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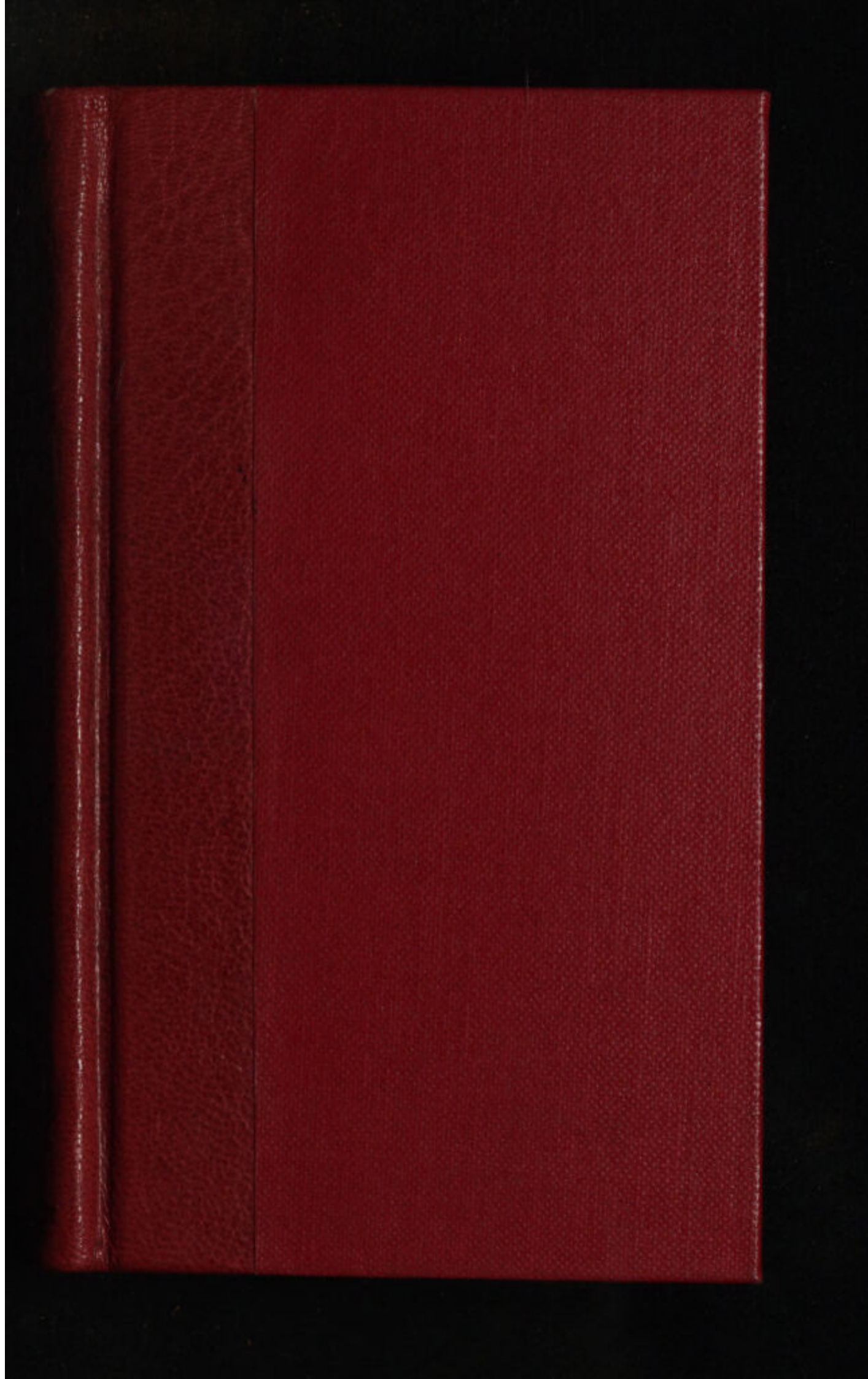
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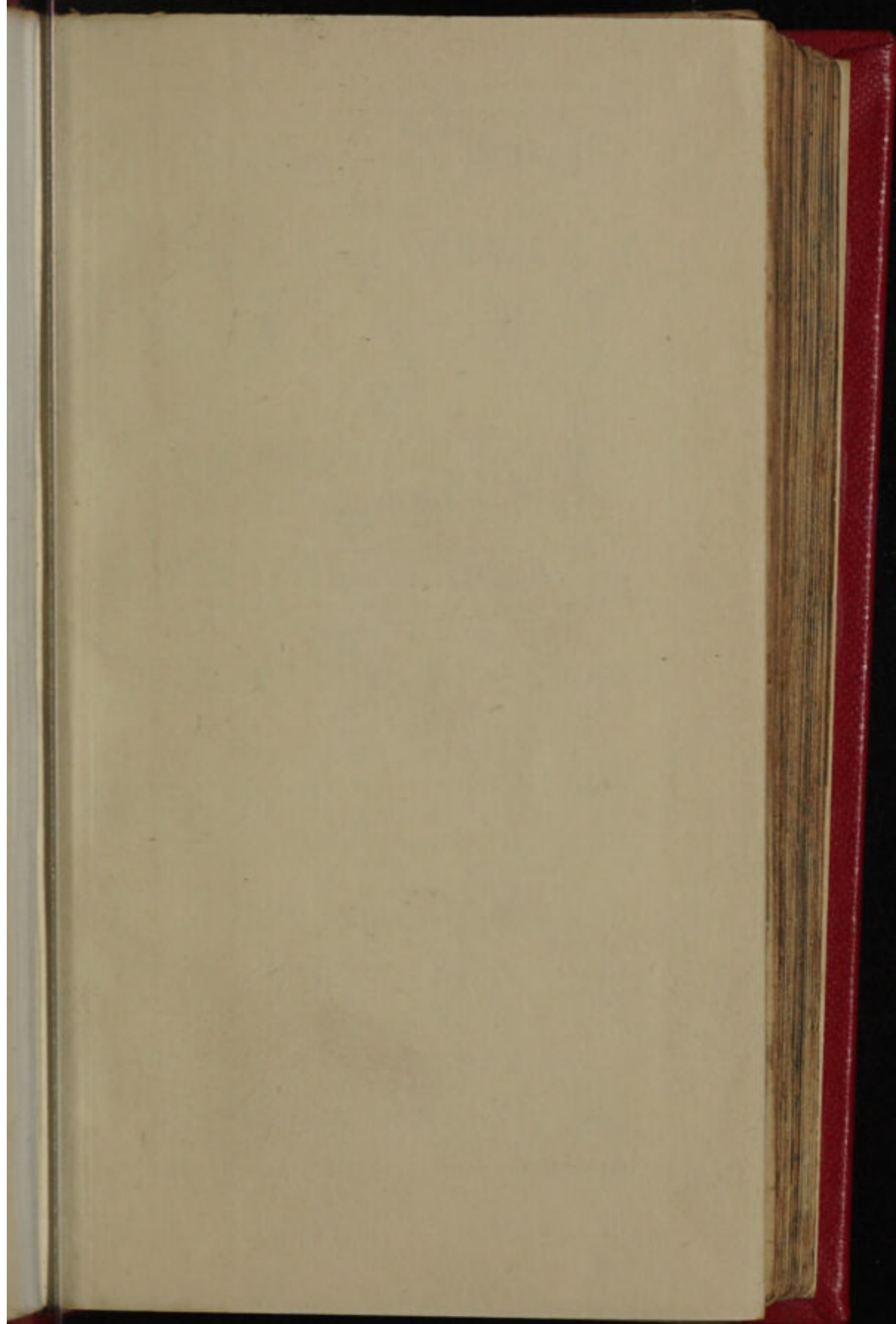
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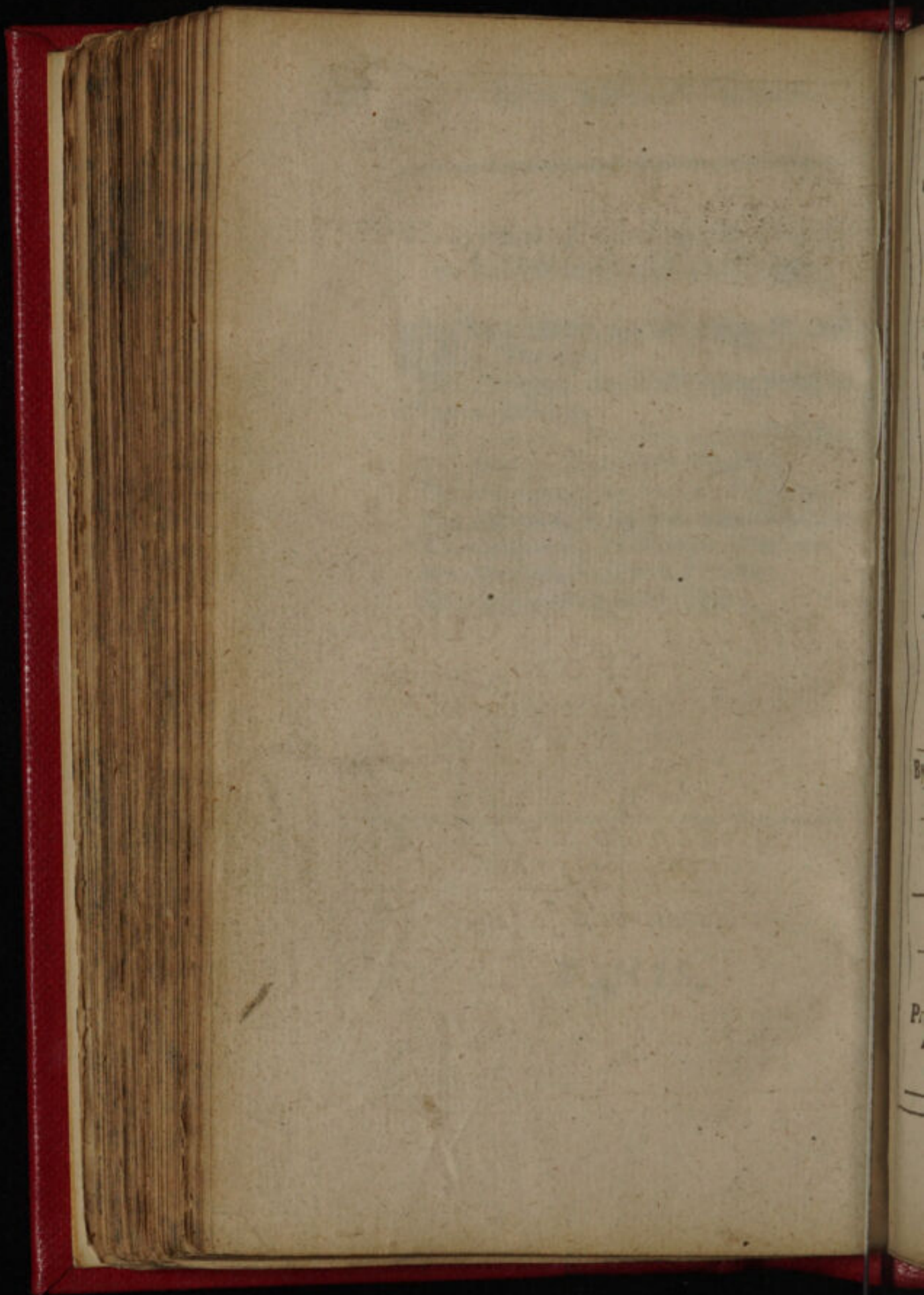






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THE
SECOND PART
OF
THE PRESENT
STATE
OF
England:

Together with
DIVERS REFLECTIONS
UPON
The Antient State thereof.

By EDWARD CHAMBERLAYNE
Dr of Laws and Fellow of the Royal Society.

The SECOND EDITION,
Corrected, and newly Augmented.

In Magnis voluisse sat est —

In the SAVOR,
Printed by T. N. for John Martyn Printer to the
Royal Society, and are to be sold at the Sign of
the Bell in St. Pauls Church-Yard. 1671.

ORNATISSIMO
CONSULTISSIMOQ³

VIRO

D. JOS. WILLIAMSON

ARMIG.

E SOCIETATE REGIA
LONDINENSI,

IN REGNI COMITIIS
SENATORI,

REGIÆ

MAJESTATI
AB ARCHIVIS STATUS

ET
INTIMIORI CONCILIO
A SECRETIS,

HOC
QUALE-QUALE
ENCHIRIDIUM

L. M. D. C. Q.

E. C.

ORNAMENTIS
CONSILII
VIRI
D. JOS. WILLIAMSON
ARMIG.
E SOCIETATE REGIA
LONDINENSIS
IN REGNI COMITIBUS
SENATOR
REGIE
MAJESTATI
AS ARCHIVIS STATIS
HONORI CONCILII
A SECRETIS
HOC
QUALITER
F. M. D. C. II
F. C.



TO THE
READER.



*N*a former small
Treatise,
intituled,
The Present State of
England, the Author
A 4 ha

To the Reader.

*having given a succinct
Account of the Govern-
ment in general, as it is
Monarchical; and there-
in, of the King, Queen,
Princes and Princesses
of the Blood ; of the
Great Officers of the
Crown ; of the Kings,
Queens, and Duke of
Yorks Courts ; of the
Three States of Eng-
land.*

To the Reader.

land, Clergy, Nobility, and Commons, and of divers other remarkable.

In this Second Part of the Present State of England, he hath endeavored to describe with the like brevity, the Particular Government of England, Ecclesiastical,

To the Reader.

cal, Civil, and Military : The several Courts of Justice, the Offices and Officers belonging thereunto ; and (for the sake of Foreigners) to exhibite a particular Description of the Famous City of London, of the Two Renowned Universities, &c.

In erecting such

To the Reader.

a spacious and various
Edifice ; the Spectator,
at first view, will hardly
conceive how much pains
was bestowed in digging
the Foundation, in rai-
sing Scaffolds, in find-
ing, conveying, and fit-
ting Materials, in contri-
ving the Architecture,
in removing the Rubbish,
 &c.

T the Reader.

&c. Other Builders
consult onely their own
Brains, and the Dead
(that is Books) where-
unto access may be had
at all hours; but in this
Work, the Living and
the choicest among them,
were to be advised with,
whereof some were
far distant, others sel-
dom.

To the Reader.

dom at leisure, some unwilling to communicate their Knowledge, others not at all affable.

However, if the Reader, reaping in few hours, the Fruits of many Moneths labor, shall receive any content, the Author will not
onely

To the Reader.

only be satisfied for
this, but encouraged
for another like Enter-
prise.

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John Brown
Thomas
James

Angliæ Notitia,
OR THE
PRESENT STATE
OF
ENGLAND:

The Second Part.

*Of the Government of England in
particular; and First of the
Kings most Honourable Privy
Council.*

THe Government of England, in
particular is either Ecclesiasti-
cal, Civil or Military, where-
in the King is supreme Gover-
nour in all Causes and over
all Persons; from him is derived all Au-
thority and Jurisdiction. He is *quasi In-*
tellectus Agens, Forma formarum, vel
potius Mundi Anglici Deus, And the Pri-

nam Mobile thereof, from whence all the Inferiour Orbes derive their Motion, is that Noble Honourable and Reverend Assembly called *Concilium secretum, Privatum vel Continuum Regis Concilium*, which is a Court of such Antiquity and Honour that it may be said to be higher then the highest Court of *England* (as the Parliament is usually called) for our Parliaments are not only much younger, but also may truly be said to be the Productions of the Kings Privy Council as appears by the words of the Writ for summoning of a Parliament. This is the highest watch Tower of the Nation, wherein the King with all his good Centinels and Watchmen about him takes a careful survey of all his Dominions, and sometimes of all the Dominions of the World as any of them have any Relation to his, where he Consults and Contrives how to protect his numberless Subjects, not onely from Injuries amongst themselves, but from the wrongs and violences of all other Nations, where he doth consult and watch for the publick good, Honour, Defence, Profit, and Peace of all his people.

Before the later end of *Henry the Third*.
Quod provisum fuit per Regem & Concilium suum Privatum sigilloque Regis confirmatum proculdubio legis vigorem habuit,
 saith *Spelman*.

The Primitive and ordinary way of Government in *England*, was by the King and his Privy Council, and all our Kings have

have acted much by it, determining Controversies of great importance, sometimes touching Lands and Rights between party and party, whereof there are very many Precedents, and the Judges of *England* in some difficult cases were not wont to give Judgment, until they had first consulted the King or his Privy Council. Moreover the Lords and Commons assembled in Parliament, have oft-times transmitted matters of high moment to the King and his Privy Council, as by long experience and wisdom better able to judge of, and by secrecy and expedition better able to transact some State Affairs, then all the Lords and Commons together.

At present, the King and his Privy Council take Cognisance of few matters that may well be determined by the known Laws and ordinary Courts of Justice, but onely, as aforesaid, consult for the Publick Good, Honour, Defence, Safety, and Benefit of the Realm, not meddling with matters that concern Freeholds, but matters of Appeal and sudden Emergencies.

The Lords of the Privy Council are as it were a part of the King, incorporate with him and his Cares, bearing upon their Shoulders that great weight, that otherwise would lye wholly upon His Majesty, wherefore of such high value and esteem they have always been, that if a man did but strike in the House of a Privy Counsellor, or elsewhere in his presence, he was grievously Fined for the same, and

and to conspire the death of any of them was made Felony, in any of the Kings servants within the *Check Roll*, and to kill one of them was High Treason.

A Privy Councillor, though but a Gentleman, shall have precedence of all Knights, Baronets, and younger Sons of all Barons and Viscounts.

The Substance of their Oath is, That they shall according to their power and discretion, Truly, Justly, and Evenly, Counsel and Advise the King, in all matters to be Treated in His Majesties Council, that they shall keep secret the Kings Counsel, &c.

By Force of this Oath, and the Custom of the Kingdom of *England*, a Privy Councillor is made without any Patent or Grant, and to continue onely during the Life of the King that makes him, nor so long unless the King pleaseth.

Heretofore there hath been usually a Lord President of the Kings Privy Council, a Dignity of so high Repute, that by a Statute of *Henry the Eight*, he is to take place in publick, next to the Lord High Treasurer of *England*: His Office was to speak first to business, to report to His Majesty the Passages and State of businesses transacted at Council Table. The last Lord President was the Earl of *Manchester*, Father of the present Lord Chamberlaine.

