration.

Parish Account	1631	1632	1633	1634	1635	1636	1637
Langton Long Blandford CW						O	O
Sherborne CW	///	///	O	///	O	O	O
Gloucestershire							
Tortworth C						O	
Hampshire							
Chawton CW	///	///	///	O	O	O	O
Herefordshire							
Madley CW	///	///	///	///	///	O	O
Hertfordshire							
Bengeo C			AO				
Lancashire							
Manchester C	1/?	O	R	A	///	?/?	A
Leicestershire							
Branston C	O 1?/?	A 1?/?	1?/?	RT 2?/2?	TA 4?/4?	///	TAO 2?/?
Stathern CW		///	A		///	A	A
Stathern C	O 1/?	T 1-2/?	1?/?	2/?	TA 2-4?/2+	1?/?	A
Waltham C	T 2-3+/?	///	///	T 4-5?/?	///	T 1?/1?	R?TAO 1?/?
Lincolnshire							
Croft C		O		///	RA 1?/?		///
Norfolk							
Denton CW	RA ?/3	///	///	///	///	///	///
Dereham East CW	RA						
Gissing C	TA 2/3			RAO 2/?	///		
East Harling C	A	T 3?/?	RTAO 2/?	RA 2/?	A 3?/?	TAO 2?/?	R ?/3
Shelton C		O 2/4	RTO ?/2	TO ?/3	RO ?/5	O ?/2	///
Northamptonshire							
Burton Latimer C	RT 1?/?	RT 1?/?	T 1?/?	T 1?/?	RT 1?/?	RT 1?/?	1?/?
Cransley C							RTAO
Marston Trussell C			RT 1/?	1/?	RT 1/1?	R	R
Nottinghamshire							
Coddrington C	O						///
Shropshire							
Donington C	///	1/?	///				
Stockton C	///	RO 1/?					RO
Worfield C	TA 5?/?	TA 2?/?	///	RTO 3?/?			
Somerset							
Bicknoller TM	RA 1/?				R 1/?	R	

Parish Account	1631	1632	1633	1634	1635	1636	1637
Charlton Musgrove TM			RA 1/2				A 1/?
Cheddar C	1/?	A 2/?		2/?			
Ilminster CW			A	///	///	A	R
Rode C		T 1?/?			A 1?/?	A 1/2	
Staplegrove CW			T 2/?	RT 1?/?	1?/?	///	///
Tintinhull CW	A	///		///		///	///
Wrington CW				///	///	///	R
Staffordshire							
Checkley CW + OV	///	///	O	///	///	///	///
Pattingham C	RTAO 1/?	AO 1/?	O 1/1	RTAO 1/?			
Suffolk							
Cratfield CW + C	A 1/?	TAO 1/1?	TAO ?/2	1?/?	TO 2/2	T 2/2	O
Dennington CW	T ?/2	T 2?/4	///	///	R 1?/?	RT ?/3	RT ?/4?
Framlingham CW	RTA ?	RA ?	///				
Gislingham CW						///	O
Gislingham C		TAO 1-2?/?	RAO 1/?			1/?	O
Horham C		TAO 1/?					
Mendlesham CW	///	O 1?/?	///	RAT ?/2	RT ?/3	T 3 + ?/?	///
Peasenhall CW			///	///	T ?/1	T ?/?	///
Sibton CW	///	///	1?/?	1?/?	1?/?	T ?/2	///
Stradbroke CW	R 1/?	R	R 1/?	R ?/1	R	R 2/?	
Woodbridge CW	///	1?/?	T	///	RT ?	1?/?	///
Surrey							
Lambeth CW	///	///	///	TO 4/4	///	///	TO
Warwickshire							
Fillongley C				O 1/?		RO 1?/?	
Nether Whitacre C		RTAO 2-3?/ 2-3?	RO 1/2		TO 1/?	1/?	RTAO 3?/?
York							
St.John Ousebridge CW	A	///	///	///	///	A 1?/?	R ?/?
St.Martin cum Gregory CW	///	///	///	///	///	?/?	AO 1?/?
Holy Trinity Goodramsgate C						R	O
Holy Trinity Goodramsgate CW		R 1?/?					

6.1.17. PERFECT MILITIA: REFERENCES TO MUSTERS IN PARISH ACCOUNTS, 1638-1640

Parish Account	1638	1639	1640
Bristol			
St. Werburgh CW	2/?	///	///
Cornwall			
St. Breock CW		2/?	///
St. Neot CW	///	///	///
Devon			
Crediton CW	RTAO	TO	RAO 2-3?/?
Dartington SM	RO ?/?		
Exeter (Heavitree) CW	AO 2+/?	TO 11/?	O 4+?/?
Halberton CW	R 3?/14?		R
High Bray C	R 1?/2?	AO 5/7+	
Lapford CW	RO	?/?	///
Modbury CW	///	R	///
Dorset			
Charlton Marshal CW	O		O
Langton Long Blandford CW	O ?/5	O	R ?/?
Sherborne CW	O	O	O
Essex			
Maldon CH	O	R?	O
Gloucestershire			
Tortworth C	O	AO	
Herefordshire			
Madley CW	O	///	///
Kent			
East Farleigh CW	///	///	A
Lancashire			
Manchester C	RT? 6-12?/?	A	
Leicestershire			

Parish Account	1638	1639	1640
Branston C	RTA 5+/?	TA 3/?	RTA 4-5?/?
Stathern CW	A	A	A
Stathern C	RTAO 3?/3+?	RT 3+?/3+?	
Waltham C		A	
Lincolnshire			
Addlethorpe C			R 3/3+?
Algarkirk C	RT 5+/8+?	AO 4-5?/?	R? 3-4?/?
Norfolk			
Gissing C		///	A 3/?
East Harling C	?	R	RT ?/52
Hilgay C	R	///	
Shelton C	TO ?/2	R?A ?/?	O ?/7?
Northamptonshire			
Burton Latimer C	RTA 8?/?		
Marston Trussell C	RT 7?/?	RT 2?/?	
Weedon Beck VMB	T	///	///
Nottinghamshire			
Coddington C	O		
Upton C			RA
Shropshire			
Donington C	RA		
Stockton C	RO ?/?	RA 2-5?/6+?	
Worfield C			O 1-2?/?
Somerset			
Bicknoller TM		R 1?/?	
Ilminster CW	A ?/?	///	///
Rode C	///		
Staffordshire			
Biddulph PA		?/?	R ?/?
Checkley CW+OV	O	///	
Suffolk			
Dennington CW	RT? ?/?	T? 1?/1	RT? ?/5?

Parish Account	1638	1639	1640
Framlingham CW		///	R 2?/?
Gislingham CW	T?AO		T? ?/1-2?
Mendlesham CW	R 2?/?	RTA ?/2?	
Peasenhall CW	RT ?/2?	///	T? ?/2
Sibton CW	T ?/2	///	3?/3?
Weybread CW	R	1?/?	///
Woodbridge CW	RTA ?/10-13	R	///
Surrey			
Lambeth CW	///	TO 2?/2?	TO 2?/?
Warwickshire			
Fillongley C	RTAO 17/?	RT 5+/10+	
Nether Whitacre C	RTO 4-5+/12+?	A 11?/15+	
Worcestershire			
Salwarpe C		RA	
York			
Holy Trinity Goodramsgate CW	RAO ?/32	RTAO	RA

6.2. DOCUMENTS

6.2.1. THE BOOK OF ORDERS, 31 JANUARY 1631[1]

Orders and Directions together with a Commission for the better Administration of Justice, and more perfect Information of His Maiestie How, and by whom the Lawes and Statutes tending to the reliefe of the poore, the well ordering and training up of youth in Trades, and the reformation of Disorders and disordered persons, are executed throughout the Kingdome

"ORDERS.