To his Privy Councillors the King of *England*, may declare or conceal

deal from them whatsoever he alone judgeth fit and expedient, *qua in re* (saith the Excellent Sir Tho. Smith) *absolutissimum est hoc Regnum Angliæ præ Venetorum Ducatu aut Lacedæmoniorum Principatu.*

The King with the advice of his Privy Council doth publish Proclamations binding to the Subject, provided that they are not contrary to Statute or Common Law.

In cases where the publick peace honour or profit of the Kingdom may be endangered for want of speedy redress, there the King with his Privy Council usually make use of an absolute power if need be.

The Members of this most Honorable Council are such as his own free Will and meer Motion shall please to choose, and are commonly men of the highest rank, eminent for Estates, Wisdom, Courage, Integrity, &c. And because there are few cases of moment so temporal, but that they may some way relate to spiritual affairs, therefore according to the general Rules of Policy and Government, which God himself ordained amongst his chosen people the Jews, the Privy Council (as well as the great Council of Parliament) is composed of Spiritual as well as Temporal persons, some of the principal Bishops of England have in all times been chosen by His Majesty to be of his Privy Council.

The Lords of His Majesties Privy Council, are at present these that follow:

His Royal Highness the Duke of York.

His Highness Prince Rupert.

Gilbert Lord-Archbishop of Canterbury.

Sir Orlando Bridgman Knight and Baronet, Lord Keeper of the Great Seal.

John Lord Roberts Lord Privy Seal.

George Duke of Buckingham, Mr. of the Horse to His Majesty.

James Duke of Monmouth.

James Duke of Ormond Lord Great Steward of His Majesties Household.

Henry Marquis of Dorchester.

Henry Earl of Ogle.

Thomas Earl of Ossory.

Robert Earl of Lindsey, Lord Great Chamberlain of England.

Edward

Edward Earl of *Manchester*, Lord
Chamberlain of His Majesties Hou-
shold.

Ambrey Earl of *Oxford*.

John Earl of *Bridgwater*.

Robert Earl of *Leicester*.

Henry Earl of *S. Albans*.

Edward Earl of *Sandwich*.

Arthur Earl of *Anglesey*.

John Earl of *Bath*, Groom of the
Stole to His Majesty.

Charles Earl of *Carlisle*.

William Earl of *Craven*.

John Earl of *Rothes*, His Majesties
Commissioner in *Scotland*.

John Earl of *Lotherdale*, Secretary
of State in *Scotland*.

John Earl of *Tweeddale*.

John Earl of *Middleton*.

Richard Earl of *Carbury* Lord Pre-
sident of *Wales*.

Roger Earl of *Orrery*.

Humphrey Lord Bishop of *London*.

Henry Lord *Arlington*, one of His
Majesties Principal Secretaries of
State.

Francis Lord *Newport*, Comptro-
ler of His Majesties Household.

The present State

John Lord Berkley Lieutenant of Ireland.

Densel Lord Holles.

Anthony Lord Asbley, Chancellor of the Exchequer.

Sir Thomas Clifford Knight, Treasurer of His Majesties Household.

Sir George Carteret Knight, Vice-Chamberlain to His Majesty.

Sir John Trevor Knight, one of His Majesties Principal Secretaries of State.

Sir Thomas Ingram Knight, Chancellor of the Dutchy.

Sir William Morice Knight.

Sir John Duncom Knight.

Sir Thomas Chicheley Knight, Master of the Ordnance.

These are all to wait on his Majesty; and at Council Board sit in their Order, bare-headed when His Majesty presides.

At all Debates the lowest delivers his opinion first, that so he may be the more free, and the King last of all declares his Judgment, and thereby determines the matter in Debate.

The Time and Place of holding this Council is wholly at the Kings pleasure, but it is most commonly held in the morning

ning on *Wednesday* and *Friday* out of Parliament time and Term time, and in the Afternoon, in time of Parliament and Term.

A Council is seldom or never held without the Presence of one of the Secretaries of State, of whose Office and Dignity much more considerable in *England* than in other Nations, take here this brief Account.

The Kings of *England* had antiently but one Secretary of State, until about the end of *Henry* the Eight his Reign, it was thought fit, that weighty and important Office should be discharged by two Persons, both of equal authority, and both stiled *Principal Secretaries of State* In those days, and some while after, they sat not at Council Board, but having prepared their business in a Room adjoyning to the Council-Chamber, they came in, and stood on either hand of the King; and nothing was debated at the Table, until the Secretaries had gone through with their Proposals. But *Queen Elizabeth* seldom coming to Council, that Method was altered, and the two Secretaries took their places as Privy Counsellors; which Dignity they have retained and enjoyed ever since: and a Council is seldom or never held without the presence of one of them at the least.

Their employment being of extraordinary trust and multiplicity, renders them most considerable both in the eyes of the

King, upon whom they attend every day as occasion requires; and of the Subjects also, whose requests and desires are for the most part lodged in their hands, to be presented to the King, and always to make dispatches thereupon, according to His Majesties Answers and Directions.

As for Forraign Affairs, the Secretaries divide all the Kingdoms and Nations, which have intercourse of business with the King of *England*, into two grand Provinces, whereof each Secretary taketh one to himself, receiving all Letters and Addresses from, and making all dispatches to, the several Princes and States comprehended within his own Province.

But in all matters of home concern, whether they relate to the Publick, or to particular persons, both the Secretaries do equally and indistinctly receive and dispatch whatsoever is brought to them, be it for the Church, the Militia, or private Grants, Pardons, Dispensations, &c.

They have this special Honour, that if either of them be a Baron, he taketh place, and hath the precedence of all other persons of the same degree, though otherwise by their Creation some of them might have right to precede him; and a Knight in like manner, if he hath no other qualification.

They have their several Lodgings appointed them in all the Kings Houses, as well for their own Accommodation, as for their Office, and those that attend upon

Unable to display this page

The present State

Months each one, he that comes in, is always a week before and a week after his Month to assist there.

Their Office is to read what is brought before the Council and draw up all such Orders as the King and Lords shall direct, and cause them to be Registered.

They are these that follow.

Sir Richard Brown, Sir Edward Walker, Sir John Nicolas, Sir Robert Southwel; Salaries to each 250. l. besides Fees for Orders and Letters, &c.

Beside the forenamed Officers there is a Keeper of the Records, John Woolly Esq; no Fee.

Two Keepers of the Council Chamber, Fee to each 45 l.

Thirty Messengers, whereof Ten at a time by turns waite every Moneth, Fee to each 45 l.

These upon Occasion are sent by Warrant of the Lords of the Privy Council to fetch any Person, under the Degree of a Baron, and to keep him Prisoner in his House till farther order.

Attending on the Secretaries are the Clerks of the *Signet*, or *Little Seal*, which is always in the Custody of the Secretaries, for sealing the Kings Private Letters and for all such Grants as pass His Majesties hands by Bill assigned.

Of these Clerks there are four, Sir John Nicholas Knight of the Bath, Sir Philip Warwick,

Warwick Knight, *Trumbal Es-*
quire, and *Sidney Bear Esquire.* These
have no Fee from the King, but onely Dy-
et, which at Pension is 200 *l.* yearly. Their
Office is in *Whitehall*, they waite by Month,
each of them three Months in a year. One
of them alwayes attends the Court where-
soever it removes, and by Warrant from
the King, or Secretaries of State, or Lords
of the Council, prepare such Bills or Let-
ters for the King to sign, as not being mat-
ters of Law are by any Warrants directed
to them to prepare. In their Office, all
Grants either prepared by the Kings lear-
ned Council in the Law, or by themselves,
for the Kings hand, when signed are re-
turned and there transcribed again, and
that transcription is carried to one of the
Principal Secretaries of State, and Sealed,
and then it is called a Signet, which is
directed to the Lord Privy Seal, and is his
Warrant for issuing out a Privy Seal upon
it, which is prepared by the Clerks of
that Seal, is sufficient for the payment of
any Moneys out of the Exchequer and
for severall other uses: but when the nature
of the Grant requires the passing the Great
Seal, then the Privy Seal is an Authority
to the Lord Keeper to pass the Great Seal,
as the Signet was to the Lord Privy Seal
to affix that Seal to the Grant, but in all
three Offices, *viz.* Signet, Privy-Seal and
Great-Seal, the Grant is transcribed. So
all which passes from the King hath these
several ways of being considered before per-
fected.

There

There are also four Clerks of the Privy Seal, viz. the Lord *Sandwich*, whose Interest for his life is in one *Mr Watkins*; *Mr Baron*, Master *Bickerstaff*, and *Mr.*

More of their Office is to be seen in *Stat.* 27. of *Henry 8.* worthy to be noted.

To this Office (in time when the Court of Request is in being) belongs the Sealing of all Commissions, and other procees out of that Court.

Moreover depending on the Secretaries of State, is an antient Office called the Paper-Office, the Keeper whereof hath in his Charge, all the publick Papers, Writings, Matters of State, and Counsel, all Letters, Intelligences. Negotiations of the Kings publick Ministers abroad, and generally all the Papers and dispatches that pass through the Offices of the two Secretaries of State, which are from time to time transmitted into this Office, and here remain, disposed by way of a Library within His Majesties Palace of *White-hall*. This considerable Officer hath a Fee of 160 *l. per annum* payable out of the Exchequer, and is at present that very worthy person *Joseph Williamson*, Doctor of Laws.

After the Kings most Honorable Privy Council that *Primum mobile*, or rather that *Resort* or *Spring*, may be considered the *Great wheelles* first moved by that *Spring* which are the Convocation for the Ecclesiastical Government, and the Parliament for the Civil. But

But for the better understanding of the Ecclesiastical Government, it will be expedient to premise somewhat of the Ecclesiastical persons in *England*.

IN the Government of the Church of *England*, among the Ecclesiastical persons governing in the *Engli^h* Church, is, First the King of *England*, who is as the Lawyers say, *Persona sacra & mixta cum sacerdote*. The King is the supreme Bishop of *England*: and at his Coronation, by a solemn Consecration, and Unction he becomes a Spiritual Person, Sacred and Ecclesiastical, for, as he hath put upon him *Corona Regni*, as an Embleme of his King-ship, and power in Temporals; so hath he *Stola Sacerdotis*, commonly called *Vestis Dalmatica*, as a Levitical Ephod, to signify his Priesthood and power in Spirituals. He is Supreme Governor in all Causes Ecclesiastical, as well as Civil, is Patron Paramount of all Ecclesiastical Benefices in *England*, to whom the last Appeal in Ecclesiastical Affaires are made, who alone hath power to nominate persons for all Bishopricks and chief Dignities, as Deaneries, and some Prebends in the Church, &c, as more at large may be seen in the First part of the *Present State of England*.

Next to the King in the Church Government are the Bishops, whereof two are called *Primats*, *Metropolitans* or *Archbishops*, that is chief Bishops, the one
of

of *Canterbury*, the other of *York*, each of which have besides their Peculiar Dioceses a Province consisting of several Dioceses, and therein by Common Law, a Prerogative of proving Wills and granting Administrations where the person dying had *bona notabilia*, that is above $\text{5} \text{ l.}$ in Divers Dioceses or Jurisdictions. Also by Grants of several Kings, they have each one certain Priviledges, Liberties and immunities in their own Estates.

Under these two Archbishops are 26 Bishopricks, whereof 22 are reckoned in the Province of *Canterbury*, and four in the Province of *York*. So that there are besides the two Archbishops twenty four Bishops, all which have the Title of Lords by reason of their *Baronies* annexed to their Bishopricks, and have precedence of all other Barons both in Parliament, and other Assemblies: amongst these precedes always the Bishop of *London*, who by antient right is accounted *Dean* of the *Episcopal Colledg* of that Province, and by vertue thereof is to signify the Pleasure of his Metropolitan to all the Bishops of the Province, to execute his *Mandates*, to disperse his *Missives* on all emergency of affaires to prelide in Convocations or Provincial *Synods* during the necessary absence of the *Metropolitan*. Next to *London* in Parliament, precedes *Durham*, and then *Winchester*: all the rest of the Bishops take place according to the Seniority of their Consecrations.

The

The Function of an *English Bishop* consists in what he may act, either by his *Episcopal Order*, or by his *Episcopal Jurisdiction*.

By his *Episcopal Order* he may ordain *Deacons* and *Priests*, he may Dedicate Churches and burying places, may administer the Rite and Ceremony of Confirmation, without whom none of these things may be done.

The *Jurisdiction* of a Bishop is either *Ordinary* or *Delegated*; the *Ordinary*, is what by the Law of the Land belongs to each Bishop, in his own Diocese; the *Delegated*, is what the King is pleased to confer upon him, not as a Bishop, but as he is a Subject, and a considerable Member of the Kingdom: For all Clergymen are in England (as antiently among Gods own People the *Jews*, and amongst the *Primitive* Christians, so soon as they were under Christian Emperors) judged fit to enjoy divers temporal honours and employments: as,

First, to be in the Commission of the Peace, for who so proper to make and keep Peace as they, whose constant duty it is to preach Peace, who so fit as they, whose main business and study it is to reconcile those that are at variance; and therefore since His Majesties happy Restauration, as well as before, divers grave discreet Divines have been made Justices of Peace, and thereby not only the poor Clergy-men have

have been protected from the oppression of their causeless enemies, but many differences have been composed without any Law-sute, in a more Christian and less expensive way.

Secondly to be of His Majesties Privy Council, where frequently Cases of Conscience may arise, relating to State matters, that will admit neither of delay nor publication, and therefore after the pattern of that excellent Christian Emperor *Constantine the Great*; our good Kings both before and since the Reformation have always admitted some spiritual persons to their Council Tables and Closet-debates.

Thirdly, to be employed in publick Treaties and Negotiations of Peace, and this both the Ancient and Modern practice will justify, that none hath been more frequently and succesfully used in such Messages, then the Ambassadors of Christ.

Fourthly, to enjoy some of the great Offices of the Crown, as to be *Lord Chancellor, Lord Treasurer &c.* And it hath been observed that in the late Kings Raign, when the Bishop of *London* was *Lord Treasurer*, that Office was executed with as much diligence, faithfulness, dexterity, and content to the Subject, as well as to the King, as ever it had been by any of his late lay-Predecessors.

In the ordinary Jurisdiction of a Bishop, as a Bishop may be considered either the *Jurisdiction* it self, or what is instated in him

him by the Law of the Land, for the better execution of that *Jurisdiction*.

The *Jurisdiction* it self is established partly by Statute Law, as to Licence Physicians, Surgeons and School-Masters to unite and consolidate small Parishes, to assist the Civil Magistrates in the execution of some Statutes concerning Ecclesiastical affairs, to compel the payment of Tenths and Subsidies due from the Clergy to the King.

Partly by Common Law, as upon the Kings Writ, to certify the Judges touching legitimate and illegitimate Births and Marriages, to require upon the Kings Writ, the burning of an obstinate Heretic, also to require the Kings Writ for imprisoning the Body of one that obstinately stands excommunicated 40 dayes.

And partly by Common and Ecclesiastical Law together, as to cause Wills of the Deceased to be proved, to grant Administration of Goods of such as dye intestate, to give order for the gathering and preserving of perishable Goods, where none is willing to administer, to cause Account to be given of Administrations, to collate Benefices, to grant Institutions to Benefices upon the Presentations of other Patrons, to command Induction to be given, to order the collecting and preserving of the Profits of vacant Benefices for the use of the Successors, to defend the Franchises and Liberties of the Church, to visit their particular Diocesses once in three years,

years, and therein to inquire of the Manners, Carriages, Delinquencies, &c. of Ministers, of Church-wardens, of the rest of the Parishoners, and amongst them, especially of those that profess themselves Physitians, Surgeons, School-masters, Midwives; of Wardens of Hospitals, how they perform their several Duties and trusts; also of all others professing Christianity, and offending either against Piety, as by Blasphemy, Idolatry, Superstition, Perjury, Heresie, Errors against the 39 Articles, Schism, Conventicles, absence from Divine Service, unlawful abstinence from the Sacraments, or else offending against Justice, as the delaying of Legacies given to the poor or pious uses, Dilapidations of Buildings or Goods belonging to the Church; taking of Usury beyond the rate allowed by Statute, Simony, Perjury, &c. or by offending against Sobriety, as Drunkenness, Incest, Adultery, Fornication, filthy Speech, tempting of any ones Chastity, Clandestine Marriages, as for want of thrice publishing the Banes, the want of Parents consent, the want of witnesses, which must be above two, or marrying in a private place, in an undue time, before Eight in the morning, and after Twelve of the Clock in the day, &c.

Now, for the better executing of this Jurisdiction, the Law of England hath furnished the Bishops with a power of Ecclesiastical Censures, whereof some may be inflicted both upon Lay-men and Church-

Church men, as Suspension from entering into the Church, or else from receiving the Sacrament, or greater Excommunications, &c. Others may be inflicted only upon Ecclesiastical Persons, as Sequestration of their Ecclesiastical Profits, Suspension, sometimes *ab Officio*, sometimes *à Beneficio*, *Deprivation* and *Deposition*, which is sometimes verbal, by sentence pronounced against them; and sometimes real by Degradation. Here note that of all these Censures, Excommunication is never inflicted but only for Contumacy, as when a person being duly summoned will not appear, or appearing, will not obey the Orders of the Bishop.

The solemn manner of making a Bishop in *England* is as followeth,

When any Bishops See becomes vacant, the *Dean* and *Chapter* of that *Cathedral* giving notice thereof to the King, who is Patron of all the Bishopricks in *England*; and humbly requesting that His Majesty will give leave for them to chose another; the King hereupon grants to the *Dean*, his *Congè d'Eslire*, which in French (wherein it was antiently penned) signifies leave to elect, then the *Dean* summons a Chapter or assembly of the *Prebendaries*, who either elect, the person recommended by His Majesties Letters, or shew cause to the contrary. Next the Election is certified to the party Elected, who doth modestly refuse it the first and second time, and if he refuse
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it a third time, then that being certified to His Majesty, another is recommended; when the Election is accepted by the party, it is certified to the King and the Archbishop of that Province, whereupon the King gives his Royal Assent under the Great Seal of England; which is exhibited to the Archbishop of the Province, with command to confirm and consecrate him, hereunto the Archbishop subscribes *Fiat Confirmatio*, and gives Commission under his Archiepiscopal Seal to his Vicar-General, to perform all the Acts required for perfecting his Confirmation.

The Vicar-General then in the name of the Archbishop sends forth a Citation, summoning all Opposers of the said Election or Person Elected, to appear at a certain time and place especially assigned to make their objections. This is done by an Officer of the Arches usually at *Bow Church* in *Cheapsid London* by Proclamation three times, and then affixing the said Citation on the Church door for all people to read, the said Officer returns an Authentick Certificate thereof to the Archbishop and Vicar-General. At the day and place assigned for the appearance of the Opposers the Vicar-General sits, then the Proctor for the said Dean and Chapter, exhibits the Royal assent and the Commission of the Archbishop; which read and accepted by the Vicar-General, the Proctor exhibits the Proxy from the Dean and Chapter, and then presents the Elected Bishop, and

and returns the Citation, and desires the Opposers to be publickly called three times, which being done accordingly, he accuseth their contumacy, and for penalty thereof, desires that the business may proceed, which the Vicar General in a Schedule by him read and subscribed doth order. Next the Proctor giving a summary Petition, wherein is deduced the whole Process of Election and Consent, desires a time to be assigned to prove it, which the Vicar-General admits and decrees: After which the Proctor exhibits the Royal Assent, with the Elected Bishops Assent, and the Certificate to the Archbishop, and desires a term presently to be assigned to hear final sentence, which the Vicar-General decrees. Then the Proctor desires that all Opposers should be again called, which being thrice publickly done, and none appearing, nor opposing, they are pronounced contumacious, and a Decree made to proceed to Sentence, by a Schedule read and subscribed by the said Vicar-General. Then the Elect person takes the Oath of Supremacy, Simony, and Canonical Obedience.

Next the Judge of the Arches reads and subscribes the Sentence, after which usually there is an entertainment made for the Officers and others there present, which being once done at the Sign of the Nags Head in *Cheapside* near the said *Bow Church*, gave occasion to our adversaries of the Romish Church, to affirm that Fa-
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ble, that there our first Bishops after the Reformation were consecrated.

When a Bishop is Elected, and the Election confirmed, he may give Institution, and do his ordinary Jurisdiction, and may sit in Parliament as a Lord thereof, according to *Sir Ed. Coke 4. Institut p. 47.*

After the Confirmation, then according to the Kings Mandate is the solemn Consecration of the Elected Bishop, which is done by the Archbishop with the assistance of two other Bishops in manner following.

Upon some Sunday or Holy-day after Morning Service, the Archbishop beginneth the Communion Service, after a certain Prayer appointed for this occasion, one of the Bishops there present readeth the Epistle, *1 Tim. 3.* another readeth the Gospel, *John 21.* then after the Nicene Creed and some Sermon, the Elected Bishop vested with his Rochet or Linnen Garment, is by two Bishops presented to the Archbishop, or some other Bishop commissioned by him, sitting in his Chair, who demands the Kings Mandate for the Consecration, and causes it to be read; then the Elect Bishop takes the Oath of Supremacy and of Canonical Obedience to the Archbishop; and after divers prayers and several Interrogatories put to the Bishop, and his Answers, the rest of the Episcopal Habit is put upon him, and after more prayers the Elect Bishop kneeleth down, and the Archbishop and Bishops there

there present lay their hands on his head, and by a certain pious grave form of words, they consecrate him. Afterward the Archbishop doth deliver to the Bishop Elect a Bible with an other set form of words, and so all proceed to the Communion Service, and having received the Sacrament, and the Blessing, they retire from Church to dinner, which is at the charge of the Bishop Elect, and is usually very splendid and magnificent, the greatest of the Nobility, Clergy, Judges, Privy-Counsellors, &c. honouring it with their presence, the expences hereof with Fees of Consecration commonly amounting to Six or Seven hundred pounds.

This form and manner of consecrating Bishops is accordingly to the rule laid down in the Fourth Council of *Carthage*, about the year 470, generally received in all the Provinces of the Western Church.

Note that by our Order of Consecrating Bishops, it is evident that Bishops are lookt upon as a distinct Order of themselves, and not only as a different degree from the rest of the Presbyters, as some would have it.

Next goes forth a Mandate from the Archbishop to the Archdeacon of his Province, to instal the Bishop Elected, confirmed and consecrated.

Then the said Bishop is introduced into the Kings presence, to do his Homage for his Temporalties or Barony, by kneeling down and putting his hands between the

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hands

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first Part of the *Present State of England*.
Of these there are none at present in the
Church of *England*, but the next to the
Bishops are now the Deans of Cathedral
Churches.

Antiently Bishops did not ordinarily *Dean &*
transact matters of moment *sine consilio Chapter.*

Presbyterorum principalium, who were
then called *Senatores Ecclesiae*, and Col-
leagues of the Bishops, represented in some
sort by our Cathedrals, whereof the Dean
and some of the Prebends are upon the Bi-
shops summons to assist him in Ordinati-
ons, in Deprivations *ab Officio & Benefi-*
cio, in condemnation of obstinate Here-
ticks, in the greater Excommunications,
and in such like weighty affairs of the
Church. Upon the Kings Writ of *Congè*
d'Eslire (as before mentioned) the Dean
and Prebendaries are to elect the Bishop
of that Diocess. Cathedral and Colle-
giate Churches are as it were Seminaries
or Seed-plots, whereout from time to
time may be chosen fit persons to govern the
Church, for having left the Country,
and living here in a Society together, they
learn experience, they read men, they by
little and little put off the familiarity of
the inferiour Countrey Clergy, and thereby
render themselves the more fit to be set
over them in Government. The Dean and
Prebendaries, during their required resi-
dence in their Cathedral or Collegiate
Churches are to keep Hospitallity, upon
all Festivals to read Divinity in their turns,

which is now turned to Sermons, or set speeches in the Pulpit; at due time to administer the Lords Supper; to frequent the Publick Divine Service, to instruct the Country Clergy, and direct them how and what to preach, whereby they may best profit their Auditors: In a word, as they excel others in dignity, and are therefore stiled Prelats, so by their more eminent piety and charity, they are to be examples and paterns to the inferiour Clergy.

In every Cathedral or Bishops See there is a Dean and divers Prebendaries or Canons, whose number is uncertain.

Deans of the old Foundations, founded before the suppression of Monasteries, are brought to their Dignities much like Bishops, the King first sending forth his *Con-gè d'eslire* to the Chapter, they electing, and the King granting his Royal assent; the Bishop confirms him, and gives his Mandate to install him.

Deans of the new Foundations (upon suppression of Abbeys or Priories transformed by Henry 8. in to Dean and Chapter) are by a shorter course installed by virtue of the Kings Letters Patents, without either Election or Confirmation.

Among the Canons or Prebendaries in the old Foundations, some are *Canonici actu*, having *Prebendam sedile in Choro & jus suffragii in Capitulo*; others are *Canonici in herbis* (as they are called) having right to the next Prebend that shall become void and having already a Stall in the Quire

Quire, but no Vote in the Chapter.

A Prebend is properly the portion which every Prebendary of a Cathedral or Collegiate Church receiveth in the right of his place for his maintenance *quasi pars vel portio prebendæ*.

Next in the Government of the English Church may be reckoned Archdeacons, whereof there are 60 in all England; Their Office is to visit two years in three, and to enquire of Reparations and Moveables belonging to Churches, to reform abuses in Ecclesiastical matters, and to bring the more weighty affairs before the Bishop of the Diocess; and therefore he is called *Alter Episcopi Oculus* (the other being the Dean, as is mentioned in the first part of the *Present State*) Moreover the Office of an Archdeacon is upon the Bishops Mandate to induct Clerks into their Benefices, and thereby to give them possession of all the Profits beloning thereto.

Many Archdeacons have by Prescription, their Courts and Officials as Bishops have, whereof more hereafter.

After Archdeacons are the *Archipresbyter* or Rural Deans, so called perhaps at first for his oversight of some Ten Parish Priests; their Office is now upon orders to convocate the Clergy, to signifie to them sometimes by Letters the Bishops pleasure, and to give induction for the Archdeacon living afar off.

Next are to be considered the Priests of every particular Parish, who are common-

ly called the Rectors, unless the predial Tythes are impropriated, and then they are stiled Vicars, *quasi vice fungentes Rectorum*. Their Office is to take care of all their Parishioners Souls, and like good Shepherds, to handle every particular Sheep apart; to Catechise the ignorant, reduce the straying, confirm the wavering, convince the obstinate, reprehend the wicked, confute Schismatics, reconcile differences amongst Neighbours, to exercise the power of binding and loosing of souls as occasion shall offer, to read duly Divine Service, to Administer the holy Sacraments, to visit the Sick, to Marry, to Bury, to render publick thanks after Child-bearing, to keep a Register of all Marriages, Christnings and Burials that shall happen within the Parish, to read the Divine Sermons or Homilies appointed by Authority (and if the Bishop think fit) to read or speak by heart their own conceptions in the Pulpit.

Lastly Deacons, whose Office is to take care of the Poor, Baptise, Read in the Church, assist the Priest at the Lords Supper by giving the Cup only.

After this brief account of Ecclesiastical persons, somewhat may here not unfitly be added touching those persons who though not in holy Orders, yet have a peculiar Relation to the Church, and are *quasi semi Ecclesiastici*, as first Patrons of Churches, who by first building of Churches, or first endowing them with Lands, have obtained

obtained for them and their Heirs a right of Advowson or Patronage, whose office and duty is to present a fit Clerk (when the Church is void) to the Bishop to be by him Canonically intituted, and to protect the said Church as far as he can from all wrong, and in case his Clerk prove unfit for the place, to give notice thereof to the Bishop.

Next are the *Oeconomi vel Ecclesie Gusrdiani*, the Church-wardens, whose Office is to see that the Church be in good repair, fitly adorned, and nothing wanting for Divine Service, Sacrament, and Sermons; that the Church-yard be sufficiently mounded or inclosed, that there be an exact Terrier of the Glebe Lands, and if any thing belonging to the Church be detained, to sue for the same; to observe that all Parishoners come duly to Divine Service, to require the penalty for absence, to enquire after, to admonish and to present to the Bishop scandalous livers, to collect the Charity of the Parishoners for poor Strangers, to declare and to execute the orders of the Bishop, to see that none presume to vent his own conceptions in the Pulpit, unless he hath a special licence so to do. The Churchwardens are elected every Easter Week, usually by the Parson and Parishoners if they so agree; if not, then one by the Parson, and the other by the Parishoners.

There are also in greater Parishes joyned with the Church-wardens *Testes Synodales*,

anciently called Synods-men, now corruptly called Sides-men, who are to assist the Church-wardens, in enquiries into the lives of inordinate livers, and in presenting men at Visitations.

Lastly the Sacristan, corruptly the Sexton or Clark, who is ordinarily to be chosen by the Parson only: he ought to be twenty years old or above, of good life, that can read, write, and sing: his office is to serve at Church the Priest and Church-wardens.

In the Church of *England* there are, as in the antient primitive times, three Orders, Bishops, Priests, and Deacons. None may be admitted Deacon before the age of 23 years, unless he hath a Dispensation to be admitted younger: None may be made a Priest till he be completely 24 years old. None may be admitted Bishop till full 30 years old.

The Ordination of Priests and Deacons is four times the year, upon four several Sundayes in the Ember or Fasting Weeks, that so all the Nation may at once in their joynt Prayers to God, recommend them that are to receive Ordination, which is performed by a Bishop, in a solemn grave devout manner thus for Deacons. After Morning Prayer there is a Sermon, declaring the Duty and Office of Deacons and Priests; then they being decently habited, are presented to the Bishop by the Archdeacon or his Deputy, whom the Bishop asks if he hath made due inquiry of

of them, and then asks the people if they know any notable impediment or crime in any one of them; after follow certain godly Prayers, then a Collect, Epistle and Gospel: but before the Gospel the Oath of Supremacy is administered to every one of them, and the Bishop putteth divers godly questions to them, which being answered they all kneel, and he laying his hands upon them severally doth ordain them Deacons; then delivers to every one of them the New Testament, and gives them authority to read the same in the Church; then one of them appointed by the Bishop reads the Gospel, and then all with the Bishop proceed to the Communion, and so are dismissed with the Blessing pronounced by the Bishop.

The Ordination of Priests is partly in the same manner, only the Epistle and Gospel are different; and after the questions and answers made, the Bishop puts up a particular prayer for them, and that ended, he desires the Congregation to recommend them to God secretly in their prayers, for doing of which there is a competent time of general silence, then follows *Veni Creator Spiritus* in Meter to be sung, then after another prayer, they all kneeling, the Bishop, with the Priests present, layeth his hands upon the head of every one severally, and gives them Ordination in a grave set form of words, different both from that of Bishops and that of Deacons, the rest as in the ordaining of Deacons.

*Of the Ecclesiastical Government
of England, and first of the
Convocation.*

FOr the Church legislative power, or the making of Ecclesiastical Laws, and consulting of the more weighty affairs of the Church, the King by the advise of his Privy Council, usually convokes a National Synod commonly called the Convocation, which is summoned in manner following.

The King directeth his Writ to the Archbishops of each Province, for summoning all Bishops, Deans, Archdeacons, Cathedrals, and Collegiate Churches, according to their best discretion and judgment, assigning them the time and place in the said Writ; whereupon the Archbishop of *Canterbury* directs his Letters to the Bishop of *London*, as his Dean Provincial, first citing himself peremptorily, and then willing him to cite in like manner all the Bishops, Deans, Archdeacons, Cathedral and Collegiate Churches, and all the Clergy of his Province to that place, and at the day prefixt in the Writ; but directeth withal that one Proctor sent for each Cathedral and Collegiate Church, and two for the body of the inferiour Clergy of each Diocess may suffice. The Bishop of *London* accordingly directs his letters to the

the Bishops of every Diocess of the Province, citing them in like manner to appear, and to admonish the Deans and Archdeacons to appear personally, and the Cathedrals, Collegiate Churches and inferiour Clergy of the Diocess, to send their Proctors to the place; and at the day appointed; also to certifie to the Archbishop the names of all so summoned by them.

The place where the Convocation of Clergy in the Province of *Canterbury* hath usually been held, was *St. Pauls Church* in *London*, but of later times at *St. Peters* in *Westminster* in the Chappel of *Henry the Seventh*, where there is (as in Parliament) a Higher and a Lower House, or a House of Lords Spiritual, and a House of Commons Spiritual.

The Higher House of Convocation in the Province of *Canterbury* consists of 22¹ Bishops, whereof the Archbishop is President, sitting in a Chair at the upper end of a great Table, and the Bishops on each side of the same Table all in their Scarlet Robes.

The Lower House consists of all the Deans, Archdeacons, one Proctor for every Chapter; and two Proctors for all the Clergy of each Diocess, in all 166 persons, viz. 22 Deans, 24 Prebendaries, 54 Archdeacons, and 44 Clerks representing the Diocesan Clergy.

The first day both houses being assembled the Higher chooseth a Bishop for their Prolocutor.

and the Lower being require d by the Highe House to choose them a Prolocutor, or Speaker; which done they present him to the Upper House by two of their Members, whereof one makes a Speech in Latin; and then the Elect person makes another Speech in Latin. Lastly, the Archbishop answers in Latin, and in the name of all the Lords approves of the person.

Both Houses debate and transact only such matters as His Majesty by Commission expressly alloweth.

In the Upper House things are first proposed, and then communicated to the Lower House.

The Major vote in each House prevails.

Out of Parliament time they usually assemble every day about Nine of the clock, and first the Junior Bishop sayes prayers in Latin, beginning with the Lety, and then for the King, &c. And in the Lower House the Prolocutor says prayers.

In Convocation are debated only matters concerning Religion and the Church, and sometime of giving His Majesty assistance in Money; for as the Laity cannot be taxed without their own consent, signified by their Representative in Parliament, so the Clergy cannot be taxed without their consent, signified by their Representative in Convocation.

The Clergy in Convocation might antiently without asking the Royal Assent, and now may with the Royal Assent make

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Canons touching matters of Religion, to bind not only themselves, but all the Laity with-out consent or ratification of the Lords and Commons in Parliament.

Till the late Rebellion the Parliament did not at all meddle in the making Canons, or in matters Doctrinal, or in Translation of Scriptures, only by their civil Sanctions (when they were thereto required) did confirm the Results and Consultations of the Clergy, that so the people might be the more easily induced to obey the Ordinances of their Spiritual Governors.

The Clergy of *England* had antiently their Representatives in the Lower House of Parliament, as appears by that antient Record so highly prized by the late Lord *Coke*; and as the Upper House had and still hath Lords Spiritual as well as Temporal; so in the Lower House there were always Commons Spiritual as well as Temporal; for that Record saith expressly, that the Commons in Parliament consist of three degrees or kinds; First, *ex Procuratoribus Cleri*; Secondly, *ex Militibus Comitatum*; Thirdly, *ex Burghensibus*: and the words of the Writ directed now to the *Procuratores Cleri*, seem to give them the very same right to sit in that House, as the words of the Writ to the Knights, Citizens and Burghesses do give to them.

All the Members of both Houses of Convocation have the same priviledges for them-

themselves and menial Servants, as the Members of Parliament have, and that by Statute.

The Archbishop of *York* at the same time holds at *York* a Convocation of all his Province in like manner, and by constant correspondence doth debate and conclude of the same matters as are debated and concluded by the Provincial Synod of *Centerbury*.

Now for the Executive power in Church matters throughout the Kingdom of *England*, there have been provided diverse excellent Courts, whereof the highest for criminal Causes was the High Commission Court, for the jurisdiction whereof it was enacted *primo Elizabethæ*, that Her Majesty and Successors should have power by Letters Patents under the Great Seal, to nominate Commissioners to exercise jurisdiction throughout the whole Realm; to visit, reform, and correct all Errors, Heresies, Schisms, Abuses, and Delinquencies, that may by any Ecclesiastical power be corrected or reformed.