1. THAT the Justices of Peace of every shire within the realme doe divide themselves, and allot amongst themselves what Justices of the Peace, and what Hundreds, shall attend monethly at some certaine places of the shire. And, at this day and place, the High Constables, Petty Constables, and Church-wardens and Overseers for the Poore of those Hundreds, shall attend the said Justices. And there inquirie shall be made, and information taken by the Justices, how every of these officers in their several places have done their duties, in execution of the lawes mentioned in the commission annexed, and what persons have offended against any of the said lawes.

2. When neglect, or defect, is found in any of the said officers, in making their presentments, condigne punishment to be inflicted upon them by the Justices, according to law.

3. When offences are presented at one meeting, then the penalties of the lawes offended, to be leavied and brought to the Justices at their next meeting.

4. When the penalties are leavied, the Justices are to take care that the same be imployed accordingly as by the statutes are appointed.

5. For incouragement to men that doe informe and prosecute others for offending against these lawes, or any of them, libertie to bee left to the Justices of Peace, that doe meete, to reward the informer or prosecutor, out of part of the money leavied upon his to their presentment or information. Though the Statute doe not prescribe this, yet this is not against the law that gives the penaltie to the Poore, which penaltie, nor no part thereof, would else come unto the Poore, but by this meanes.

6. That the severall Justices of the Peace of every shire doe, once every three moneths, certifie and account in writing to the High Sheriff of the countie, of their proceedings in this way; whom they have punished, what they have levied, and how they have imployed it.

7. That the High Sheriffe, within foureteene dayes after his account delivered, doe send the same over to the Justices of Assize for that county, or to one of them; and the Justice, or Justices, that receive the same, to certifie it in the beginning of every terme next after to the Lords Commissioners. And if any of the Justices of Peace shall faile to make such account to the Sheriffe, then the Sheriffe shall certifie such default to the Lords Commissioners.

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[1] cf. Frederic Eden, *The State of the Poor* (2nd edn., London, 1965), pp.156-60.

8. The Justices of Assize in every circuite are to enquire, and specially to marke, what Justices of the Peace are carefull and diligent in execution of these lawes, and the directions given, and who are negligent and remisse. And what other things of note happen in their circuits, to make report thereof to the King, upon their returne from their circuits every halfe yeare."

"DIRECTIONS.

1. THAT the Lords of the manours and townes take care that their tenants, and the parishioners of every towne, may be releeved by worke, or otherwise at home, and not suffered to straggle, and beg up and downe their parish.

2. That stewards to lords and gentlemen, in keeping their leetes twice a yeere, doe specially enquire upon those articles that tend to the reformation, or punishment, of common offences and abuses; as of bakers and brewers for breaking the assizes: of forestallers and regraters: against tradesmen of all sorts, for selling with under-weight, or at excessive prises, or things unwholsome, or things made in deceipt: of people, breakers of houses, common theeves, and their receivers: haunters of taverns or alehouses; those that goe in good clothes, and fare well, and none knowes whereof they live; those that be night-walkers, builders of cottages, and takers in of inmates; offences of victuallers, artificers, workemen, and labourers.

3. That the poore children in every parish be put forth apprentices to husbandry, and other handy-crafts; and money to be raised in the parishes for placing them, according to the law; and if any party shall refuse to take the said apprentice, being put out according to the law, such party as shall refuse to take the said apprentice, to be bound over to the next quarter-sessions, or assizes, and there to be bound to his good behaviour, or otherwise ordered, as shall be found fit.

4. That the Statute of Labourers, for retaining of servants, and ordering of wages betwixt the servant and the master, be not deluded by private contracts, before they come to the statutes; and the common fashion of essoynging many absent, not to bee allowed of course, as is used.

5. That the weekely taxations for the reliefe of the Poore, and other purposes mentioned in the 43d Elizabeth, bee, in these times of scarcitie, raised to higher rates in every parish, than in times tofore were used; and contributions had from other parishes to helpe the weaker parishes, especially from those places where depopulations have beene, some good contribution to come, for helpe of other parishes. And where any money, or stocke, hath beene, or shall be given to the reliefe of the Poore in any parish, such gift to be no occasion of lessening the rates of the parish.

6. That the petty constables in all parishes be chosen of the abler sort of parishioners; and the office not to bee put upon the poorer sort, if it may be.

7. Watches in the night and warding by day, and to be appointed in every towne and village, for apprehension of rogues and vagabonds, and for safety and good order.

8. And because it is found by dayly experience, that the remissenesse and negligence of petty constables is a great cause of the swarming of rogues and beggars: therefore the high constables in their severall divisions, are specially to be charged to looke unto the petty

constables, that they use diligence in thier offices, and the high constables to present to the Justices of Peace, the defaults of the petty constables, for not punishing the rogues, or not presenting those that are relievers of the rogues and beggars, the law inflicting a penalty upon the constable for not punishing them, and upon such party as shall relieve them.

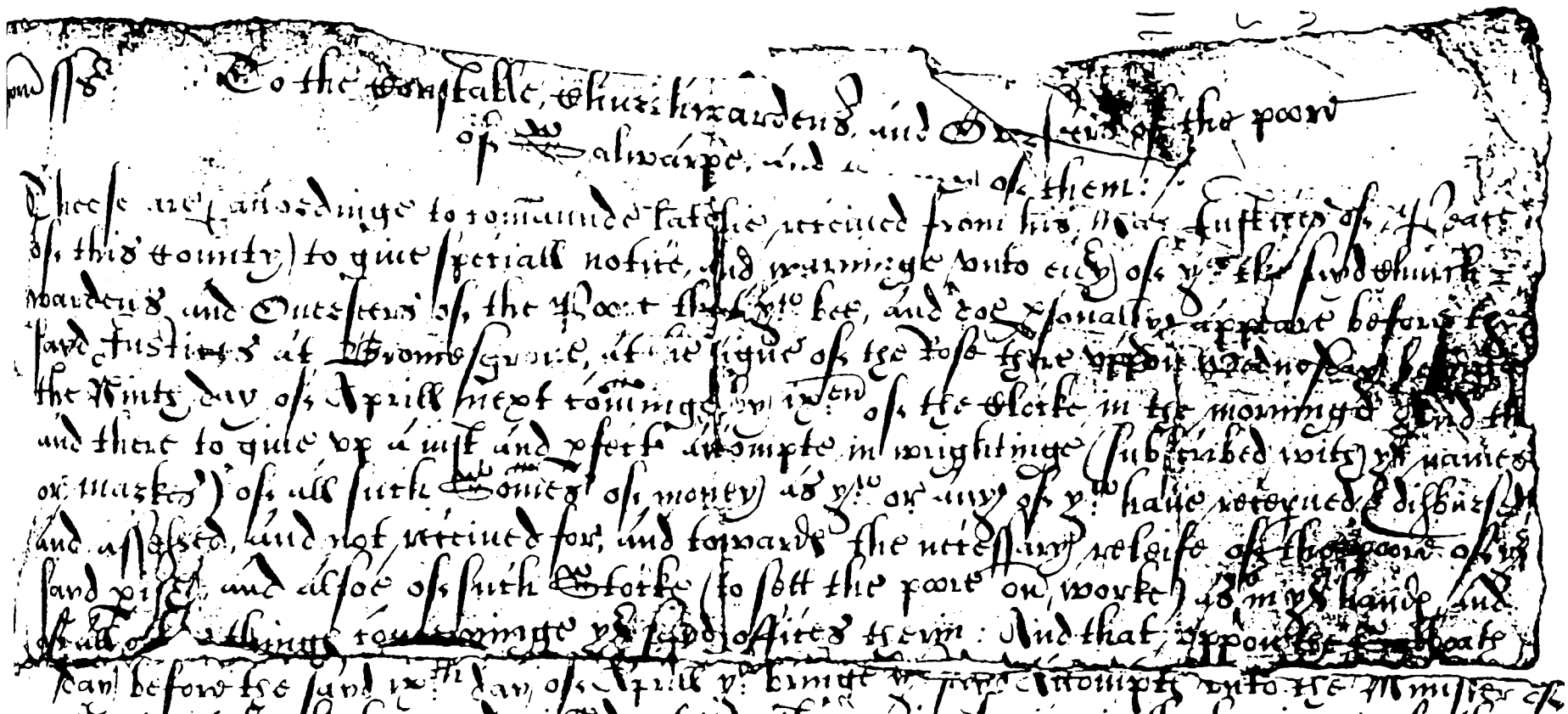
9. If in any parish there be found any persons that live out of service, or that live idly and will not worke for reasonable wages, or live to spend all they have at the ale-house, those persons to be brought by the high constables, and petty constables, to the Justices at their meetings, there to bee ordered and punished as shall be found fit.