This Court consisted of the highest persons of *England* in the Church and State, and was the principal Bulwark and Preservative of the Church of *England* against the practices and assaults of all her Adversaries, whether Romanist, Puritan, or Atheist, yet for some pretended abuses, the use thereof was taken away in the late seditious long Parliament; whereupon followed a deluge of Errors in Religion, Apostacy, Atheism,

Atheism, Blasphemy, Sacrilege, Incest, Adultery, impious Libels, Schisms, Conventicles, &c. all which so overwhelmed the manners of English men, and occasioned at length so many profest Atheists, that until the re-establishment of this or the like Court, there cannot a Reformation be reasonably hoped for.

For civil affairs that concern the Church, the highest Court is the Court of Delegates for the jurisdiction whereof it was provided 25 H. 8. that it shall be lawful for any subject of *England*, in case of defect of justice in the Courts of the Archbishop of *Canterbury*, to appeal to the Kings Majesty in his Court of *Chancery*, and that upon such appeal, a Commission under the Great Seal shall be directed to certain persons particularly designed for that business; so that from the highest Court of the Archbishop of *Canterbury*, there lies an Appeal to this Court of Delegates, and beyond this to none other.

Next to the Court of Delegates are the Courts of the Archbishop of *Canterbury*, where any Ecclesiastical Sutes between any persons may (waving all inferior Courts) be decided; amongst them the highest Court is the Court of Arches, so called from the Arched Church and Tower of *S. Maries* in *Cheapside*, *London*, where this Court is wont to be held, the Judge whereof is called Dean of the Arches, having jurisdiction over a Deanery, consisting of 13 Parishes within *London*, exempt from the jurisdiction

on of the Bishop of London. Hither are directed all Appeals in Ecclesiastical matters within the Province of *Canterbury*. To this Court belongs divers Advocates, all Doctors of the Civil Law, two Registers, and ten Proctors: the Dean at present is Doctor *Sweat*.

In the next place the Archbishop of *Canterbury* hath his Court of Audience kept within the Archbishops Palace, and medleth not with any difference between parties, but concerning Elections and consecration of Bishops, Admission and Institution to Benefices, dispensing with Banes of Matrimony, &c.

The next Court is called the Prerogative Court, which judgeth of Estates fallen by Will, or by Intestates, so called, because the Archbishops *jure Prærogativa sue* hath this power throughout his whole Province where the party at the time of death had \geq £. or above in several Dioceses; and these two Courts hath also the Archbishop of *York*.

Lastly, the Court of Peculiars, which dealeth in certain Parishes, lying in several Dioceses, which Parishes are exempt from the jurisdiction of the Bishops of those Dioceses, and are peculiarly belonging to the Archbishop of *Canterbury*, in whole Province there are 57 such Peculiars.

Besides these Courts serving for the whole Province, every Bishop hath his Court held in the Cathedral of his Diocess, over which he hath a Chancellor, termed anti-
cently

ently *Ecclesiasticus* & *Episcopi Ecclesie*, the Church Lawyer or the Bishops Lawyer, who being skill'd in the Civil and Canon Law, sits there as Judge; and if his Diocess be large, he hath in some more remote place a Commissary, whose authority is only in some certain place of the Diocess, and some certain Causes limited to him by the Bishop in his Commission; and these are called Consistory Courts.

Moreover, every Archdeacon hath his Court and Jurisdiction, where smaller differences arising within his limits are pleaded. Also the Dean and Chapter hath a Court, and take cognizance of Causes happening in places belonging to the Cathedral.

Lastly, there are certain peculiar Jurisdictions belonging to some certain Parishes, the Inhabitants whereof are exempt sometimes from the Archdeacons Jurisdiction, and sometimes from the Bishops Jurisdiction.

Causes belonging to Ecclesiastical Courts, are Blasphemy, Apostasie from Christianity, Heresies, Schisms, Ordinations, Institutions of Clerks to Benefices, Celebration of Divine Service, Rights of Matrimony, Divorces, general Bastardy, Tythes, Oblations, Obventions, Mortuaries, Dilapidations, Reparation of Churches, Probate of Wills, Administrations, Simony, Incests, Fornications, Adulteries, Solicitations of Chastity, Pensions, Procurations, Commutation of Penance,

&c.

&c. the cognizance whereof belongs not to the Common Law of England.

The Laws and Constitutions whereby the Ecclesiastical Government doth stand, and the Church of England is governed, are first general Canons made by general Councils; also the *Arbitria sanctorum Patrum*, the opinion of Fathers, the grave Decrees of several Holy Bishops of Rome, which the Kings of England from time to time have admitted.

Next our own Constitutions made antiently in several Provincial Synods, either by the Legats *Otha* and *Othobon*, sent from Rome; or by several Archbishops of *Canterbury*; all which are by 25 H. 8. of force in England, so far as they are not repugnant to the Laws and Customs of England, or the Kings Prerogative. Then the Canons made in Convocations of later times, as *primo Jacobi*, and confirmed by his Royal Authority. Also some Statutes enacted by Parliament touching Ecclesiastical affairs: And lastly, divers Customs not written, but yet in use beyond the memory of man: and where these fail, the Civil Law takes place.

The manner of Tryals by these Laws and Customs are different from the Tryals at Common Law, and are briefly thus. First goes forth a Citation, then Bill and Answer, then by Proofs, Witnesses, and Presumptions the matter is argued *pro* and *con*, and the Canon and Civil Laws quoted, then without any Jury, the definitive sen-

sentence of the Judge passeth, and upon that Execution. And this is the manner of trying Ecclesiastical Civil Causes; but Ecclesiastical criminal Causes are tried by way of Accusation, Denunciation, or Inquisition. The first, when some one takes upon him to prove the crime: the second, when the Churchwardens present and are not bound to prove, because it is presumed they do it without any malice, and that the crime is notorious. Lastly, by Inquisition, when by reason of common fame, inquiry is made by the Bishop, *ex officio suo*, by calling some of the neighborhood to their Oaths, or the party accused to his Oath *ex officio*, so called, because the Ecclesiastical Judge doth it *ex officio suo*, which is very antient, and was usual among the Jews; so Joshua to Acan, *Fili mi tribue gloriam, &c.* So God himself to Adam upon his first transgression; and likewise afterward to Sodom; but by the prevailing faction in the long Parliament, this power was extorted from the Church, the want whereof is one main cause of the great libertinisme and debauchery of the Nation.

Now the punishments inflicted by these Spiritual or Ecclesiastical Courts, according to these Spiritual or Ecclesiastical Laws, proceed in this manner. First the party delinquent is admonish'd; next goes forth *minor Excommunicatio*, whereby he is excommunicated or excluded from the Church; or if not from the Church, yet from

from the Communion of the Lords Supper; is disenabled to be Plaintiff in a Law Sute, &c. And this commonly for stubbornness shewed by not appearing in the Ecclesiastical Court upon summons, or not obeying the Orders of the Court which though in smallest matters, yet may be a very great crime; for *Res præcepta quo facilius est observatu eo præcepti violatio est gravior cum sit magis spontanea*, as *S. Austin* observes of the first sin of *Adam*. Any command by how much the easier it may be observed, by so much the more grievous is the breach thereof, because it is the more voluntary: besides in contempts it is not so much the violation of the Law as of the Authority, which ought to be resented. And here in the Church of *England* proceedeth no otherwise than the State of *England*; for so odious in the eye of the common Law of *England*, is the contempt thereof, that not only for Felonies, but even in an Action of the case, in an Action of a small Debt, Account or Detinue, if a man will not appear and submit himself to a Tryal at Law, a Process of Outlawry is grounded against him, and he being once Outlawed, he is out of the protection of the Law. *Caput gerit lupinum*, saith *Bracton*, an Outlaw'd was antiently lookt upon as a Wolf, lawfully to be killed by any man that should meet him, as most just, that he who contemned the Law, and therein the King, should not have benefit by the Law, nor protection from the King, and at this day he is to loose

loose all his Goods and Chattels. The Reader will easily pardon this digression when he considers the general cry against Excommunications at this day.

This power of lesser Excommunication the Bishop may delegate to any grave Priest with the Chancellour.

Excommunicatio major is not only an exclusion from the company of Christians in Spiritual Duties, but also in Temporal affairs, and this commonly for Heresie, Schism, Perjury, Incest, and such grievous crimes; and that it may be done with the more solemnity and terror, it is to be pronounced by the Bishop himself in his proper person; and being so Excommunicated, a man cannot in any Civil or Ecclesiastical Court, be Plaintiff or Witness. And in case any man be so stubborn as to continue 40 days excommunicated, the Kings Writ *de excommunicato capiendo* is granted forth of the Chancery against him; whereupon he is cast into prison without Bail, there to lie till he hath satisfied for his offence.

Next there is *Anathematismus* to be inflicted only upon an obstinate Heretick, whereby he is declared a publick Enemy of God, and rejected, and cursed, and delivered over to eternal damnation: and this to be done by the Bishop, also in his own person, assisted by the Dean and Chapter, or twelve other grave Priests.

Lastly, there is *Interdictum*, whereby is prohibited all Divine Offices, as Christi-

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an Burial, Administration of Sacraments, &c. in such a Place, or to such a People, and if this be against a People; it follows them wheresoever they go; but if against a Place only, then the People of that Place may go to Divine Offices elsewhere.

Besides these general censures of the Church, which respect Church Communion, there is another which toucheth the body of the Delinquent, called Publick Penance, when any one is compelled to confess in publick his fault, and to bewail it before the whole Congregation in the Church; which is done in this manner: the Delinquent is to stand in the Church Porch upon some Sunday bare, head and feet, in a white Sheet, and a white Rod in his Hand, there bewailing himself, and begging every one that passes by to pray for him; then to enter the Church, falling down and kissing the ground; then in the middle of the Church, placed in a higher place in the sight of all the People, and over against the Minister, who declares the foulness of his crime odious to God, and scandalous to the Congregation, that God can no way be satisfied but by applying Christs sufferings, nor the Congregation, but by an humble acknowledging of his sin, and testifying his sincere repentance and sorrow, not in words only, but with tears, and promising there in the sight of God and his Holy Angels, that by Gods assistance, and by Prayer, Meditation, and daily works of Piety, he will endeavor hereafter

ter more carefully to watch against the temptations of the world, the allurements of the flesh, and the snares of the Devil: which being done, and the Priest in Christs name pronouncing the remission of sins, the penitent humbly beseeches the Congregation to pardon him that great scandal against them, and receive him into their holy Communion, and to account him again a Member of their Church, and in testimony hereof, out of their Christian Charity, to vouchsafe to say with him aloud, the Lords Prayer. And this way of the Church of *England*, appears by divers Writers, to be the antient way used by the Primitive Churches:

Note that it is ordained by the Canons of the Church of *England*, that in case the crime be not notorious and publick, the forenamed penance may at the parties request be commuted into a pecuniary Mulct for the poer of the Parish, or some Pious uses, provided that for the Reformation of the Delinquent that way appear to be the more probable way; for some men will be thereby reclaimed, who by publication of their offence would become more impudent, and hardned, when they perceive their reputation to be lost.

There remains one more punishment or Ecclesiastical censure which toucheth the body, and that is denial of Christian burial, which is inflicted not in *pœnam mortuorum*, but in *terrorem viventium*, who naturally desire that after their death their
bodies

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as lording over Gods Heritage, not as absolute Masters over Servants, to gain by their punishments, but as Fathers over Children, for their amendment, and as being Ministers in Spiritual affairs, to use their power for the good of Christians, and to conduct that power by moderation.

Of the Parliament of England, and therein of the Person summoning, the manner of the summons, the persons summoned, their privileges; the place and manner of Sitting, the passing of Bills in either House, the passing of Acts of Parliament, of Adjourning, Proroguing, and Dissolving of Parliaments.

A Brief Account of the Ecclesiastical Government having been given, next follows the Civil Government, towards which, the first great wheel that moves, is the Parliament of England.

Before the Conquest the Great Council of the King, consisting only of the Great men of the Kingdom, was called *Magna-*

tum Conventus, or else *Praelatorum Procerumque Concilium*, and by the Saxons in their own Tongue, *Micel Gemot*, the Great Assembly; after the Conquest it was called by the French word *Parlementum*, from *Parler*, to talk together, still consisting only of the Great men of the Nation, until the Reign of H. 3. The Commons also were called to sit in Parliament; for the first Writs sent forth to summon them, bears date 49. H. 3. about 400 years agoe.

None but the King hath authority to summon a Parliament: In the Kings absence out of the Realm, the *Custos Regni* in the Kings name doth summon a Parliament, and during the Kings minority within the Realm, the *Protector Regni* doth the same.

No Parliament can begin without the Kings Presence, either in Person, or by Representation by *Commissioners*.

When the King of England is with his Parliament in time of peace, he is then said to be in the height of his Royal Dignity, as well as when he is at the head of his Army in time of War. There is then scarce any thing that the King cannot do, his power cannot be confined for Causes or Persons within any bounds. He can with the concurrence of his Lords and Commons, legitimate one that is born illegitimate, bastardize one that is born legitimate, that is to say, one begotten in Adultery, the Husband being then within
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the four Seas. He can make an Infant of full age, make an Alien or Forreigner an Englishman, can attaint a man of Treason when he is dead, when he is no more a man, &c.

A Parliament is summoned in manner following; About 40 days before the Parliament doth assemble, the King issues out his Writ *cum Advisamento Concilii sui*, and the Warrant is, *per ipsum Regem & Concilium*.

The Kings Writ (which is a short Letter or Epistle) is directed and sent to every particular person of the Lords Spiritual and Temporal, commanding the Lords Spiritual *in Fide & Dilectione*, and the Lords Temporal, *per Fidem & Allegiantiam*, to appear at a certain time and place, to Treat and give their Advice in some certain important affairs concerning the Church and State, &c.

Other Writs are sent to the High Sheriff of each County, to summon the people to elect two Knights for each County, two Citizens for each City, and one or two Burgeses for each Burrough, according to *Statute, Charter or Customs*.

In these Elections, antiently, all the people had their Votes, and most Votes carried it; but for avoiding of tumults and trouble, it was enacted by H. VI. that none should have any suffrage in the election of Knights of the Shire, but such as were Freeholders, did reside in the County, and had yearly Revenue 40 s. (which till the disco-

very of the Gold and Silver in *America*; was as much as 30 or 40 *l.* now) whence it came to pass, that the Lay-Commons were then elected as the Clergy-Commons, the *Procuratores Cleri* were and ever have been, viz. *sine Prece, sine Pretio, sine Poculo, &c.*

The persons elected for each County, are to be *Milites Notabiles*, or at least Esquires or Gentlemen, fit to be made Knights, as it is in the Statutes of *H. VI.* They ought to be *de discretioribus Militibus, & ad laborandum potentioribus*, as the words in some Writs have been: they ought not to be of younger years, for then it would be *Juvenatus* (*si sic loqui liceat*) *potius quam Senatus*, not lazy Epicures, but men of years, vigorous, active and abstemious men, that will be content to give their constant attendance in Parliament, or else to enjoy neither Priviledge nor Expences allowed to every Member of the Commons House. They ought to be native English men, or at least such as have been Naturalized by Act of Parliament. No Alien or Denizon, none of the Twelve Judges, no Sheriff of a County, no Ecclesiastical person that hath cure of souls, may be chosen a Parliament man, to serve for any County, City, or Burrough.

Two things are said to be requisite to the legality of sitting in Parliament; first, that a man should be of full age, that is, 21 years old at the least; for if no man under that age can dispose of his Estate, nor make

make one legal Act to that purpose, then much less may he bear any part in the supreme power of the Nation, to Judge, Vote, or Dispose of the Estate of the whole Realm: yet the practice in the House of Commons (though never in the House of Lords) hath sometimes been otherwise.

All Members of Parliament, both Lords and Commons, that they may attend the publick Service of their Countrey, are privileged with their menial Servants attending on their persons, together with all their necessary Goods, brought along with them from all Attachments and Imprisonments, for Debts, Trespasses, Account or Covenant, all the time that they are on the way to the place of Parliament, all the time they are at Parliament, and all the time they are on the way home again, *Eundo, Morando, ad propria redeundo* (for so were the old words) but they are not privileged from Arrests for Treason, Felony, or breach of the peace.

The place of meeting for the High and Honourable Assembly, is in whatsoever City, Town, or House the King pleaseth, but of latter times it hath been usually held at the Kings antient Palace, and usual Residence at *Westminster*, all the Lords in a fair Room by themselves, and the Commons not far from them in another fair Room, which was heretofore the antient free Chappel of *S. Stephen*.

The manner of sitting in the Lords House is thus.

The King as oft as he comes (which hath usually been, only at the opening of Parliaments, or at the passing of Bills, or at some solemn debates, as the present King hath frequently done) is placed at the upper end of the room in a Chair of State, under a Cloth of State, under which on either hand none but the Kings Children.

On the Kings right hand is a seat, anciently for the King of *Scotland*, when he was summoned to Parliament, as he sometimes was in *fide & legiantia*; but now it is for the Prince of *Wales*. On the Kings left hand is a Seat for the Duke of *Tork*.

On the Kings right hand and next the wall, are placed on a Form the two Archbishops, next below on another Form, the Bishops of *London*, *Durham*, and *Winchester*; all the rest of the Bishops sit according to the priority of their Consecration.

On the Kings left hand upon Forms, are placed the Lords Chancellor, Treasurer, President of the Kings Council, and Lord Privy Seal; if they are Barons, above all Dukes, except those of the Royal Family; if they are not Barons, then they sit uppermost on the Woolfacks.

On the same side sit the Dukes, Marquisses and Earls, according to their Creations.

Upon the first Form, a cross the House, below the Woolfacks sit the Viscounts, and upon the next Forms the Barons all in Order.

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The Lord Chancellor or Keeper (if the King be present) stands behind the Cloth of Estate, otherwise sits on the first Woolfack thwart the Chair of State, his Great Seal and Mace by him. He is Lord Speaker of the Lords House. Upon other Woolfacks sit the Judges, the Privy Counsellors, and Secretaries of State, the Kings Council at Law, the Masters of Chancery. These being not Barons, have no suffrage in Parliament, onely sit to give their advice when it is required. The reason why these Sages are placed upon Woolfacks, may probably be to mind them of the great importance of Wooll and Sheep to the Nation, that it never be neglected.

On the lowermost Woolfack are placed the Clerk of the Crown, now *Henry Barker* Esquire, and Clerk of the Parliament at present *John Brown* Esquire; whereof the former is concerned in all Writs of Parliament, and Pardons in Parliament; the other recordeth all things done in Parliament, and keepeth the Records of the same. This Clerk hath also two Clerks under him; who kneel behind the same Woolfack, and write thereon. Without the Bar of the Lords House sits the Kings first Gentleman Usher called the Black Rod, from a black staff he carries in his hand, under whom is a Yeoman Usher that waits at the door within, a Cryer without, and a Sergeant at Mace always attending the Lord Keeper.

The present State

When the King is present with his Crown on his head, none of the Lords are covered.

The Judges stand till the King gives them leave to sit.

When the King is absent, the Lords at their entrance do reverence to the Chair of State, as is or should be done by all that enter into the Kings Presence-Chamber.

The Judges then may sit, but may not be covered till the Chancellor or Keeper signify unto them the leave of the Lords.

The Kings Council and Masters of *Chancery* sit also, but may not be covered at all.

The Commons in their House sit promiscuously, onely the Speaker hath a Chair placed in the middle, and the Clerk of that House near him at the Table. They never had any Robes (as the Lords ever had) but wear every one what he fancieth most, which to strangers seems very unbecoming the Gravity and Authority of the Great Council of *England*: and that during their attendance on Parliament, a Robe or grave vestment would as well become the Honourable Members of the House of Commons, as it doth all the Noble Venetians both young and old, who have right to sit in the Great Council of *Venice*, and as it doth the Senators of *Rome* at this day, &c.

The time of sitting in Parliament, is on any day in the morning, or afore dinner, onely it hath antiently been observed, not to assemble upon some high Festival days, but upon ordinary Sundays oft-times as days accounted by all Christians less solemn

solemn then divers other Festivals, which are celebrated but once a year.

When the day prefixt by the King in his Writs of Summons is come, the King usually cometh in person with his Crown on his Head, and clothed with his Royal Robes, declares the cause of the Summons in a short Harangue, leaving the rest to the Lord Keeper, who then stands behind His Majesty; the Commons in the mean time standing bare at the Barr of the Lords House, are afterwards in the Kings name commanded to choose them a Speaker (which without the Kings Command they may not do) whereupon they returning to their own House, make choice of one of their own Members, whom afterwards upon another day, they present to the King, and being approved of by His Majesty, sitting in his Chair, and all his Lords, both Spiritual and Temporal in their Robes of Scarlet, he makes a modest refusal; which not allowed, he petitioneth His Majesty that the Commons may have during their sitting; *First*, a free Access to his Majesty. *Secondly*, Freedom of Speech within their own House. *Thirdly*, Freedom from Arrests.

Before any affair be meddled with, all the Members of the House of Commons, take the Oath of *Allegiance* and *Supremacy*, in the presence of an Officer, appointed by the King.

By that old Manuscript called *Modus tenendi Parliamentum*, it doth appear that the House of Commons did antiently (as the House of Lords at this day) consist of

Clergy-men as well as Lay-men; there sate the *Procuratores Cleri*, two for each Diocess, representing all the Clergy-Commons of the Diocess, as the Knights of the Shire doth all the Lay-Commons of the Shire; for it was then judged expedient that every Freeman of England, as well Clergy as Laity, should in passing of all Laws touching propriety, whereunto they were to be subject, give their consent personally or immediately by themselves, or else by some that by their Election should mediate undertake for them, and the words of the Writ for summoning the *Procuratores Cleri*, as aforesaid, seem to warrant the same at this day.

The Power and Priviledges of both Houses of Parliament are divers and distinct one from an other.

The Lords House hath a power not only in making and repealing Laws, but also in *tractando & consilium impendendo*, as the words of the Writ are, also in judging of Controversies, judging in the arraignment of any Peer of the Realm, putting men to their Oaths, especially in matters of importance, as the Corruption of Judges and Magistrates, in Errours, Illegal proceedings in other Courts, in Appeals from Decrees in Chancery, &c.

The Lords that in their Religion conform not to the Church of England, may yet sit and have Suffrage in the Lords House.

All the Lords Spiritual and Temporal have this Priviledge, That if by reason of Sicknes, or other busines they cannot appear,

pear, they may make Proxies to vote in their stead, after Licence obtained by a Letter under the Kings Signet, to be excused for their absence: so that in every Parliament, every person in *England*, either by himself, Proxy, or Representative is said to be there, and to have his Suffrage for making or repealing any Law.

The Commons have also a power in making and repealing Laws, they also have their Negative Voyce, for Levying of any money upon the Subject, the Bill is to begin in the Commons House, because from them doth arise the greater part of Monneys.

The Commons have the Priviledge to supplicate and propose Laws, to impeach publick Delinquents, even the highest Lords of the Kingdom, both Spiritual and Temporal.

The House of Commons is the Grand Inquest of the Realm, summoned from all parts to present publick grievances, and Delinquents to the King and Lords to be redressed and punished by them; and to this purpose, the Lords sit in their Robes on the Bench covered, as Judges do in other Judicatories; they swear and examine Witnesses, and at length pass sentence, whilst the Members of the Commons House stand bare at the Bar of the Lords House, produce Witnesses, mannage evidence, &c.

Note that although every Member of the Commons House is chosen to serve for one particular County, City, or Burrough,

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yet he serves for the whole Kingdom; and his voyce equal to any other, his power absolute to consent or dissent without ever acquainting those that sent him, or demanding their assent, as the States General of the *United Neatherlands* are obliged to do in many Cases.

Yet are they to make that their special care to promote the Good of that County, City or Borough for which they serve.

Although the Lords of Parliament are to bear their own charges, because they represent there only themselves; yet all the Commons, both Lay and Clergy, that is, the *Procuratores Cleri*, are to have *rationabiles Expensas* (as the words of the Writ are) that is, such allowance as the King considering the Prices of all things, shall judge meet to impose upon the people to pay. In the 17 *Edward 2.* it was 10 groats for Knights, and 5 groats for Burgeses, but not long after it was 4 s. a day for dubbed Knights, and 2 s. for all others; which in those days, as appears by the prices of all things, was a considerable sum, above 20 times more than it is now, for not only their expences were considered, though that was great, by reason of the suitable attendance that then every Parliament man had, but also their pains, their loss of time, and necessary neglect of their own private affairs for the service of their Country; and when the Countries, Cities and Burroughs, paid so dear for their expences, they were wont to take care to

to choose such men as were best able and most diligent in the speedy dispatch of affaires, by which means with some other, more business in those times was dispatched in Parliament in a week, then is now perhaps in ten: so that the Protections for Parliament men and their Servants from Arrests, were not then grievous, when scarce any Parliament or Session lasted so long as one whole Term.

In the Raigh of *Edward 3.* the Parliaments sometimes sate but eight days, and sometimes less, as may be seen in the Records of the Tower, and yet transacted several and weighty affairs of the Nation, many things being prepared before hand, (as some think) by the King and his privy Council, as they are at present in *Sweden*, and that commonly they then debated only upon such things, as the King did propose, which is now done by the Convocation of the Clergy of *England*.

The afore-mentioned expences being duly paid, did cause all the petty decayed Burroughs of *England* to become humble Suitors to the King that they might not be obliged to send Burgeses to Parliament, whereby it comes to pass that divers were unbursed, as it was in particular granted to *Chipping*, or *Market Torrion* upon their petition, and then the number of the Commons house being scarce half so many as at present, their Debates and Bills were sooner expedited, no faction among them, nor distinction of parties, but altogether

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if the major part be for it, there is written on the Bill by the Clerk, *Soit baillé aux Communes*, or, *Soit baillé aux Seigneurs*, retaining still in this, and some other things about making Laws, the custom of our Ancestors, who were generally skilled in the French tongue.

Note that when the Speaker finds divers Bills prepared to be put to the question, he gives notice the day before, that on the morrow he intends to put such Bills to the passing or third reading, and desires the special attendance of all the Members.

Note also, that if a Bill be rejected, it cannot be any more proposed during that Session.

A Bill sent by the Commons up to the Lords is usuall (to shew their respect) attended with 30 or 40 of the Members of the House, as they come up to the Lords Bar, the Member that hath the Bill making three profound reverences, delivereth it to the Lord Keeper, who for that purpose comes down to the Barr.

A Bill sent by the Lords to the Commons, is usuall sent by some of the Masters of the Chancery, or other person whose place is on the Woofsacks (and by none of the Member, of that House) and they coming up to the Speaker, and bowing thrice, deliver to him the Bill, after one of them hath read the Title, and desired it may be there taken into consideration, if afterwards it pass that House, then is written on the Bill, *Les Communes ont assenté*.
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When any one in the Commons House will speak to a Bill, he stands up uncovered, and directs his Speech onely to the Speaker, then if what he delivers, be confuted by another, yet it is not allowed to answer again the same day, lest the whole time should be spent by two talkative persons. Also if a Bill be debating in the House, no man may speak to it in one day above once.

If any one speak words of offence to the Kings Majesty, or to the House, he is called to the Bar, and sometimes sent to the Tower. The Speaker is not allowed to persuade or dissuade in passing of a Bill, but only to make a short and plain Narrative, nor to Vote except the House be equally divided.

After Dinner the Parliament ordinarily Assembles not, though many times they continue sitting long in the afternoon.

Committees sit after dinner, where it is allowed to speak, and reply as oft as they please.

In the Lords House, they give their Suffrages or Votes beginning at the *Puisne* or lowest Baron, and so the rest *Seriatim*, every one answering apart [*content*] or [*not content*.]

In the House of Commons they vote by *Yea's* and *No's* altogether, and if it be doubtful whether is the greater number, then the *Yea's*, are to goe forth, and the *No's* are to sit still (because these are content

tent with their present condition, without any such addition or alteration of Laws as the other desire) and some are appointed to number them, but at a Committee, though it be of the whole House as is sometimes, the *Yea's* go on one side, and the *No's* on the other, whereby they may be discerned.

If a Bill pass in one House, and being sent to the other House, they demur upon it, then a Conference is demanded in the Painted Chamber, where certain deputed Members of each House meet, the Lords sitting covered at a Table, the Commons standing bare with great respect, where the business is debated: if they then agree not, that business is nulled, but if they agree then it is at last brought (with all other Bills which have passed in both Houses) to the King, who comes again with His Crown on his Head, and clothed with His Royal Robes (sometimes before His Pleasure is to prorogue or dissolve them;) and being seated in His Chair of State, and all the Lords in their Robes, the Clerk of the Crown reads the Title of each Bill, and as he reads, the Clerk of the Parliament, according to his instructions from the King, who before hath maturely considered each Bill, pronounceth the Royal Assent. If it be a publick Bill, the Answer is [*Le Roy le veut*] which gives Life and Birth to that Bill that was before but an *Embryo*. If a private Bill, the Answer is [*Soit fait comme il est desire*] If it be a pub-

publick Bill, which the King likes not, then the Answer is [*Le Roy s'avisera*] which is taken for an absolute denyal in a more civil way, and that Bill wholly nulled. So that it is as true in *England* in some sence, as in any Monarchy in the world, *Quod Principi placuit legis habet vigorem*, Not that whatever the King of *England* wills becomes immediately a Law, but that nothing except what the King wills hath the force of a Law.

Note that the King without his personal presence, can by Commission granted to some of his Nobles, give His Royal Assent to any Bill that requires hast.

If it be a Bill for Moneys given to His Majesty, then the answer is [*Le Roy remercie ses loyaux sujets, accepte leur Benevolence, & aussi le veut*] which antient Ceremony of thanking the Subject for parting with their Money, some think might better be spared, because it intimates a distinct interest between the King and His Subjects, which is not onely false, but very dangerous to be allowed of. The King is *Pater patriæ*, the Money given to him is for our use and benefit, if we are niggardly to him, we injure ourselves, &c. The Bill for the Kings general Pardon, hath but one reading in either House, for this reason, because they must take it as the King will please to give it, so the Bill of Subsidies granted by the Clergy assembled in Convocation for the same reason. When the Bill for the general Pardon is passed by the

the King the Answer is thus (*les Prelats Signeurs & communes en ce Parliament assemblez au nom de tous vos autres sujets, remercient tres humblement vostre Majeste & prient Dieu vous donner en sante bonne vie & longue.*

All Acts of Parliament before the Reign of Henry 7. were passed and enrolled in French, now in English.

Most of our antient Acts of Parliament run in this stile; The King at the humble request of the Commons, with the assent of the Prelates, Dukes, Earles and Barons hath ordained or enacted. After it was thus, The King by the Advice and Assent of the Lords Spiritual and Temporal, and with the Assent of the Commons doth enact: of later times it hath been thus, Be it enacted by the Kings most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and of the Commons: although the words of the Writ for summoning the Commons (which ought to be the main rule) is onely *ad Consentiendum*, and not *ad Consilium impendendum*, as it is in the Writ to the Lords: and it is evident that the Commons in the late long Parliament made that an advantage for justifying their usurpations against the King in that point; and so in another Parliament, the Commons endeavoured to maintain that the Concurrence of the Lords was not always necessary in an Act of Parliament, because, 1 Edward 6. cap. 5. in passing that Act against

gainst transportation of Horses, the Lords were casually omitted, yet by the Register of the Lords House, it appears that that Bill began first in the Lords House, and there passed before the Commons took it in debate, and therefore the Kings Council at Law is very curious in wording rightly all Acts before they are brought to the King, and the Clerks of the Parliament as carefull in transcribing and registering them: However it is to be wished, that to prevent future mischief to this Nation, some clauses in the late Act of *Oblivion* and *Indemnity* might be amended, or at least explained, and more especially about the beginning of that Act, these words (*That all manner of Treasons, &c. since January 1637. and before June 1660. by vertue of any Authority from His late Majesty King Charles, or His Majesty that now is, be pardoned, &c.*) which words might possibly be foisted in designedly to insinuate, as if (according to that most absurd and Traiterous position of some of the Rebellious Members of the Long Parliament) the Kings person or any commissioned by him, could be guilty of Treason against the Kings Authority, or against His two Houses of Parliament, by pursuing of Rebels to bring them to Justice according to the Laws of the Land. It were also to be desired, that to prevent the great dishonour of making additional and explanatory Acts of Parliament, so frequently as hath of late been done, all considerable
Bills

Bills of Publick concernment, once read in either House of Parliament, may (before they be passed) be exposed to the view of all comers (as antiently among the Romans was usual) to the end that any other person (besides those of the two Houses) may within the space of certain days freely propose in Writing or otherwise, his exceptions, additions, alterations, or amendments, *Sed hæc obiter.*

When those things for which the Parliament was summoned have been sufficiently treated and brought to a conclusion, then the King doth usually adjourn, prorogue or dissolve the Parliament in maner following.

The adjournments are usually made in the Lords House, by the Lord Keeper, in the Kings Name, to what other day the King pleaseth, and also to what other place if he think fit to remove them, as sometimes hath been done, and then all things already debated and read in one or both Houses, continue to the next meeting in the same state, they were in before the adjournment, and so may be resumed.

In the like maner, the Parliament is Prorogued, but by a Prorogation there is a Session, and then the Bills that were almost ready in both Houses for the Royal Assent, not having it, must at the reassembling of the Parliament begin anew.

The Speaker of the House of Commons upon notice given that it is the Kings pleasure that House shall also adjourn, doth say,

say, with the assent of the House, This House is adjourned.

When the Kings pleasure is to prorogue or dissolve the Parliament, His Majesty commonly cometh in person with His Crown on his Head, sendeth for all the House of Commons, to come to the Bar of the Lords House: and after the Kings answer to each Bill signified as aforementioned, His Majesty usually makes a Solemn Speech, the Lord Keeper another, and the Speaker of the House of Commons a third, then the Lord Keeper by the special command of the King doth pronounce the Parliament prorogued or dissolved.

Note, That the King being head of the Parliament, if his death doth happen during the sitting of the Parliament, it is, *ipso facto* dissolved.

Antiently, after every Session of Parliament the King commanded every Sheriff to proclaim the several Acts, and to cause them to be duly observed, yet without that Proclamation, the Law intended that every one hath notice by his representative of what is transacted in Parliament: of later times since Printing became common, that Custom hath been laid aside.

The

*The Number of Persons that have
have Place and Suffrage in
both Houses.*

To the Lords House belong 3 Dukes of the Royal Blood, though one be *infra ætatem*. 7 other Dukes. 3 Marquises. 56 Earls. 9 Vicounts, and 67 Barons, in all 154. Then there are two Archbishops, and 24 Bishops; so that the Total is 180. But many being under age, some sick and infirm, others abroad in the Kings Service, the ordinary number is about 100.

To the House of Commons belong first for the 40 Shires of *England* two for each, in all 80 Knights; then one for each of the twelve Counties of *Wales*, 12 Knights. For 25 Cities in *England*, two to each, and *London* four, in all 52 Citizens. For the *Cinque Ports* 16 Barons, for the two *Universities* two Burgeses for each: For 168 Burroughs there are about 330 Burgeses, for some few of those Burroughs send but one Burgess apiece, Lastly in each of the 12 Counties of *Wales*, there is one Burrough that sends only one Burgess; so the total Number of the House of Commons, is a little above 500 persons, whereof commonly near 200 are absent upon business or sickness; &c.

Note, that the Barons of the *Cinque Ports*, are at this day onely as other Burgeses

gessees in Parliament, but are still called Barons, after the antient manner, because heretofore they got great renown by their exploits at Sea in defending the Kingdom, in memory whereof, they have yet the Priviledge to send Burgessees to bear the Cloth of State over the Kings Head on the day of his Coronation, and to dine that day in the Kings Presence.