10. That the correction-houses in all counties may bee made adjoining to the common prisons, and the gaoler to be made governor of them, that so he may imploy to worke prisoners committed for small causes, and so they may learne honestly by labour, and not live idly and miserably long in prison, whereby they are made worse when they come out, then they were when they went in; and where many houses of correction are in one county, one of them, at least, to bee neere the gaole.

11. That no man harbour rogues in their barnes or out-housings. And the wandering persons with women and children, to give an acount to the constable of justice of peace, where they were married, and where their children were christened; for these people live like salvages, neither marry, nor bury, nor christen; which licentious libertie make so many delight to be rogues and wanderers.

12. And because the highways in all counties of England are in great decay, partly so growne, for that men think there is no course by the common law, or order from the state to amend the same: and the worke days appointed by the statute are so omitted, or idly performed, that there comes little good by them. Therefore the Justices of Peace at these monethly meetings, are to take speciall care of; and not only to cause the surveyors of the highwayes to present the same; but by their owne viewe, to informe themselves, that at the next quarter sessions after every meeting, they may present all such neglects and offences, (as upon their owne view,) and the offenders there to bee punished according to law.

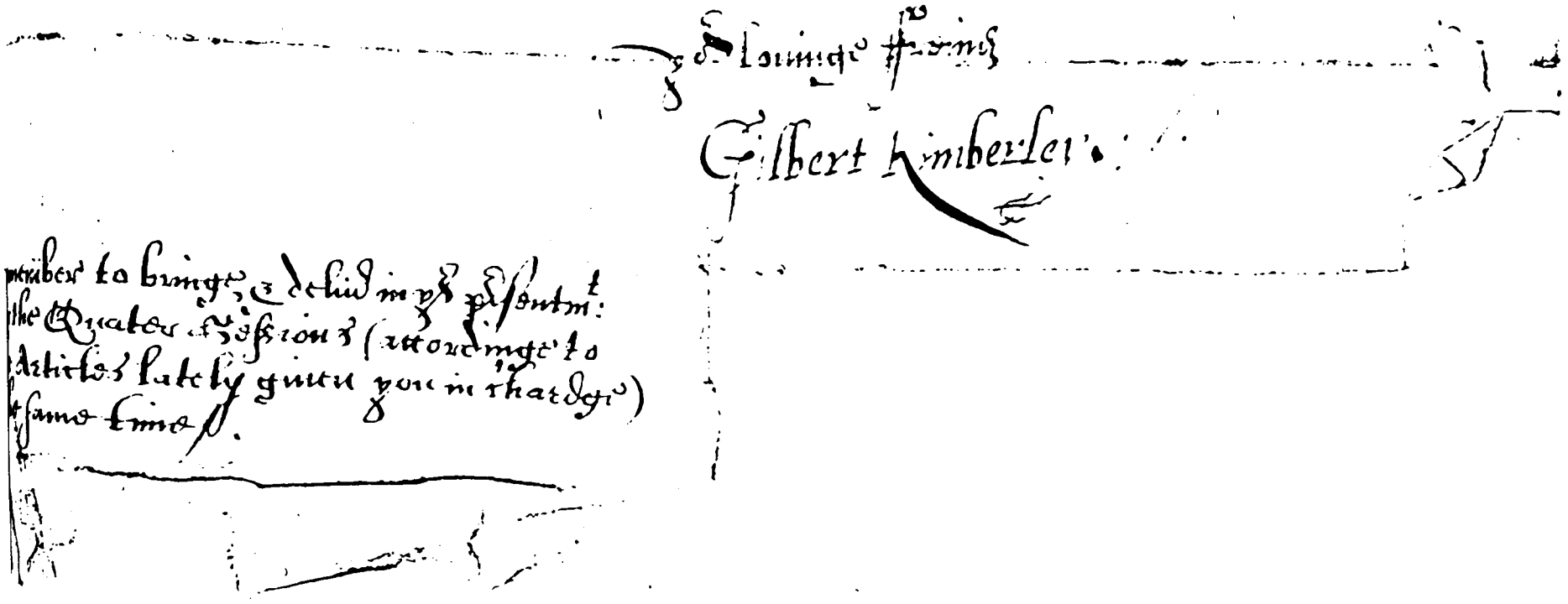
6.2.2. WARRANT TO THE PARISH OFFICERS OF SALWARPE/ WORCESTERSHIRE REGARDING THE BOOK OF ORDERS, 24 MARCH 1634



To the Constable, Churchwardens and Overseers of the poore of Salwarpe, and ... of them:

These are straightly to commaund & charge you, vpon receipt hereof, (vpon the perill that will fall vpon you & every of you in that behalfe, if you shall neglect the same) to give speciall notice and warninge vnto every of you the said Churchwardens and Overseers, that they & every of them be, and doe personally appeare before the Justices at Droitwich, at the house of the said Widdow Hanbury, on the Ninth day of April next comminge, by ten of the clocke in the morninge of the same day, and then and there to yield vp a iust and perfect accompte in writinge (subscribed with your names or marks) of all such somes of money as you or any of you have receyved & disbursed and assessed, and not receyved for, and towards the releife of the poore of Salwarpe aforesaid, and also of such stocke (to sett the poore on worke) as you have in your hands and custody, or any other to your vse or vses have: And that you shall then and there bring in your accompts vnto the said Justices: And that you the said Churchwardens and Overseers, and every of you, shall vpon the day and place aforesaid, bring in your accompts vnto the Minister & Churchwardens of the said parish, made & examined vpon oath before the said Justices: And that the Minister together with two other sufficient inhabitants of the said parish doe then & there vnder their hands at the bottome of your accompte certifie that the same were made accordinglie, and not exceptid against by any parishioner: without which certificatte no accompte will not be taken:

And further these are to will & require you the said Constable to warne all the victuallers, and Alehouse keepers within your said parish that they and every of them likewise be, and doe personally appeare before the said Justices at the time & place aforesaid, that soe many of them as shall be thought fitt may be licensed for the yeare next followinge. And that you also then and there present vnto the said Justices in writinge the names of all the victuallers and Alehouse keepers within your said parish, and also shew vnto them howe many are fitt to be allowed there, and to bringe with you from the Minister, Churchwardens and some of the sufficient inhabitants of your said parish a like note of what persons are most fitt to be allowed of, and what to be suppressed: And whoe they be that take vpon them there to sell Ale, Beere, Syder or Perry vnder without licence, or in Inne, or vnfitt places, or that are poore, or needy persons, or of ill qualitie, or to entertaine; or fetters, or Servauntes to vse; with such other matters as shall be requisitt in that behalfe for lessenninge the excessiue number of Alehouses, & reformacon of disorders therin accordinge to his Maties said late commaunde, and hereof not to fayle as you & every of you will answeare the contrary. Dated at Whitehouse the xxiiijth day of March 1633. compleat.