A List of all the Knights, Citizens, Burgesses and Barons of the Cinque Ports, that at present serve in the Parliament of England.

Bedford.

SIR Humphry Winch, Bar.

Sir John Nappier, Bar.

Town of Bedford.

Pawlet St. John, Esq;

Sir William Beecher, Kt.

Berks.

Richard Nevil, Esq;

Sir Richard Powle, Kt of the Bath.

Borough of New Windsor.

Sir Richard Braham, Kt.

Sir Thomas Higgons, Kt.

Borough of Reading.

Sir Thomas Doleman, Kt.

Richard Aldworth, Esq;

Borough of Wallingford.

Sir John Benet, Knight of the Bath.

E

Robert

Robert Packer, Esq;

Borough of Abingdon.

Sir George Stonehouse, Bar.

Bucks.

Sir William Bowyer Kt. and Bar.

Sir William Terringham, Kt. of the
Bath.

Town of Bucks.

Sir Richard Temple, Bar.

Sir William Smith, Bar.

Borough of Chipping Wiccomb.

Sir Edmond Pye, Kt. and Bar.

Sir John Burlace, Bar.

Borough of Aylesbury.

Sir Richard Ingoldsby, Knight of the
Bath.

Sir Thomas Lee, Bar.

Borough of Agmondestham.

Sir Will. Drake, Kt.

Sir Thomas Proby, Bar.

Borough of Wendover.

Richard Hampden Esq;

Robert Crooke, Esq;

Borough of great Marlowe.

Peregrine Hobby Esq;

Charles Cheyney, Esq;

Cam-

Cambridge.

Sir Thomas Chicheley, Kt.
Sir Thomas Wendy, Knight of the
Bath.

University of Cambridge.

Thomas Crouch, Master of Arts,
Sir Charles Wheeler, Bar.

Town of Cambridge.

William Lord Allington.
Roger Pepis, Esq;

Chester.

Sir Foulke Lucy, Knight.
Thomas Cholmily Esq;

City of Chester

Sir Thomas Smith, Bar.
John Radcliff, Esq;

Cornwall.

Sir Jonath. Trelawny, Kt.
Sir John Corryton, Bar.

Borough of Dunblvid, alias

Lannceston.

E 2

Sir Richard Edgecombe, Knight of the Bath.

Sir Charles Harbord Knight, His Majesties Surveyor General.

Borough of Leskeard.

John Harris, Esq;

Barnard Greenville, Esq;

Borough of Lestwithiel.

Charles Smith, Esq;

Silas Titus, Esq;

Borough of Truroe.

John Arundel, Esq.

Edward Boscawen.

Borough of Bodmin.

Sir John Carew, Bar.

Hender Roberts, Esq;

Borough of Helston.

Sir William Godolphin, Bar.

Sidney Godolphin, Esq;

Borough of Saltashe.

Francis Buller, Junior Esq;

John Buller, Esq;

Borough of Camelford.

Thomas Coventry, Esq.

Sir Will. Godolphin, Kt.

Borough of Port-Pigham, alias Westlow.

Sir Henry Vernon, Bar.

John

John Trelawny, Esq;

Borough of Grampond.

Charles Trevanion, Esq;

John Tanner Esq.

Borough of Estlow.

Henry Seymour, Esq;

Sir Robert Atkins, Kt. of the Bath.

Borough of Penryn.

William Pendarvis, Esq;

John Birch, Esq;

Borough of Tregony.

Hugh Boscawen, Esq;

Thomas Herle, Esq;

Borough of Bossiny.

Robert Roberts, Esq;

Richard Rous, Esq;

Borough of St. Ives.

James Praed, Esq;

Edward Nosworthy, Esq;

Borough of Fowey.

Jonathan Rashley, Esq;

John Rashly, Gent.

Borough of St. Germans.

John Elliot, Esq;

Edward Elliot Esquire;

Borough of St. Michael.

Matthew Wren, Esq;

Francis Ld Hawley.

Borough of Newport.

John Speccor, Esq;
Nicolas Morice.

Borough of St. Mawes.

Arthur Spry, Esq;
Sir Joseph Tredinham.

Borough of Kellington.

Sir Cyril Wych, Kt.
Sam. Roll, Esq;

Cumberland.

Sir George Fletcher, Bar.
Sir John Lowther, Bar.

City of Carlisle.

Sir Philip Howard, Kt.
Christopher Musgrave Esq;

Borough of Cockermouth.

Sir Wilfrid Lawson, Kt.
John Clark, Esq;

Derby.

William Lord Cavendish.
Sacheveril Esq;

Town of Derby.

John Dalton, Esq;
Anchetel Grey, Esq;

De:

Devon.

Sir John Roll, Knight of the Bath.

Sir Coplestone Bamfield, Kt.

City of Exeter.

Sir James Smith, Kt.

Robert Walker, Esq;

Borough of Totnes.

Sir Edward Seymour, Bar.

Sir Thomas Clifford, Kt.

Borough of Plymouth.

Sir William Morice, Kt.

Sir Gilbert Talbot Kt.

Town and Borough of Okehampton.

Sir Edward Wise Knight of the Bath.

John Harris Esq;

Borough of Barnstable.

Sir John Norcot Bar.

Nicholas Dennis, Esq;

Borough of Plympton.

Sir William Stroude, Kt.

Sir Nicholas Slanning, Kt. and Bar.

Borough of Honiton.

Sir Courtney Poole Bar.

Peter Prideaux, Esq;

Borough of Tavistock.

George Howard Esq;

William Ruffel, Esq;

Borough of Ashburton.

Sir Geo. Sonds, Kt. of the Bath.

John Fowel, Esq;

*Borough of Clifton Dartmouth,
Hardnes.*

William Harbord Esq;

William Gould Esq;

Borough of Beeralston.

Sir John Maynard, Kt. the Kings Serge-
ant at Law.

Joseph Maynard, Esq;

Borough of Tiverton.

Thomas Carew Esq;

Henry Ford, Esq;

Dorset.

Giles Strangeways, Esq;

Sir John Strode, Kt.

Town of Poole.

Sir John Moreton, Bar.

Thomas Trenchard, Esq;

Borough of Dorchester.

James Gould, Esq;

John Churchill, Esq;

Borough of Kings Lime.

Sir John Shaw, Kt. and Bar.

Henry

Henry Henly, Esq;

Borough of Weymouth.

Sir John Coventry, Kt. of the Bath,

Sir Winston Churchill, Kt.

Borough of Kings-mellcombe.

Bullen Reymes, Esq;

Anthony Ashley Esq;

Borough of Bridport.

Humphrey Bishop, Esq;

John Strangewaife, Esq;

Bor. of Shaston, alias Shastbury

Henry Whittacre, Esq;

John Bennet, Esq;

Borough of Wareham.

George Pir, Esq;

Robert Culleford, Esq;

Borough of Corfe Castle.

Sir Ralf Banks, Kt.

John Tregonwell, Esq;

Ester.

Banestre Maynard, Esq;

Sir John Bramstone Knight of the Bath,

Borough of Colchester.

Sir Harbottle Grimstone Baronet, Ma-

ster of the Rolls.

Sir John Shaw, Kt.

E 5

Bo-

The present State*Borough of Malden.*

Sir John Tirril, Kt.

Sir Richard wiseman, Kt.

Borough of Harwich.

Thomas King, Esq;

Sir Capel Luckin.

Gloucester.

John Grubham How, Esq;

Sir Bainham Throgmorton Kt.

City of Gloucester.

Sir Edward Massy, Kt.

Evan Seyes, Serjeant at Law.

Borough of Cirencester.

Henry Fowle Esq;

John George, Esq;

Borough of Tewksbury.

Sir Henry Capel, Kt. of the Bath.

Richard Dowdswel, Esq;

Hereford.

John Kerle, Bar.

Thomas Price, Esq;

City of Hereford.

Roger Vaughan, Esq;

Herbert Westphaling, Esq;

Bo:

Borough of Leompster.

Reynald Graham, Esq;

Humphrey Cornwall, esq;

Borough of Weobly.

John Barnaby, Esq;

Sir Thomas Tompkins, Kt,

Hertford.

Sir Richard Franklyn, Knight and Baronet.

Will. Hale, Esq;

Borough of St. Albans

Sam. Grimston, Esq.

Thomas Arris, Doctor of Physick.

Borough of Hertford.

Sir Edward Turner, Knight Speaker.

Thomas Lord Fanshaw, , Knight of the Bath.

Huntingdon.

Robert Vicount Mandeville.

Henry Williams, Esq;

Borough of Huntingdon.

Sir John Cotton, Bar.

Lyonel Walden, Esquire.

Kent.

Kent.

Sir Thomas Peyton, Bar.

Sir John Tufton, Kt. and Bar.

City of Canterbury.

Thomas Hardres, Serj. at Law.

Sir Edward Masters Kt.

City of Rochester.

Sir Francis Clerk, Kt.

Richard Head Esquire.

Borough of Maidstone.

Thomas Heilackenden, Esquire.

Sir Robert Barneham, Bar.

Borough of Queenborough.

James Herbert, Esquire.

Sir Edward Hales, Bar.

Lancaster.

Sir Roger Bradshaw, Kt.

Thomas Preston, Esquire.

Borough of Lancaster.

Richard Kirkby, Esquire.

Richard Harrison, Esquire.

*Borough or Town of Preston in**Amounderness.*

Edward Rigby Esquire.

John

John Otway, Esquire.

Borough of Newton.

Richard Lord Gorges.

Richard Leigh, Esq;

Borough of Wigton.

Charles Earl of Ancram.

Sir Jeofry Chakerley, Kt.

Borough of Clitheroe.

Sir John Heath, Attorney of the Dut-
chy.

Ambrose Pudrey, Esq;

Borough of Liverpoole.

Sir William Bucknell, Kt.

Sir Gilbert Ireland, Kt.

Leicester.

John Lord Roos.

George Faunt, Esq;

Town of Leicester.

Sir William Hartop, Kt.

Sir John Prettyman, Kt. and Bar.

Lincoln.

George Vicount Castleton.

Sir Robert Car, Kt. and Bar.

Ci.

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John Jones, Esq;

Monmouth.

Sir Trevor Williams, Bar.

William Morgan, Esq

Borough of Monmouth.

Sir George Probert, Kt.

Norfolk.

Thomas Lord Richardson.

Sir Ralph Hare, Bar.

City of Norwich.

Christopher Jay, Esq;

Francis Corey, Esq;

Town of Lynn Regis.

Robert Wright, Esq;

John Coke, Esq;

Town of Great Tarmouth.

Sir William Coventry, Kt.

Sir William Doyly, Kt and Bar.

Borough of Thetford.

Sir Allan Apsley, Kt.

Joseph Williamson, Esquire.

Borough of Castlerising.

Sir Robert Paston, Kt. and Bar.

Robert Steward, Esquire.

North.

Northampton.

Sir Justinian Isham, Bar.

George Clark, Esquire.

City of Peterborough

William Lord Fitzwilliams.

Sir Vere Fane.

Town of Northampton.

Lord O Bryon.

Sir William Farmer.

Town of Brackeley.

Sir Thomas Crew, Kt.

Robert Spencer Esquire.

Borough of Higham Ferrers.

Sir Lewis Palmer, Bar.

Northumberland.

Henry Earl of Ogle.

Sir William Fenwick, Bar.

Town of Newcastle upon Tyne.

Sir Francis Anderson, Kt.

Sir John Marley Kt.

Borough of Morpeth.

Sir George Downing, Kt. and Bar.

Edward Lord Morpeth.

Town

Town of Berwick upon Tweed.

Edward Gray Esquire.

Daniel Collingwood Esquire.

Nottingham.

Anthony Eyre, Esquire.

Sir Francis Leeke, Knight and Bar.

Town of Nottingham

Arthur Stanhop, Esquire.

Robert Pierpoint, Esquire.

Borough of Eastretford.

Sir William Hickman, Bar.

Sir Edward Deering, Kt.

Oxon.

Sir Francis Wainman, Kt.

Sir Anthony Cope, Knight and Bar.

University of Oxon.

Lawrence Hide, Esquire.

Sir Henage Finch, Kt. and Bar. His
Majesties Attorney General.

City of Oxon.

Robert Croke, Esquire.

Brome Whorwood, Esquire.

Borough of New-Woodstock.

Sir Thomas Spencer, Bar.

Sir

The present State

Sir William Fleetwood, Kt.

Borough of Banbury.

Sir John Holeman, Kt.

Rutland.

Edward Noell, Esquire.

Phillip Sherrard, Esquire.

Salop.

Sir Francis Lawley, Bar.

Richard Newport, Esquire.

Town of Salop.

Robert Leighton, Esquire.

Thomas Jones, Serjeant at Law.

Borough of Bruges, alias Bridgenorth.

Sir William Whitmore, Bar.

Sir Thomas Whitmore, Knight of the Bath.

Borough of Ludlow.

Sir Job Charleton, His Majesties Serjeant at Law.

Somerset Fox, Esquire.

Borough of Great Wenlock.

Sir Thomas Littleton Kt.

George Weld, Esquire.

Town

Town of Bishops-Castle.

Edmond Waring, Esquire.

William Oakeley, Esquire.

Sommerfet.

Edward Philips, Esquire.

Sir, Jo. Sydenham, Bar.

City of Bristol.

Sir John Knight, Kt.

Sir Humphrey Hook, Kt.

City of Bath.

Sir William Bassett, Kt.

Sir Francis Popham, Kt. and Bar.

City of Wells.

Richard Lord Butler, Earl of Arran.

Sir Maurice Berkley, Kt. and Bar. Lord
Fitzharding.

Borough of Taunton.

Sir William Portman, Bar.

Sir William Windham Kt.

Borough of Bridgewater.

Edmond Windham, Esquire.

Peregrine Palmer, Esquire.

Borough of Minehead.

Sir Jo. Malet, Kt.

Sir Hugh Windham, Kt.

Bo-

The present State

Borough of Ilcester.

Sir Edward Phillips jun. Kt.

Henry Dunster, Merchant.

Borough of Milborneport.

Francis Windham Esquire.

Michael Mallet, Esquire.

Southampton.

Charles Lord St. John.

Sir John Norton, Bar.

City of Winchester.

Sir Rober Holmes, Kt.

Lawrence Hide, Esquire.

Town of Southampton.

Sir Richard Ford, Kt.

Thomas Knowles, Esquire.

Town of Portsmouth.

Richard Norton, Esquire.

Sir George Carteret, Kt. and Bar.

Borough of Yarmouth.

Richard Lucy, Esquire.

Edward Smith, Esquire.

Borough of Peterfield.

Thomas Neal, Esquire.

Arthur Bold Esquire.

Borough of Newport, alias Medena.

Sir Robert Dillington.

William Glascock, Esq;

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William Chetwinde, Esquire.

Borough of Newcastle under Line.

Sir Cæsar Colclough, Bar.

Edward Manwaring, Esquire.

Borough of Tamworth.

Charles Lord Clifford.

John Swinfein, Esquire.

Suffolke.

Sir Henry Felton, Bar.

Sir Henry North, Bar.

Borough of Ipswich.

John Wright, Esquire.

William Bloise, sen. Esquire.

Borough of Dunwich.

William Wood Esquire.

Sir John Pettus Kt.

Borough of Orford.

Sir Allen Broderick, Knight

Walter Devereux, Esquire.

Borough of Aldborough.

Sir John Holland, Bar.

Jo. Bence, Esquire.

Borough of Sudbury.

Sir Robert Cordel, Bar.

Thomas Walgrave, Esquire.

Borough of Eye.

Sir George Reeve, Kt. and Bar.

Charles Cornwallis, Esquire.

Borough of St. Edmonds-bury.

Sir John Duncomb, Kt.

Sir Edmond Pooley, Kt.

Surrey.

Sir Adam Brown, Bar.

Sir Edmond Bowyer, Kt.

Borough of Southwark.

Sir Thomas Bludworth, Kt.

Sir Thomas Clarges, Kt.

Borough of Blechingly.

Sir William Hayward, Kt.

Sir Edward Bish, Kt.

Borough of Rygate.

Roger James, Esquire.

Sir Edward Thurland, Knight.

Borough of Guildford.

Arthur Onslow, Esquire.

Thomas De Mahoy, Esquire.

Borough of Gatton.

Thomas Turgis, Esquire.

Sir Nicolas Carew, Kt.

Borough of Haslemere.

George Evelyn, Esquire.

Tho-

Thomas Morrice, Esquire.

Suffex.

Sir John Pelham, Bar.

Sir Will. Morley, Kt. of the Bath.

City of Chichester.

Sir Henry Peckham, Kt. Serjeant at Law.

William Garaway, Esquire.

Borough of Horsham.

Sir John Covert, Kt. and Bar.

Orlando Bridgman, Esquire.

Borough of Midhurst.

Baptist May, Esquire.

John Steward, Esquire.

Borough of Lewis.

Sir John Stapely Kt. and Bar.

Sir Thomas Woodcok, Kt.

Borough of New-Shoreham.

Edward Blaker, Esquire.

Jo. Fag, Esquire.

Borough of Bramber.

Sir Cicil Bishop.

Peirce Goring, Esquire.

Borough of Steyning.

Sir John Fag, Bar.

Henry Goring, Esq;

Bo-

Borough of East Grimstead

Charles Lord Buckhurst.

Sir George Courthop, Kt.

Borough of Arundel.

Roger, Earl of Orrory.

Francis, Lord Angier.

Warwick.

Sir Robert Holt, Bar.

Sir Henry Puckering, alias Newton.

City of Coventry.

Sir Clement Fisher, Bar.

Richard Hopkins, Esq;

Borough of Warwick.

Sir Francis Compton, Kt.

Foulk Grevile, Esq;

Westmerland.

Sir Phillip Musgrave Bar.

Sir Thomas Strickland, Kt.

Borough of Apulby

Thomas Tufton, Esq;

John Dalston, Esq;

Wilts.

Henry Lord Cornbury.

F

Tho-

Thomas Thin, Esq;

City of New Sarum.

Sir Stephen Fox, Kt.

Richard Coleman Esq;

Borough of Wilton.

Sir John Birkenhead, Kt.

Sir Thomas Mompeyson, Kt.