7. BIBLIOGRAPHY

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Potton	OV (1638-1640)	P 64/12/1
Pulloxhill	PO (1631-1640)	P 13/5/1

Berkshire Record Office:

Ashampstead	CW (1630-1638)	MF 349
Bray	CW (1632, 1636)	D/P 23/5/1
Childrey	CW (1631-1640)	D/P 35/5/1
Hampstead Norris	CW (1636-1640)	MF 160
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MSS Firth C 4, ff.475-6, 535, 540, 599-601, 610, 614, 616
MSS Rawlinson A 128, ff.24v-26; B 243, ff.17-20; C 827, f.40
MSS Tanner 177, ff.21v, 28-28v; 395, f.61v
MS.Top Linc. c.3, Hussey Letters & Military Papers, ff.68-300

Bristol Record Office:

All Saints	CW (1630-1639, not 1632+1635)	P/AS/ChW 5
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St.Ewens	CW (1631)	P/St.E./ChW2
St.James	VMB (1631-2, 1634-40)	P/St.J./V/1(a)
St.James	CW (1631-1639)	P/St.J./ChW/1(b)
St.Thomas	CW (1631-8, 1640)	P/St.T./ChW/63-72
St.Werburgh	CW (1631-1639)	P/St.W./ChW/3(b)

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Add MSS 6173, Churchwardens' Accounts of Horley/Surrey
Add MSS 26781, Hampshire Militia Papers (1630-1640)
Add MSS 32093, Letter by Henry Ball to Sir Thomas Thyme kt., 2 August 1637 (Buckinghamshire Ship Money)
Add MSS 33512, Sandwich/Kent Letters and Papers 1570-1729
Add MSS 34163, Sir R. Twysden's Notebook, vol.1
Add MSS 34173, 34176, Twysden Papers, Letters, etc., 1580-1747
Add MSS 61681, Bedfordshire and Hertfordshire Ship Money Papers
Egerton MSS 784, Whiteway's Diary 1618-1634 (JP in Dorset)
Harley MSS 454, Diary of Sir Humphrey Mildmay, 1633-1651
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Aston Abbots	CW (1631, 1633-40)	PR 7/5/1
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Ely (St.Mary)	CW (1631-1640)	(C) P 67/5/1
Everton	CW (1631-1640)	(H) 2150/8/1
Eynesbury	VAB (1631-2, 34-6, 38-40)	(H) 2603/8/1
Gamlingay	CW (1631-35, 1639)	(C) P 76/5/14-19
Gamlingay	C (1633)	(C) P 76/9/4
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[1] Including Churchwardens' Accounts.

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Great Paxton	CW (1631-1640)	(H) 2119/3/1
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Burton Wood	CW (1631-1633)	P 144/4323/1
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Frodsham	CW (1632-1640)	P 8/13/1+2
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Middlewich	CW (1635-7, 1639-40)	P 13/22/1
Tilston	CW (1631-1640)[1]	P 18/3608
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Egloskerry	C (1633)	DDP 53/9/2
St.Germans	CW (1631-1640)	DDP 68/12/1
St.Thomas by Launceston	C (1631-5, 1637)	DDP 221/9/2
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[1] Including Vestry Minute Book.

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Cartmel	CW (1631-5, 1637 + 1639)	(K) WPR 89/W1
Great Selkeld	CW (1638, 1639)	(C) PR/116/107
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Morton	CW (1633-1640)	xm 1/45 item 13
Repton	CW (1631-1635)	xm 1/361 item 1

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Devon Record Office: (E = EastDevon, N = NorthDevon, W = WestDevon)

Ashburton	OV (1631-1640)	(E) 2660 A/PW 2
Awliscombe	CW (1636, 1637)	(E) 3020 A/PW 6 + 7
Beaford	OV (1632-1639)	(N) 2215 A/PO 1
Bere Ferrers	CW (1631-5, 1638-40)	(E) D 1815
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Bishops Tawton	C (1631)	(N) 1469 A/PC 6
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Broadhempston	CW (1631-1640)	(E) 2656 A/PW 1
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Coombe Martin	OV (1632-1640)	(E) MFK 7
Crediton	CW (1631-1640)	(E) 1660 A/85-94
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Exeter (Heavitree)	CW (1631-1640)	(E) 3004 A/PW 4/1
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High Bray	CW + C (1631-1639)	(N) 815 A/PW 1
Honiton	CW (1631-1640)	(E) 1639 A/PW 1
Kilmington	CW (1630-1637)	(E) 3047 A/PW 2
Lapford	CW (1631-1640)	(E) 2021 A/PW 1
Modbury	CW (1631-1640)	(E) 269 A/PW 8
Northam	CW (1631-38, 1640)[2]	(N) 1843 A/PW 1
Northam	OV (1631-3, 35-6, 38-40)	(N) 1843 A/PW 2
Kings Nympton	OV (1636, 1637)[3]	(N) 3330 A/PO 1
Parkham	OV (1631-1640)	(N) 1892 A add 3/PO 1
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Orders to the Overseers of Yealmpton, 1638 and 1642		(W) 731/837 + 838

[1] In fact an Overseers' Account.

[2] In fact a Vestry Minute Book.

[3] Including Churchwardens' and Constables' Accounts.

[4] In fact a Vestry Minute Account Book.

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Bere Regis	CW (1632, 1633)	PE/BER CW 6
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Cerne Abbas	CW (1631-1640)	PE/CEA CW 1
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Corfe Castle	CW (1631-1640)	MIC/R/1015
Langton Long Blandford	CW (1636-1640)	PE/LAL CW 1
Longburton	CW (1634-1638)	PE/LOB CW 1
Milton Abbas	CW (1637)	PE/MIL CW 1
Sherborne	CW (1631-1640)	PE/SH CW 1/102-111
Swanage	OV (1631-3, 37, 39-40)	PE/SW OV 1/1
Swyre	OV (1631-1640)	PE/SWY OV 1/1
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Tarrant Crawford	CW (1637-1640)	PE/TTC CW 1/1
Wimborne Minster	CW (1631-1635)	PE/WM CW 1/41

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Essex Record Office, Chelmsford:

Ashdon (All Saints)	VMB (1631-1640)	D/P 18/8/1
Barnston	OV (1633-1634)	D/P 153/12
Braintree	PB (1631-1640)	D/P 264/8/1
Chelmsford	CW (1631-1640)	D/P 94/5/1
Coggeshall	VMB (1631-3, 36-40)	D/P 36/8/1
Debden	PB (1631-8, 1640)	D/P 242/8/1
Finchingfield	TB (1631-1640)	D/P 14/8/1A
Heydon	CW (1631-5, 1637-8)	D/P 35/1/1
Hornchurch (St.Andrew)	CW (1631-1640)	D/P 115/5/1
Roydon (St.Peter)	PB (1632-1640)	D/P 60/8/1
Saffron Waldon	CW (1631-1640)	D/P 192/5/3
South Weald	CW (1631-1638)	D/P 128/5/1
Thaxted	CW (1638)	T/P 99/3
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Chamberlains' Accounts (1632-1638)	D/B 3/3/300-3
Warrant of the Bailiffs of Maldon (1637)	D/B 3/3/217/30

Assessment of Ship Money in Essex 1636 (Transcript) T/A 42

Gloucestershire Record Office:

Barnsley	CW (1631-4, 1636-40)	P 34 CW 2/1
Bisley	OV (n.d., 1640)	P 47 OV 2/21
Bromsberrow	CW (1631-3, 1635-9)	P 63 CW 2/1
Cirencester	VMB (1631-1640)	P 86 VE 2/1
Daglingworth	CW (1632-1640)	P 107 CW 2/1
Dursley	CW (1631-3, 1635-40)	P 124 CW 2/4
Eastington	CW (1631-1640)	P 127 CW 2/1
Gloucester (St.Aldate)	OV (1634, 1638)	P 154/6 OV 1/12+14
Gloucester (St.Mary de Crypt)	CW (1631-1640)	P 154/11 CW 2/1
Gloucester (St.Michael)	CW (1631-1640)	P 154/14 CW 2/1
Kemble	CW (1636, 1640)	P 186 CW 2/1
Lechlade	CW (1631-1640)	P 197 CW 2/1
Mickleton	CW (1639, 1640)	P 216 CW 2/1
North Nibley	CW (1631-1640)	P 230 CW 2/1
Slimbridge	OV (1635-1640)	P 298 A OV 2/1
Stroud (St.Lawrence)	CW (1631-1640)	P 320 CW 2/1
Tetbury (St.Mary)	CW (1631-1640)	P 328/1 CW 2/14
Tewkesbury Abbey	CW (1631-4, 1636-40)	P 329 CW 2/1
Tortworth	C (1636, 1638-9)	P 338 CO 1/1
Twyning	CW (1639, 1640)	P 343 VE 2/1
Winchcomb (St.Mary)	PB (1631-1640)	P 368/1 VE 2/1
Withington	CW (1636, 1638-40)	P 374 CH 1

Gloucester Lieutenancy Order and Letter Books (1640-1660), GBR H2/2+3

Hampshire Record Office:

Alton (St.Lawrence)	CW (1631-1640)	29 M 84/PW 1
Bramley	CW (1631-1640)	63 M 70/PW 1
Chawton	CW (1631-1640)	1 M 70/PW 1
Chawton	OV (1631-7, 1639-40)	1 M 70/PO 1
Durley	CW (1631-1640)	97 M 82/PW 3
East Worldham	CW (1631-2, 1634)	28 M 79/PW 1
Ellingham	CW (1631-1640)	13 M 82/PZ 2
Fordingbridge	CW (1631-1637)	24 M 82/PW 2
Hambledon	CW (1634, 1636)	46 M 69/PW 1+2
Mapledurwell	CW (1634-1638)	M 374
South Warnborough	CW (1631-1640)	70 M 76/PW 1
Weyhill	CW (1631-1640)	59 M 78/PW 1
Winchester (St.John)	CW (1631-1640)	88 M 72/PW 2
Wootton St.Lawrence	CW (1631-1640)	75 M 72/PW 1

Herriard MSS, Jervoise Papers, 44 M 69 G 3/220, G 5/44/1-22, G 5/45

Herefordshire Record Office:

Hentland	CW (1631-1640)	Hentland N 13/1
Hereford (All Saints)	CW (1631-1640)	Hereford, All Saints BC 63/1
Hereford (St.Nicholas)	CW (1632-1640)	Hereford, St.Nicholas AG 81/23
Madley	CW (1631-1640)	MX 806+818

Hereford City Quarter Sessions Papers, 1633-1635

Hertfordshire Record Office

Aldenham	OV (1633?-1639)	Mf 1007
Ashwell	CW (1631-1640)	Mf 1018
Aston	VMB (1631-1640)	Mf 1023
Baldock	VB (1634?-5, 1638-9)	Mf 1024
Barkway	CW (1631-1639)	Mf 1027
Bengeo	OV (1632-3, 1637)[1]	Mf 1044
Bennington	CW (1631-1640)	Mf 1046
Bishops Stortford	CW (1631-1640)	Mf 1053
Braughing	VB (1631-36?, 38-40)	D/P 23/8/1
Bushey	misc.(1631-33)	Mf 1086
Bushey	RB (1635-6, 38)	Mf1086
Little Munden	CW (1631-5, 1637-40)	Mf 1180
Sacombe	OV (1632-7, 1639-40)	Mf 1202+1205
St.Albans (St.Peter)	CW (1631-1640)	Mf 1218
Stevenage	VMB (1631-1640)	Mf 1237
Totteridge	CW (1631-1640)[2]	Mf 1120
Watton-at-Stone	CW (1631-5, 1637-40)	Mf 1270

House of Lords Record Office:

Main Paper Collection, H of LMP:

Petition of Thomas Chater of Harpole/Northamptonshire, 8 January 1641
Petition of John Shuckburghe esq. of Warwickshire, 1 June 1641

John Rylands University Library, Manchester:

English MSS 1091, The booke of all the proceedinges of all busines this yeare, 1637, by Thomas Cholmondeley, Esquier, Highe Sheriffe of the Countie of Chester, who tooke his oathe the xiiith day of October 1637

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[1] In fact a Parish Account Book, including Headboroughs' accounts.

[2] In fact, an Overseers' Account.

Kent Archive Office: (M = Maidstone, S = Strood)

Biddenden	CW (1631-6, 1638-40)	(M) P 26/5/1
Bredgar	OV (1631-1640)	(M) P 43/12/2
Charing	CW (1631-1640)	(M) P 78/5/1
Chatham (St.Mary)	CW (1634-6, 1638-9)	(S) P 85/5/1
Cranbrook	CW (1631-1639)	(M) P 100/5/1
East Farleigh	CW (1636-1640)	(M) P 142/5/1
Hartlip	CW (1635, 1636)	(M) P 175/5/1A
Leigh	CW (1631-1640)	(M) P 223/5/1
Loose	CW (1631, 1635-6, 1638)	(M) P 233/5/1
Milton Regis	CW (1632-1640)	(M) P 253/5/1
Sandhurst	CW (1631-1640)	(M) P 321/5/1
Tenterden	CW (1631-1640)	(M) P 364/5/14
Woodchurch	SHW (1631-1640)	(M) P 400/21/1

West Kent Quarter Sessions Order Books, 1625-1651, QSO W1
Dalison MSS, U522/O 4, Thomas Walsingham's Justice's Notebook
Darell of Calehill MSS U 386/O 5, Taxation Papers
Dering MSS U 350/O 10, Edward Dering's Correspondence
Dering MSS U 570/O 1, Edward Dering's Justice's Notebook
Dering MSS U 1107/C 12, O 3, Edward Dering's Correspondence
Twysden MSS U 47/47 O 1, Z 1, Z 2, Sir Roger Twysden's Diary
Sackville of Knole MSS U 269/O 267 (Ship Money Papers)

Lancashire Record Office:

Goosnargh	CW + VMB (1634-1640)	PR 644
Manchester	C (1630-1639)	see ed. J.P. Earwaker
Whalley	CW (1636-1640)	PR 8