Borough of Downton.

Gilbert Rawleigh, Esq;

Sir Joseph Ash, Kt.

Borough of Hindon.

Edward Seymor, Esq;

Sir George Grubham How, Bar.

Borough of Westbury.

Richard Lewis, Esq;

Thomas Wanklyn, Esq;

Borough of Hertsbury.

John Jolliffe, Esq;

William Ash, Esq;

Borough of Calne.

William Duckett, Esq;

George Low Esq;

Borough of the Devises.

Edward Lewis, Esq;

George Johnson.

Borough of Chippenham.

Sir Edward Hungerford, Kt. of the Bath

Henry Baynton Esq;

Borough of Malmesbury.

Phillip Howard, Esq;

Sir Edward Pool, Kt.

Borough of Cricklade.

Sir George Hungerford, Kt.

Sir John Earnely, Kt.

Borough of Great Bedwin.

Sir John Trevor, Kt.

Henry Clerk, Esq;

Borough of Lugdresal.

William Ashburnham, Esq;

Thomas Gray, Esq;

Borough of Old Sarum.

Edward Nicholas, Esq;

Sir Eliab Harvey, Kt.

Borough of Wooten Bassett.

Sir Walter St. John Bar.

John Pleydal, Esq;

Borough of Marleborough.

John Lord Seymour.

Jeoffery Daniel, Esq;

Worcester.

Sir John Packington, Bar.

Samuel Sandys Sen. Esq;

City of Worcester.

Sir Rowland Berkly, Kt.

The present State

Thomas Street, Esq;
Borough of Dreitwich.

Henry Coventry, Esq;
 Samuel Sandys, Jun. Esq;
Borough of Evesham.

Sir John Hanmer, Kt.

Sir James Rushout, Kt.
Borough of Bewdly.

Sir Henry Herbert, Kt.

York.

Conyers Darcy, Esq,
 Sir Thomas Slingsby, Kt.

City of York.

Sir Metcalf Robinson, Kt.

Sir Thomas Osborn, Bar.

Town of Kingston upon Hull.

Anthony Gilby, Esq;

Andrew Marvel, Gent.

Borough of Knaersborough.

Sir John Talbot, Kt.

William Stockdale, Esq;

Borough of Scarborough.

Sir Phillip Munckton Esq;

William Thompson, Esq;

Borough of Rippon.

Sir Jo. Nicholas, Kt. of the Bath.

Tho-

Thomas Burwell, Dr. of Laws.

Borough of Richmond.

Sir William Killegrew, Kt.

Marmaduke Darcy, Esq;

Borough of Heydon.

Henry Guy, Esq;

Sir Hugh Bethel, Kt.

Borough of Burrowbridge.

Sir Rich. Malevere, Kt. and Bar.

Robert Long, Esq;

Borough of Malton.

William Palmes, Esquire.

Sir Thomas Gowre, Kt.

Borough of Thirsk.

Sir Thomas Ingram, Kt.

Will. Franklin, Esquire.

Borough of Aldborough.

Sir Solomon Swale, Bar.

Sir Francis Goodrick, Kt.

Borough of Beverley.

Michael Wharton, Esquire.

Sir John Hotham, Bar.

Borough of North-Allerton.

Sir Gilbert Gerard, Kt. and Bar.

Roger Talbot, Esquire.

Borough of Ponfract.

Sir John Dawney, Kt.

Sir William Lowther, Kt.

Barons of the Cinque Ports.

Port of Hastings.

Edward Waller Esquire.

Sir Denny Ashburnham Bar.

Town of Winchelsea.

Francis Finch, Esquire.

Robert Austin, Gent.

Town of Rye.

Sir John Robinson, Kt. and Bar.

Sir Jo. Austin, Bar.

Port of New Romney.

Sir Charles Sidley, Bar.

Sir Norton Knatchbull, Bar.

Port of Hyth.

John Harvey, Esquire.

Sir Henry wood, Kt. and Bar.

Port of Dover.

George Montague, Esquire.

Edward Lord Hinchinbroke.

Port of Sandwich.

Jo Strode, Esquire.

James Thurbarne, Esquire.

Port of Seaferd.

Sir William Thomas, Kt. and Bar.

Nicholas Pelham, Esquire.

WALES.

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Carnarvon.

Sir Richard Wynne, Bar.

Town of Carnarvon.

William Griffith, Esquire.

Denbigh.

John Wynne, Esquire.

Town of Denbigh.

Sir John Salisbury, Bar.

Flint.

Sir Thomas Hanmer, Bar.

Town of Flint.

Roger Whitely, Esquire.

Glamorgan.

Sir Edward Mansel, Bar.

Town of Cardiffe.

Robert Thomas, Esquire.

Merioneth.

Henry Wynne, Esquire.

Pemi-

Pembroke.

Arthur Owen, Esquire.

Town of Haverdord-West.

Sir Frederick Hyde, Kt.

Town of Pembroke.

Rowland Lagherne, Esquire.

Montgomery.

Andrew Newport, Esquire.

Town of Montgomery.

Henry Herbert, Esquire.

Radnor.

Sir Richard Lloyd, Kt.

Town of Radnor.

Sir Edward Harley, Kt. of the Bath.

Note that some Knights and Bur-
gesses being lately deceased, others are
not yet elected in their Room.

Of the Executive Power in Temporal matters.

A Brief account of the Legislative power in Temporall affairs, having been given, next may be considered the Executive power in those affairs, and that is generally in the King, he is the Fountain of Justice; he is the Fountain of Justice; he is the Lord Chief Justice of England; and therefore as all the Laws of England are called the Kings Laws, becaule he is *Caput, Principium, & Finis Parliamenti*, by which the Laws are made, and that nothing can have the Force of a Law, but what he wills; so all the Courts of Judicature are called the Kings Courts, and all the Judges of those Courts are called the Kings Judges.

The highest Court of Judicature in England is the House of Lords in Parliament; so that the Parliament is not only *Concilium*, but *Curia*, a Court of Judicature, consisting as aforementioned, of all the Lords Spiritual and Temporal, as Judges; and these assisted with the most grave and eminent Lawyers of England both in Common and Civil Law.

To the Judicature of this Supreme and most Honourable Court, all other Courts and Persons that are Subjects of England, are Subject and accountable for all Crimes
not

not properly tryable, remediable, or punishable in other inferiour Courts of Justice; and to this Court all last Appeals are to be made, and from whose Sentence there lies no appeal, but to a succeeding Parliament; and this supreme Judicatory or Judicial Power lyes only in the King and House of Lords; and at the Bar of this High Court may the House of Commons, as the Grand Inquest of the Nation, impeach the highest Subject of *England*, whether of the Clergy, or of the Laity, and prosecute them till it come to a Sentence, after which there can be no farther proceeding, till the King informed of the whole matter, gives His Royal Assent for the Execution of the said Sentence, or grant His gracious Pardon.

In the late Long Parliament, the House of Commons pretended to be also a Court of Judicature, and at length usurped a most exorbitant power to the total ruine of Monarchical Government, and it is worth observing by what Gradations they arrived thereto. In the time of *Queen Elizabeth*, and not before, the Commons began to take upon them (as saith *Mr. Pryn*, a learned Member of that House) to seclude one another for undue Elections; whereas formerly the King and Lords were accounted the sole Judges of all Members of the Commons House, and to have the sole power to judge of their undue Elections, Returns, Misdemeanors, Breaches of Priviledges, and of all other

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matters concerning their Membership; also for freeing any Member from Arrest or Imprisonments, did wholly and solely belong to the Lords, and not to the Commons, unless it were by special order referred by the Lords to the House of Commons, as heretofore sometimes hath been done.

In the time of King *Charles* the Martyr the Commons went farther, took upon them utterly to expel out of their House some of their fellow Members, as Projectors and Monopolizers, although they had been duly elected: After this in the same Kings time, they expelled all such as adhered in Loyalty to the King; next they secluded and imprisoned all such as the Officers of the late rebellious Army impeached, or disliked; then by the help of that Army, 50 or 60 of the Members of that House expelled all the rest of their fellows, and soon after, voted down the King and whole House of Lords, and voted themselves to be the Parliament; to be the sole Legislators and the Supreme Authority of *England*; into such a prodigious height of folly and impiety do men run, when they once allow themselves to pass their due limits.

of

*Of the Court of Justice called the
Kings-Bench.*

FOR the Execution of Laws, after the House of Lords in Parliament, the highest Court in England is the Kings Bench so called; because anciently the King sometimes there sate in person on a high Bench, and his Judges on a low Bench at his Feet, to whom the Judicature belongs in the absence of the King.

In this Court are handled the Pleas of the Crown, all things that concern loss of life, or member of any Subject; for then the King is concerned, because the Life and Limbs of the Subject belong only to the King, so that the Pleas here are between the King and the Subject. Here are also handled all Treasons, Felonies, Breach of Peace, Oppression, Misgovernment, &c. This Court moreover hath power to examine and correct all Errors *in facto & in jure* of all the Judges and Justices of England in their Judgements and Proceedings, and this not only in Pleas of the Crown, but in all Pleas Real, Personal, and mixt, except only in the Exchequer.

In this High Court sit commonly Four Grave Reverend Judges, whereof the First is stiled the Lord Chief Justice of the Kings Bench, and is created not by Patent, but
by

by a short Writ, thus. *Johanni Keeling Militi salutem. Sciatis quod constituimus vos Justiciarium nostrum Capitalement ad placita coram nobis tenenda, durante beneplacito nostro. Teste me ipso apud Westm.*

The rest of the Judges of the Kings Bench hold their places by Letters Patents in these words, *Rex omnibus ad quos presentes literae pervenirint salutem. Sciatis quod constituimus dilectum & fidelem Richardum Rainsford Militem, unum Justiciariorum ad placita coram nobis tenenda, durante beneplacito nostro. Teste, &c.*

These Judges and all the Officers belonging to this Court have all Salaries from the King, and the chief of them have Robes and Liveries out of the great Wardrobe.

In this Court all young Lawyers that have been called to the Bar are allowed to plead and practice.

This Court may grant Prohibitions to keep other Courts, both Ecclesiastical and Temporal within their Bounds and due Jurisdiction.

The Jurisdiction of this Court is general, and extendeth to all *England*; is more uncontrollable than any other Court; for the Law presumes that the King is always there in person.

None may be Judge in this Court, unless he be a Serjeant of the Degree of the Coif, that is a Serjeant at Law, who upon taking this high Degree is obliged to wear a Lawn Coif under his Cap for ever after.

A List of the several Officers belonging to His Majesties Court of Kings-Bench.

Lord Chief Justice Sir John Keeling, Knight.

Justices are Sir Thomas Twisden, Knight and Baronet; Sir Richard Rainsford Knight; Sir William Morton, Knight.

Clerk of the Crown, Sir Thomas Fanshaw Knight, his Secondary Jasper Waterhouse, Esquire.

Protonotary, Sir Robert Henley Knight, his Secondary William Livesay, Esquire.

Marshal or Keeper of the Kings Bench Prison, Stephen Mosedell, Esquire.

Custos Brevium, Justinian Paget Esquire.

Andrew Vivean, and Francis Woodward, Clerks of the Paper-Office.

Sealer of the Writs, Edward Coleman.

Gilbert Barrel Clark of the Rules.

Clerk of the Errors, Henry Field.

George Bradford Clerk for Filing Declarations, a Cryer, Porter, and some other inferiour Officers.

Then there are Filacers for the several Counties of England; whose Office is in this Court to make out all Process upon original Writs, as well real as personal, and mixt. They were lately these that follow:

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Humphrey Ironmonger, Edward Parnel, James Buck, Samuel Astrey, Francis Greg, John Hynde, Thomas Stone, Thomas Leach, Gilbert Eveleigh, Henry Ewin, Joshua Langrige, William Oglethorp, John Phillips, William Osborn, Rob. Hyde, and Anthony Rouse.

The manner of Tryals in this and all other Common Law Courts in England, being different from that of all other Countries, and peculiar to England, shall be at large described apart in a Chapter with other peculiars.

Of the Court of Common Pleas.

THe next Court for execution of Laws is the Court of Common-Pleas, so called, because there are debated the usual Pleas between Subject and Subject. Some say this Court as well as other Courts, were at first held in the Kings House wheresoever he resided; but by the Statute of *Magna Charta* it was ordained, that this Court should not be ambulatory, but be held at a certain place, and that hath ever since been in *Westminster-Hall*.

None but Serjeants at Law may plead in this Court, and so many of them as the King shall appoint, are bound by oath to assist all that have any Cause depending in that Court.

This

This Court may grant prohibitions; as the Court of the Kings Bench doth.

The chief Judge in this Court is called the Lord Chief Justice of the Common-Pleas, or of the Common-Bench; holdeth his place by Letters Patent *durante beneplacito*; and so do the other inferior Judges of this Court whereof there are commonly three.

In this Court all Civil Causes Real and Personal are usually tryed according to the strict Rule of the Law.

Real Actions are pleadable in no other Court, nor Fines levied; or Recoveries suffered but only in this Court at *Westminster*.

The King allows to the Lord Chief Justice of this Court a Fee, Reward, Robes, and two Tun of Wine, as is done to the Lord Chief Justice of the other Bench; also to the other Judges of this Court, and to four Serjeants, is allowed Fees, Reward, and Robes to each one.

In the 11th and 12th of *Edward 3.* there were eight Judges belonging to the Common Pleas, at other times seven, six, and five; and so in the time of *Henry 6.* and *Edward 4.* but since usually but four, as at this day.

Before the Reign of *Queen-Mary*, these, and the rest of the twelve Judges rode upon Mules, and not upon Horses, as they now do, in great State at the beginning of the Term.

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A List of the several Officers belonging to His Majesties Court of Common-pleas.

Lord Chief Justice Sir John Vaughan, Kt. Sir Thomas Tyrrel, Kt. Sir John Archer, Kt. Sir William Wylde, Kt. and Bar. these are the present Judges of that Tribunal.

Then there is an Officer called *Custos Brevium*, the first Clerk of the Court, whose Office it is to receive and keep all Writs returnable in that Court, to receive of the Protonotaries, all the Records of *Nisi Prius* called *Postea's*. He holdeth his Place by Patent from the King, and hath the Gift of the second Protonotary's Place, and of the Clerk of the Juries. Sir Joseph Ash hath this Office, and doth execute it by his Deputy Thursby Esquire.

There are three Protonotaries, a word compounded of Greek and Latin (which with the Antients was usual) and signifies the first Notaries: they are chief Clerks of this Court, and by their Office are to enter and inroll all Declarations, Pleadings, which the Filazers did formerly promiscuously do, Assises, Judgments, and Actions, to make out Judicial Writs, &c. These considerable Offices are in the hands of Thomas Robinson, Alan Lockhart, and Humphrey Wirley Esquires. The Chirographer (also from two Greek words signifying to acknowledge a Debt by setting

ones

ones hand) is an Officer who ingrosseth Fines acknowledged, &c. He holdeth his Place also by Patent, and is at present Mr. *Sparks* in trust for Sir *William Drake*, who doth execute it by a Deputy Mr. *Wayt*.

All these Officers aforementioned sit in the Court covered with black round knit Caps, according to the mode immediately before the invention of Hats, which was since the beginning of the Reign of Queen *Elizabeth*. Moreover they are all sworn, and have their Offices for life as a Freehold.

There are in this Court 3 Officers unsworn, and hold their Places *durante bene placito*; One Clerk of the Treasury, Mr. *George Ingram*, who hath the charge of keeping the Records of this Court, and makes out all Records of *Nisi Prius*, and divers other things. This Office is in the Gift of the Lord Chief Justice. 2. Clerk of the Inrolments of Fines and Recoveries, who is by Statute under the three puisne Judges of this Court, and removeable at their pleasure. Note that the Inrolment of Fines and Recoveries, or any part thereof by Stat 23 *Eliq. cap. 3.* is of as good force and validity in Law to all intents and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by Law to be: The general neglect whereof in this Kingdom hath occasioned many Law Suits, and hath proved in process of time exceeding dangerous to many mens Estates. 3. The Clerk

Clerk of the Outlawries, *Mr. Annuel*; who makes out the Writs of *Capias Utlagatum*, after the Outlawry in the name of the Kings Atturney, whose Deputy he is *pro tempore*.

There are five Clerks more, 1. Clerk of the Kings Silver, *Henry Nurse Esquire*, unto whom every Fine or Final Agreement in sale of Lands is brought, after it hath been with the *Custos Brevium*, and to whom Money is paid for the Kings use. 2. Clerk of the Warrants, *Mr. Thomas Brown*, executed by a Deputy *Mr. James Mayo*, who entreth all Warrants of Atturney for Plaintiff and Defendant. 3. Clerk of the Juries, *Mr. John Green*, who makes out the Writs called *Habeas Corpora* and *Distingas* for appearance of the Jury either in this Court, or at the Assises in the Country. 4. Clerk of the Escoins or Excuses for lawful cause of absence, *Mr. Townley*. 5. Clerk of the *Super sedecas*, *Mr. Abbot*, which is held by Patent, but before King *James* time made by the Exchequer.

In this Court are also Filazers for the severall Counties of *England*, so called from the French *Fil*, a Thred, because they file their Writs. These make out all Process upon Original Writs, and do many other things too long to be here set down, of these there are 14. *viz.* *Fabian Philips Esquire*, who hath *London, Middlesex, Huntington*, and *Cambridge Shires*. The rest of the Counties are divided amongst these

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Of the Court called the Exchequer.