Quarter Sessions Orders, QSO 2/6-13

Leicestershire Record Office: (R = Rutlandshire):

Belton	PA (1631-2,1638-40)	DE 1965/41
Branston	C (1631-1640)	DE 720/30
Hallaton	CW (1631-1640)	DE 1556/47
Hinckley (St.Mary)	CW (1631-1640)	DE 1225/65
Peckleton	CW (1631-1640)	19 D 33/4
Leicester (St.Martin)	CW (1631-5, 1637-40)	DE 1564/1384
Loughborough	CW (1633-1640)	DE 667/62
Lutterworth	CW (1639, 1640)	DE 2559/18
Lyddington	CW (1631-3, 1637-40)	(R) DE 1881/41
Preston	CW (1631, 1634-40)	(R) DE 2461/39
Stathern	C (1631-1639)	DE 1605/56
Stathern	CW (1631-1640)	DE 1605/34

Stathern	OV (1631-1640)	DE 1605/59
Uppingham	CW (1633-1640)	(R) DE 1784/17
Waltham on the Wolds	C (1630-1638)	DE 625/60
Wigston Magna (All Saints)	CW (1631-1639)	DE 384/36

Lincolnshire Archives:

Addlethorpe and Ingoldness	C (1637, 1640)	Addlethorpe 12
Algarkirk	C (1638-1640)	Algarkirk 12
Algarkirk	CW (1631-1640)	Algarkirk 7
Algarkirk	OV (1635, 1638-40)	Algarkirk 13
Billingborough	CW (1631-1640)[1]	Billingborough 10/1
Boultham	C (1640?)	Boultham 12 Box 6
Broughton by Brigg	CW (1631?-1640?)	Broughton by Brigg 7/1
Croft	C (1632, 34-5, 37)	Croft 12/1
Heckington	CW (1631-1640)	Heckington 7/1
Horbling	C (1630)	Horbling 12/9
Horbling	TB (1631-1640)	Horbling 7/10
Langton by Wragby	TB (1636-1641)	Langton by Wragby 10
Louth (St.James)	CW (1631-1638)	Louth St.James 7/5
South Kyme	C (1639)	South Kyme 12
Strubby	VMB (1635-1640)	Strubby 10
Waddingworth	PA (1631-1639)	MFiche 116200101 A
Witham on the Hill	CW (1631-1640)	Witham on the Hill 7/1

Norfolk Record Office:[2]

Aylsham	CW (1637-1640)	PD 602/70
Bale	CW (1632-4, 36, 39-40)[3]	Accn. Stone 9.2.70 R 155 D
Banham	CW (1631-1640)	PD 552/15
Besthorpe	CW (1635-1640)	PD 309/34
Bintry	TB (1634-1635)	PD 276/30
Bressingham	CW (1631-1640)	PD 11/69
Carbrooke	CW (1631-1640)	PD 124/30
Carleton Rode	OV (n.d. + 1632)	PD 254/78
Denton	CW + C(1631-1639)	PD 136/57
Dereham East	CW (1631)	Phi/607/9
Fensfield	CW (1633, 1637)	PD 144/43
Gissing	CW + C(1631-1640)[4]	PD 50/35

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[1] In fact a Vestry Minute Book.

[2] In July 1994, the Norfolk County Library burned out, and, due to the subsequent water damage, the attached County Record Office was closed for an indefinite period. I only had the chance to read some Churchwardens' and Overseers' Accounts, but, fortunately, was able to cover all Constables' Accounts.

[3] Transcript.

[4] In fact a Vestry Minute Book.

Gissing	C (1631, 1634-7, 1640)	PD 50/36 (L)
Gressenhall	OV (1637?-1638?)	MR 236 242 X1
East Harling	C (1631-1640)	PD 219/126
Hilgay	C (1631, 1637-9)	PD 382/85
Shelton	CW + C(1631-1640)	PD 358/33

Northamptonshire Record Office:

Brington	CW (1631-1640)	49p/GB1
Burton Latimer	C (1631-1638)	55p/504, 94-6
Burton Latimer	CW (1631-1640)	55p/57 (M 288)
Burton Latimer	OV (1631-6,1639)	55p/99,100,506
Byfield	CW (1635-1637)	56p/42
Collingtree	CW (1638-1640)	74p/31
Cottingham	CW (1631-1640)	85p/26
Cransley	C (1637)	89p/100
Hinton in the Hedges	CW (1634-1639)	169p/22
Great Houghton	CW (1634-1640)	175p/28
Irchester	CW (1631-1640)	177p/E Ir B1
Lowick	C (1635, n.d.)	199p/132/4 + 9A
Lowick	CW (1631-5, 37, 39-40)	199p/77/17-27A
Marston Trussell	C (1633-1639)	206p/102
Marston Trussell	CW (1634-5, 1638-40)	206p/64
Marston Trussell	OV (1636)	206p/109
Northampton (All Saints)	VB (1631-1640)	223p/24
Northampton (St.Giles)	CW (1632-1639)	233p/107
Northampton (St.Sepulchre)	CW (1634-5, 37, 39)	241p/42
Weedon Beck	VB (1631-1640)	Delta 1443
Wellingborough (All Hallows)	CW (1631-1640)	350p/269

Papers related to Northamptonshire Ship Money:

Cockayne MSS, C 2582, C 2708, C 2855, C 2857
Finch Hatton MSS, FH 2604
Fermor Hesketh Baker MSS 701
Isham Correspondence, IC 210, IC 3215, IC 3257
Isham of Lamport MSS, IL 1616, IL 1617, IL 1925
Maunsell of Thorpe Malsor MSS, M (TM) 485
Misc.MSS, YZ 4393
Taxation papers of Guilsborough hundred, D (CA) 905; ZA 443

Nottingham University Library:

Clifton Papers, Cl. C.77, 681, 682, 687
Portland Collection, Literary Manuscripts, PW V 684

Nottinghamshire Record Office:

Coddington	C-vouchers (1631, 37-8)	PR 1529/57
Upton	C (1640)	PR 1710
Upton	CW (1631-1640)	PR 1709

County Quarter Sessions Minutes Transcripts, QSM 1/74-1/76

Oxfordshire Record Office:

Langford	CW (1634-1639)	MS.D.D.Par.Langford c.2
Oxford (St.Peter in the East)	CW (1630-1640)	MS.D.D.Par.Oxford St.Peter in the East d.1,a.2
Oxford (St.Peter le Bailey)	CW (1631-1639)	MS.D.D.Par. Oxford St.Peter le Bailey b.3
South Newington	CW (1637)	MS.D.D.Par.South Newington a.1
Spelsbury	CW (1631-7, 1639)	MS.D.D.Par.Spelsbury d.5
Woodstock	CW (1633, 35-40)	MS.D.D.Par.Woodstock c.12
Yarnton	CW (1630-8, 1640)	MS.D.D.Par.Yarnton b.7

Ship Money Assessment for the hundred of North Leigh, 1635, QSD L 210

Public Record Office:

State Papers Domestic, Charles I, Great Britain, series II, 1625-1702, SPD 16, vols.175-429, 535-538
Acts of the Privy Council, New series 1890-1964, APC 2, vols.40-52
Assize Records, Western Circuit, Order Books 1630-1640, Assi 24

Shropshire Record Office:

Albrington	CW (1633-1637)	P 7/B/2/1
Chirbury	CW (1632-1639)	4409/Ve/1
Condover	CW (1632-1639)	1977/4/3+4
Donnington	C+CW+OV(1631-6, 1638)	3793/Ch/1
Lydbury North	CW+OV(1631-1640)	1777/B/2/1
Shawbury	CW (1633-1640)	2959/4/1
Stockton	CW+C(1631-1640)	3067/3/1
Tong	CW (1631, 1635-40)	3848/CW/1
Worfield	C (1631-4, 1640)	1374/294-298

Somerset Record Office:

Axbridge	CW (1631-1639)	D/P/ax.4/1/1
Banwell	CW (1631-1640)	D/P/ban.4/1/2
Bicknoller	TM (1631-?, 35-6, 39-40)	D/P/bic.13/2/1-11
Bicknoller	OV (1633, 1638)	D/P/bic.13/2/12-33
Bishops Hull	CW (1631-1639)	D/P/b.hl.4/1/1
Blagdon	CW (1632-3, 1640)	D/P/blag.4/1/1
Broomfield	OV (1636-1639)	D/P/broo.13/2/1
Buckland St.Mary	OV (1631-1640)	D/P/b.my.13/2/1
Burrington	CW (1631-1639)	D/P/bur.4/1/1
Burrington	OV (1631-1640)	D/P/bur.13/2/1
Cameley	CW (1631-1640)	D/P/cmly.4/1/1
Cameley	OV (1635-6, 39-40)	D/P/cmly.12/2/1
Castle Cary	CW (1633-1640)	D/P/cas.4/1/1
Charlton Musgrove	TM (1633, 1637)	D/P/ch.mu.12/2/1
Charlton Musgrove	CW (1631-1634)	D/P/ch.mu.4/1/1
Cheddar	C+CW(1631-1639)	D/SAS SE 14
Chilton Domer	OV (1636?)	D/P/chi.dom.13/2/1
Chilton Polden	OV (1634)	D/P/chi.p.13/2/1
Churchill	CW (1639-1640)	D/P/chl.4/1/1
Crewkerne	CW (1631-1640)	D/P/crew.4/1/1
Drayton	OV (1631-1640)	D/P/dton.13/2/1
Durston	CW (1633-5, 37-40)	D/P/durn.4/1/1
East Quantoxhead	CW (1630-1639)	D/P/qua.e.4/1/1
Halse	CW (1631-4, 1636)	D/P/hal.4/1/1 and 4/4/1
Haselbury Plucknett	OV (1636-1640)	D/P/ha.pl.13/2/1
Hinton St.George	CW (1633?-1640)	D/P/hin.g.4/1/1
Ilminster	CW (1633-1640)	D/P/ilm.4/1/2
Ilminster	OV (1631-1640)	D/p/ilm.13/2/1
Killon	CW (1635+1636)	D/P/kln.4/1/1
Langford	CW (1631, 1633-40)	D/P/lanf.4/1/1+2
Locking	CW (1633-1639)	D/P/lock.4/1/1
Minehead (St.Mary)	CW (1637-1640)	D/P/m.st.m.4/1/1
Monksilver	CW (1637-1640)	D/P/mon.4/1/1
Montacute	OV (1636-1640)	DD/S/PN 1
Norton Fitzwarren	VB (1631-1640)	D/P/n.fitz.9/1/1
Pilton	CW (1631-1640)	D/P/pilt.4/1/3
Pitminster	OV (1631-1636)	DD/SAS/CH 20
Pitminster	PA (1636-1640)	D/P/pit.13/2/2
Pitney	OV (1636)	D/P/pitn.13/2/4
Rode	C (1632, 35-6, 38)	D/P/rode 12/2/1
Rode	CW (1631-1635)	D/P/rode 4/1/1
Shepton Mallet	CW (1632?-1640)	D/P/she.4/1/1
Shepton Mallet	OV (1633-1640)	D/P/she.13/1/1
Somerton	CW (1631-8, 1640)	D/P/som.4/1/1
South Cadbury	CW (1638-1639)	D/P/cad.s.4/1/1
St.Decumans	OV (1638-1640)	DD/WY Box 37/7
Staplegrove	CW (1633-1639)	D/P/stapg.13/2/1
Tintinhull	CW (1631-2, 34-40)	D/P/tin.4/1/2

Trull	OV (1631-1640)	D/P/tru.13/2/1
West Monkton	OV (1637-1640)	D/P/west.m.13/2/5
Wellington (St.John)	CW (1631-1637)	D/P/wel.4/1/3
Williton	CW (1631-1640)	DD/WY Box 37/1
Wrington	CW (1634-1640)	D/P/wri.4/1/1

Staffordshire Record Office:

Betley	CW (1635-1640)	D 689/PC/1/1
Biddulph	PA (1631, 33-40)	D 3539/2/1
Bradley	CW (1631-2, 1634)	9/A/PC/1
Checkley	CW + OV(1631-1639)	D 113/A/PC/1
Gayton	C + CW(1631-3, 35, 38)	D 705/PC/1/1
Hanbury	CW + OV(1634-5, 38-40)	D 1528/4/1
Pattingham	C (1631-1634)	D 3451/2/2
Pattingham	PA (1631-1632)	D 3451/2/2
Rugeley	C (1632-7, 1640)	D 1454/2
Stone	CW (1634-1636)	939

Suffolk Record Office (I = Ipswich; B = BurySt.Edmunds):

Benhall	CW (1630-1640)	(I) FC 131 E1/1
Brundish	PB (1631-1639)	(I) FC 89 A2/2
Clare	CW (1631-1636)	(B) FL 501/5/1
Cookley	CW (1631-5, 1637)	(I) FC 58 E1/1
Cratfield	CW + OV(1630-1640)	(I) FC 62 A2/1
Cratfield	C + CW(1631-1638)	(I) FC 62 A6/158-174
Cretingham	CW (1634-1640)	(I) FB 51 E2/1
Dennington	CW (1631-1640)	(I) FC 112 E1/1
Elmsett	PB (1631-1640)	(B) FB 61 A 1/1
Flowton	CW + OV(1636-1640)	(I) FB 21 A2/1
Framlingham	CW (1630-3, 39-40)	(I) FC 101 E2/19-26
Gislingham	C (1632-3, 36-7)	(I) FB 130/I2/3-10
Gislingham	CW (1636-8, 1640)	(I) FB 130 E3/7-12
Gislingham	OV (1639-1640)	(I) FB 130 G2/1
Great Ashfield	CW (1631-1640)	(B) FL 520/5/1
Hasketon	PB (1633)	(I) FC 23 A3/1
Henley	OV (1630-1640)	(I) FB 49 G1/1
Hessett	TB (1631-1640)	(B) FL 584/1/1
Heveningham	CW (1631-6, 38-9)	(I) FC 68 E1/1
Honington	CW (1631-1640)	(B) FL 587/5/1
Horham	C (1632, 1640)	(I) FC 85/I2/8, 9, 13
Horham	CW (1635)	(I) FC 85 E1/13
Langham	CW (1634, 36, 1639-40)	(B) FL 599/5/1
Little Waldingfield	PB (1631-1639)[1]	(B) FL 645/1/2
Long Melford	CW + OV(1638, 1640)	(B) FL 509/5/1/45 + 61

[1] Also fragmentary Churchwardens', Overseers', and Constables' Accounts.

Mellis	CW (1631-5, 37?-40)	(I) FB 123 E1/2
Mellis	OV (1630-1640)	(I) FB 123 E1/2
Mendlesham	CW (1631-1639)	(I) FB 159 60-69
Peasenhall	CW (1633-1640)	(I) FC 67 E1/1
Rattlesden	OV (1639)	(B) FL 500/7/1
Rickinghall Superior	CW (1631-7, 1639)	(I) FB 121 E1/1
Sibton	CW (1631-1640)	(I) FC 61 E5/1
Stansfield	PB (1635-1640)	(B) FL 627/1/1
Stonham Aspal	OV (1630-1632)	(I) FB 22 G1/1
Stonham Asphal	OV + CW(1631-1632)	(I) FB 22 E1/1
Stradbroke	CW (1631-1636)	(I) FC 83 E1/1
Thwaite	CW (1630-1639)	(I) FB 153 E1/1
Thwaite	OV (1631-1634)	(I) FB 153 G14/1
Walberswick	CW (1631-1640)	(I) FC 185 E1/2
Weybread	CW (1631-1640)	(I) FC 99 E1/1
Woodbridge (St.Mary)	CW (1631-1640)	(I) FC 25 E1/1
Yaxley	TB (1638-1640)	(I) FB 128 A8/1
Yoxford	TB (1631-1640)	(I) FC 73 A1/1

Orders to the Constables of Gislingham (I) FB 130/I1/4 + 7
Orders to the Overseers of Mendlesham (I) FB 159 G21/1
Ship Money Assessment in Little Downham, 1639/40 (B) FL 621/3/5

Surrey Record Office (G = Guildford, K = Kingston upon Thames)

Alford (St.Nicholas)	VB (1631-1640)	(G) PSH/AL/7/1
Great Bookham	VB (1631-2, 34-40)	(G) PSH/BK.G/8/1
Chertsey	CW (1631-5, 38-40)	(K) P 2/2/1
Chobham	CW (1635, 1637)	(G) PSH/CHOB/7/1/1-3
Crondall[1]	CW + OV(1632-4, 36, 38-40)	(G) PSH/CRON/6/2
East Clandon	CW (1631-2, 34, 36, 38-40)	(G) PSH/CL.E./7/1/1
Elstead	CW (1631-1640)	(G) PSH/EL/6/1
Horley	CW (1631-1640)	see British Library
Horsell (St.Andrews)	CW (1631-1638)	(G) PSH/HORS/7/1
Lambeth	CW (1630-1640)	see ed. Charles Drew
Mortlake	VMB (1631-1640)	(K) 2414/4/1
Seale	CW (1632-7, 1639)	(G) PSH/SEA/2/1
Send	CW (1639-1640)	(G) PSH/SEN/10/1 + 2
Weybridge	VMB (1631-1640)	(K) 2384/3/1
Weybridge	CW (1631, 34, 38-9)	(K) 3204/2/1-6
Woking	CW (1632-1635)	(K) P 52/2/3-7
Woking	CW (1631,1634)	(G) PSH/WOK.P./7/3 + 4

[1] Crondall is part of Hampshire.

East Sussex Record Office:

Barcombe	CW (1631-1640)	PAR 235/9/1
Beckley	CW (1631-1640)	PAR 237/9/1
Chailey (St.Peter)	VMB (1631-1640)	PAR 289/12/1
East Chiltingham	CW (1635-1639)	PAR 293/12/1
Ditchling	VMB (1638-1640)	PAR 308/12/1
Hastings (All Saints)	VMB (1631-5,37-40)	PAR 361/12/1
Hellingly	CW (1637-1638)	MF XA 30/68
Lewes (St.John the Baptist)	VMB (1631-1640)	MF XA 30/88
Lewes (St.Michael)	CW (1631-1640)	PAR 414/9/1/1c
Lewes (St.Thomas at Cliffe)	CW (1631-1640)	MF XA 30/94
Rotherfield	CW (1631-1640)	PAR 465/10/3/1
Uckfield	CW (1631-1640)	PAR 496/12/1

Warwickshire Record Office:

Barcheston	CW (1631-1640)	DR 5/6
Coventry (Holy Trinity)	CW (1631-1640)	DR 581/46
Fillongley	C (1630-4, 36-9)	DR 404/85
Fillongley	CW (1631-1640)	DR 404/48+49
Fillongley	OV (1633, 36-8, 40)	DR 404/87
Foleshill	CW (1631-1640)	DR 223/38
Kineton	CW (1639-1640)	DR 212/30
Nether Whitacre	C (1632-3?, 35-9)	DRB 27/9
Nether Whitacre	CW (1635-1640)	DRB 27/5
Ryton-on-Dunsmore	CW (1631-7, 1640)	DR 11/10/31-42
Ryton-on-Dunsmore	OV (1637-1640)	DR 11/8
Solihull	TB (1631-1640)	DRB 64/63
Southam	CW (1631, 33-39)	DR 50/9

Wiltshire Record Office:

Ashton Steeple	CW (1631-1640)	496/1
North Bradley	CW (1632-4, 36-8, 40)	523/15
Broad Blunsdon	CW (1631-1640)	1565/35
Calne	CW (1631-1639)	2083/1
Chilton Foliat	CW (1631-1640)	735/19
Chippenham	CW (1631-1640)	415/6
Corsham	CW (1633, 1640)	1285/10
Devizes (St.John)	OV (1631-1640)	632/107
Hannington	CW (1635-1640)	1819/13
Heddington	CW (1631-1640)	754/239/1
Highworth	CW (1630-1639)	1184/19/1
Knoyle East	CW (1634-1638)	536/15
Marlborough (St.Peter)	CW (1631-1640)	1197/21
Melksham	CW (1631-1639)	1368/55
Mildenhall	CW (1634-1639)	1532/10

North Newnton	CW (1635-1640)	1271/18
Pewsey	CW (1631-1640)	493/49
Salisbury (St.Martin)	CW (1632, 34, 37)	1899/65
Stratford-sub-Castle	CW (1631-2, 35-7)	1076/19
Sutton Mandleville	CW (1631-1636)	2119/1
Wanborough	CW (1632-1640)	894/1
Warminster	VB (1631-1640)	2144/71

Worcestershire Record Office:

Badsey with Aldington	CW (1631-1640)	850 Badsey 5013/2
Badsey with Aldington	CW (1634-1636)	850 Badsey 1895
Dowles	VB (1631-5, 39-40)	850 Dowles 8367/2
Elmley Castle	CW (1632-1640)	b 850 Elmley Castle 8883/5(vii)
Leigh with Bransford	CW (1631-1640)	850 Leigh with Bransford 3900
Salwarpe	C (1639)	850 Salwarpe 1054/2 Bundle D
Salwarpe	CW (1633)	850 Salwarpe 1054/2 Bundle F
South Littleton	CW + OV (1631,34-6,38-9)	850 South Littleton 1284/1
Worcester (St.Nicholas)	OV (1632-1640)	850 Worcester St.Nicholas 3696/1
Salwarpe	C-papers to 1665	850 Salwarpe 1054/2 Bundle H

North Yorkshire Record Office:

Bedale	CW (1631-1640)	PR/BED MIC 1161
Kirkby Malzeard	CW (1631-?)	PR/KMZ MIC 1204
Massam	CW (1631-?)	PR/MAS MIC 995

Borthwick Institute of Historical Research, University of York:

York:		
St.John Ousebridge	CW (1631-1639)	PR/Y/J 17
St.Martin cum Gregory	CW (1631-1640)	PR/Y/MG 19
St.Michael Spurriergate	CW (1631-1640)	PR/Y/MS 5
Holy Trinity Goodramsgate	CW (1631-4, 1639-40)	PR/Y/HTG 12 vol.1
Holy Trinity Goodramsgate	C (1636-1640)	PR/Y/HTG 15

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