THe next Court for Execution of Laws is that called the *Exchequer*, so called as some think, from a Chequer-wrought Carpet, covering the great Table in that Court, as the Court of Green Cloth in the Kings house is so called from the Green Carpet, or else from the French word *Eschequier* a Chess board, because the Accountants in that Office were wont to use such Boards in their Calculation. Here are tryed all causes which belong to the Kings Treasury or Revenue, as touching Accounts, Disbursements, Customs, and all Fines imposed upon any man. In this Court may sit the Lord Treasurer, the Chancellor of the Exchequer, the Lord Chief Baron, and four other Learned Judges called Barons of the Exchequer, and one other Cursitor Baron, but the two first seldom sit, and the five last Seldom fail. The first of these five is the Principal Judge of this Court, and answers the Bar or the Baristers, who direct their Speech to him, takes Recognizances for the Kings Debts, &c. It is an Office of High Honour and Profit, he is styled Lord Chief Baron, is Created by Letters Patents to hold this Dignity, *Quam diu bene*

bene se gesserit, wherein he hath a more fixed estate than the Chief Justices of either Bench, for the Law intends this an Estate for Life; in the absence of the Lord Chief Baron, the other three Barons supply his place, according to their Seniority, but the fifth is said to be a Cursitor of the Court, and administers the Oaths to the Sheriffs, Under-Sheriffs, Bayliffs, Searchers, Surveyors, &c. of the Custom-house

In the Exchequer are held two Courts, one of Law, another of Equity.

All Judicial Proceedings according to Law are *coram Baronibus*; but the Court of Equity held in the Exchequer Chamber is *coram Thesaurario, Cancellario, & Baronibus*. This Court had its beginning *primo Ph. & Mar.*

The Authority of this Court is of original jurisdiction without any Commission.

Note also, that all the other forementioned Courts were not Instituted by any Statute or written Law, but have their Original from the antient Custom of the Kingdom.

For a long time after the Conquest, there sat in the Exchequer, both Spiritual and Temporal Barons of the Realm, and in later times there sate in their places others that were not Peers of the Realm, yet stiled Barons *quia ibi sedere solebant Barones*.

All the Twelve Judges belonging to these
High

High Tribunals sit in Robes and Square Caps, like those Doctors of Divinity, because (as some say) they were antiently most commonly Clergy-men and Doctors, Bishops, or Prelates.

A List of the several Officers belonging to His Majesties Court of Exchequer.

In the Upper Exchequer.

THe Kings Remembrancer Thomas Lord Vicount Fanshaw, in whose Office are 8 sworn Clerks, whereof John Payn and Thomas Hall Esquires, at present are the two Secondaries; the rest are Ansel Beaumont, Hugh Frankland, Butler Buggin, George Wats, Nicholas Sanders, &c.

In this Office pass all the Accounts concerning the Kings Revenue, for Customs, Excise, Hearth-money, Subsidies, and all Ayds granted to the King in Parliament, and all other Accounts of what nature soever concerning the Kings Revenue either certain or casual. All Securities either by Bond or Recognizances to the Kings Majesty for any of his Debts are taken here. All Proceedings upon any Statute by Information for Custom Excises, or any other penal Law. All proceedings

dings upon the said Bonds or Recognizances, or any other Bonds taken in the Kingsname, by Officers appointed thereunto under the Great Seal of *England*, and transmitted into this Office for recovery thereof. From hence issue forth Procefs to cause all Accountants to come in and account. In the Court of Exchequer there being a Court of Equity, all proceedings touching the same are in this Office, with many other things concerning the Kings Revenue. This Office is in the Kings Gift.

Next is the Lord Treasurers Remembrancer, *John Osburn* Esquire, whose Office is to make Procefs against all Sheriffs, Receivers, Bailiffs, &c, for their Accounts, and many other things of moment, as *Estreat-Rules*, all Charters and Letters Patents, whereupon any Rents are reserved to the King. In this Office there were heretofore twelve sworn Clerks; whereof the two first were called *Secondaries*; but since the Tenures were taken away, the said Office is declined, and the number of Clerks diminished. This Office also is in the Kings Gift.

Clerk of the Pipe is *Sir Robert Crook* Knight, who hath all the Accounts and Debts due to the King, drawn down out of the Remembrancers Office, and chargeth them down in the Great Roll or Pipe, and therefore probably was it called the Pipe Office. He hath under him eight sworn Clerks, *William Burnet* Esquire, chief Secondary, *Nicholas Highmore*, *Wil. Satterthwaite*,

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Treasurer; and to write them out, to be levied for the King also, to make Schedules for such Summs, as are to be discharged.

Auditors of the Imprest, *Bartholemew Beal*, and *Robert Wylde* Esquires who audit the great accounts of the Kings Customs, Wardrobe, Mint, First Fruits, and Tenths, Naval and Military Expences, Moneys imprested, &c.

Auditors of the Revenue there are seven: *Sir Edmond Sawyer*, Kt. *John Phillips* Esq; *Sir Joseph Seymour*, Kt. *Aldworth*, *Parsons*, *Morice*, Esquires, and *Sir William Godolphin*, Kt. These audit all the accounts of the Kings other Revenue, that ariseth by *Aydes* granted in Parliament.

Remembrancer of First Fruits and Tenths, *James Roger* Esq; whose Deputyes *George Farrington*, and *William Prettyman*, take all Compositions for First Fruits and Tenths, and make process against such as pay not the same, this Office is kept in *Hutton Garden*.

There are also two other considerable Officers, called Deputy Chamberlains, *Mr. Vines* and *Mr Lawrence*, in whose Office at *Westminster* are preserved all the Counterfoyles of the Talleys, (whereof more anon) so exactly ranged by Months and years, that they may presently be found out, to be joyned with their respective Stock or Tally when thereunto required, which being done and proving true, they deliver the same, attested for a law-

ful Tally; to the Clerk of the Pipe, for to be allowed in the Great Roll, but in case any corruption hath been used, the same is easily and soon discovered, and the Offender severely punished by Fine and imprisonment.

There are also divers other Officers, as Clerk of the Parcels, Clerk of the Nichils, Marshals, Usher of the Exchequer, whose Office is executed by a Deputy, also 4 under Ushers.

Of the other part of the Exchequer, called by some the Lower Exchequer, where the Kings Revenue is received and disbursed, with admirable Order and Frugality.

THE Principal Officer is the Lord Treasurer, of whom see the First Part of the Pres. State of England.

Since the Death of the Earl of Southampton, 1667. This great Office hath been in the hands of five Commissioners:

Now there are but three Commissioners, the Lord Ashley, Sir Thomas Clifford, and Sir John Duncomb, who execute the same at Whitehall. They have each one a considera-

siderable Salary from the King. There is one Secretary, Sir *George Downing*, Knight and Baronet.

Next is the Chancellour of the *Exchequer*, who is also an Officer of great Account and Authority, he hath a principal power, not onely in the *Exchequer Court*, but also here in the managing and disposing of the Kings Revenue: he hath also the Custody of the *Exchequer Seal*. This Office is injoyed by the forementioned Lord *Ashley*.

Then there are two Chamberlaines of the *Exchequer*, Sir *Nicholas Steward*, and Mr. *Hylward*, in whose Custody are all Antient Records, Leagues and Treaties with forreign Princes, the Standards of Moneys, Weights and Measures, those antient famous Books, called *Doomes-day*, and the Black book of the *Exchequer*, whereof the former is *Liber Censualis totius Angliæ*, the Tax Book of England, made by *William the Conqueror*, wherein is described all the Lands of England, with the true value, and their Owners name, it was six years in making, viz. from the 14th to the 20th year of that King, and called at first *Rotulus Wintoniæ*, but since named *Doomes-day Book*, because therein was set down an exact Account, not onely of all the Cities, Towns, and Villages of England, but the number of Families of Men, Souldiers, Husbandmen, Bondmen, Servants, Cattle; how much mony, what Rent, how much Meadow, Pasture,

Woods, Tillage, Common, Marsh, Heath; every one possessed: and when any one cited, or any difference arose about those things or Taxes, &c. there was no place for denying or deceiving the King (whereof many men ever made little Conscience, though all good Christians ever counted it a grievous and hainous sin) when this Book was opened, like as it will be at the opening of the Book at the great day of doom, or general Judgment of the World. This Book is kept under three Locks and Keys, not to be lookt into under 6s. 8 d. and for every line transcribed is to be paid 4d.

Next is the *Auditor* of the Receipts, Sir *Robert Long*, whose Office is to file the Bills of the Tellers, whereby they charge themselves with all moneys received, and to draw all Orders to be signed by the Commissioners of the Treasury, for issuing forth all moneys by vertue of Privy Seals, which are recorded and lodged in his Office. He also makes debentures to the several Persons, who have Fees, Annuities, or Pensions by Letters Patents from the King out of the Exchequer, and directs them for payment to the Tellers. He receives every week the state of the account of each Teller, and also weekly certifies the whole to the Commissioners of the Treasury, who immediately present the estimate or Ballance to the King. He takes the Tellers Accounts in gross at *Easter* and *Michaelmas*. By him are kept the several

veral Registers appointed for paying all persons in course upon several Branches of the Kings Revenue. He is *Scriptor Taliorum* hath five Clerks to manage the who'e estate of Moneys received, disbursed, and remaining.

Next there are four Tellers, *Laurence Squib*, *John Loving* Esquires, *Sir George Downing* aforementioned, and *Sir William Doily* Kt. Their Office is to receive all moneys due to the King; and thereupon to throw down a Bill through a Pipe into the Tally Court, where it is received by the Auditors Clerk, who there attends to write the words of the said Bill upon a Tally, and then deliver the same to be entered by the Clerk of the Pells, or his under Clerk, who there attends to enter it in his Book: then the Tally is cloven by the two Deputy Chamberlains, who have their Seals, and while the Senior Deputy reads one part, the Junior examines the other part with the other two Clerks.

Clerk of the Pells is *William Wardour* Esquire, whose Office is to enter every Tellers Bill into a Parchment skin, (in Latin *Pellis*, whence this Office hath its name,) all receipts and payments for the King, for what cause, or by whom soever, and is in nature of a Comtroller, hath four Clerks, whereof one is for the *Introitus*, and another for the *Exitus*. Moreover he is to make weekly, and half yearly Books, both of the Receipts and Payments, which are delivered to the Commissioners of the Treasury.

In the Tally Court sit the Deputies of the two Chamberlains *Edward Faulconbridge* and *John Low* Esquires, who cleave the Tallies, and examine each piece a part.

A Tally in the Exchequer from the French Verb *Tailler*, to cut, is a very ancient and most certain way of avoiding all cozenage in the Kings Revenue; the like no where else in Christendom, and is after this manner.

He that payes the King any moneys, receives for his Acquittance a Tally, that is, the one half of a stick cloven with certain proportionable Notches thereon, expressive of the sum from the said Deputy Chamberlains, who keep the other cloven part of the stick called the Foyl, and deliver it to the Tally Joyners on the other side of the Exchequer, who are also Deputies to the Chamberlains, and they joyn it with the Foyl, which agreeing, they give it their Test, and send it by an Officer of their own to the Pipe where their *Quietus est* is engrossed in Parchment.

Other Officers in the Exchequer are the two Ushers, *Robert* and *Philip Pack-er* Esquires, whose Office is to take care to secure the Exchequer by day and by night, and all the Avenues leading to the same, and to furnish all necessaries, as Books, Paper, &c.

There

There is also a Tally Cutter, and four Messengers.

By long continuance, and the wisest contrivances that the ablest men of many ages could invent, the Exchequer of the King of England is become the best ordered publick Revenue in the world.

Though the number of Officers in the Exchequer is far greater than in any other of the Kings Courts, yet not near so great as the Financiers and other Officers belonging to the Revenues of the French King, who are so many, that their Fees eat up three parts in four of the whole Revenue: whereas for rewarding all the Officers in the English Exchequer, whereof most are ever persons of Estates, Parts, and great Integrity, it costs the King a very inconsiderable sum of money, as will easily appear to any one who shall consider that in case of a gift from the King of Moneys or Pension out of his Exchequer, he that receives it pays but *5 l. per cent.* amongst the Tellers, Auditors, Clerk of the Pells, and their Clerks, and to all other Officers whatsoever; and which is remarkable, there goes not amongst the said Officers and Clerks so much as *5 s. per cent.* out of publick Payments, as for the Navy, Ordnance, Wardrobe, Mint, to the Cofferer, Treasurer of the Chamber, &c.

In case of Moneys paid in by any of the Kings Tenants, Receivers, it costs them sometimes but six pence, and at most but *3 s.* for every payment under a thousand

6 s. pounds

pounds; and that goes only to the Clerks for their pains in writing and attending.

The bringing in of all moneys to the King costs his Majesty amongst Receivers, Collectors, and all others in the Country not above 2 s. in the pound; and at his Exchequer it costs him in a manner nothing at all; for the Tellers, who are bound to the King in 20000 l. security, for the true discharge of their great trusts, have under 33 l. per an. for their Salary from the King, and the two Clerks of each Teller, who constantly attend their Offices, have nothing at all from the King.

The Court of the Dutchy of Lancaster.

There is another Court at *Westminster*, called the Court of the Dutchy of *Lancaster*, which takes Cognizance of all Causes that any way concern the Revenue belonging to that Dutchy, which hath been long since annexed to the Crown.

The chief Judge of this Court is the Chancellor of the Dutchy, who is assisted by the Attorney of the Dutchy. There are divers other Officers of this Court, a list of whose Names here follow.

Sir Thomas Ingram, Chancellor, and one of His Majesties most honourable Privy Council. Sir John Heath, Attorney.

ney Genera. Sir John Curzon, Receiver General: Sir Thomas Trevor, Knight of the Bath, and John Fanshaw Esq; Auditors. Sir Gilbert Gerard, Clerk of the Dutchy; Thomas Desborough, Messenger: This Court is kept at Westminster by the Lower Exchequer, and the Office of Sir Gilbert Gerard at Grays Inn.

Of the High Court of Chancery

NExt to the Kings Bench in Westminster Hall, is wisely placed this High Court, to mitigate the Rigour of that; it is called *Curia Cancellaria*, as some judge, because as some think, the Judge of this Court sat antiently *intra Cancellos* or *Lattices*, as the East end of our Churches being seperated *per cancellos* from the body of the Church, as peculiarly belonging to the Priest, were thence called Chancels.

This Court is the *Officina Justicie*, the Womb of all our Fundamental Laws, the Fountain of all our proceedings in Law, the Original of all other Courts. It is as antient as the Civility of the Nation, though perhaps by another name.

This Court proceeds either ordinarily according to the Laws, Statutes, and Customs

comes of the Nation, and in Latin, granting out Writs, mandatory, and remedial; Writs of Grace, or else according to Equity and Conscience, and by English Bill, so that the Chancery hath two Courts in one, the equitable part, is by Bills, Answers and Decrees to examine Frauds, Combinations, Trusts, secret uses, &c. to moderate the Rigour of the Laws, and rescue men out of the hands of their Oppressors. To relieve a man, especially in three things, viz. against Cheats, unfortunate accidents and breaches of Trust.

Out of this Court issue out Writs or Summons for Parliaments, Edicts, Proclamations, Charters, Protections, safe Conduits, Writs of *Moderata Misericordia*, when any person hath been amerced too high, and for a reasonable part of Goods for Widdows and Orphans, Patents for Sheriffs, Writs of *Certiorari* to remove Records, and false Judgements in inferiour Courts, Writs of *Audita Querela*, and *Scire facias*, here are sealed and inrolled; Letters Patent, Treaties and Leagues with forreign Princes, Deeds betwixt Party and Party touching their Lands, and Estates or Purchasers taking recognizances and making of Extents upon Statutes and Recognizances for payment of Moneys, or securing of Contracts. Writs Remedial or Magisterial, Commissions of Appeal, Oyer and Terminer, &c. The Court of Common Pleas, which are betwixt Subject and Subject, hath its Original

nal and Commissions from the Chancery, and cannot hold Pleas without it.

For the Latin part of this Court, are the 24 *Cursitors*; and for the English part, are the six Clerks.

The Court of *Equity* that proceeds not according to Law, is no Court of Record, and therefore binds onely the person, not his Lands or Goods.

The Judge of this Court is the Lord Chancellor, or Lord Keeper of the Great Seal of *England*. He is here the sole Judge, whereas in other Courts there are three or four Judges, but he may and doth often in cases of greater weight and difficulty, in cases of Law, call some of the other Judges to his assistance, and therefore it is said, this Office may be discharged by one that is no professed Lawyer, as it was almost always antiently, and so of later times by Sir *Christopher Hatton*, and aiter by Doctor *Williams* Bishop of *Lincoln*, to their great praise and commendation.

It is the highest Dignity in *England* that a Lay-man is capable of, it is *Summum ambientis animi quasi Solstitium*, and the Chancellor is *Magistratum omnium Antistes*.

Antiently, the Lord Chancellor had sometimes his Vicechancellor, commonly called Keeper of the Great Seal, but of later times they differ onely in name.

In *France*, he that is made Chancelour is *durante vita*, his place cannot be taken away,

away, although the Seales may. It is said there, that he is so to attend to the sole Interest of the King and People, that he must not be sensible of any Relations or other consideration, and therefore he may not put himself in mourning, neither for his own Father, nor for the King himself.

Chancellours have been in *England*, as the learned *Dugdale* finds, as soon as Christianity was embraced by the *Saxons*.

The Chancellor is said to be keeper of the Kings Conscience, to judge *secundum equum & bonum*, according to equity and conscience, he is to moderate the *to a iusto* ~~strict~~ the exact rigour and letter of the Law, whereunto other Judges are strictly tyed: for the Princes of this Realm, in imitation of the King of Kings, governing the World by justice and mercy, have erected two supreme Tribunals, together at the upper end of *Westminster-Hall*, one of Justice, wherein nothing but the strict Letter of the Law is observed, and the other of Mercy, wherein the Rigour of the Law is tempered with the sweetness of Equity, which is nothing else but Mercy qualifying the sharpness of Justice.

This Court being a Court of Conscience, the less it is perplexed with the quirks of Lawyers, the more it is guided by Conscience and Equity, and therefore the Kings of *England* would have this Court superiour to the other Tribunals, that so if any thing was done amiss by those following

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ing the Rigour of the Law, here good by Conscience and Equity, it might be amended; wherein they followed the noble Pattern of the Great *Constantine*, *qui omnes suas leges imperfectas esse voluit ut inde subditi sui appellarent ad Episcopos*, and therefore in all former times, the Judges of this Court were chosen out of the Clergy, able Divines, who by their skil in the Law of God, and of Nations, were best able to judge according to Moderation and Equity, and most willing to execute accordingly: also fittest to dispose of the Kings spiritual Benefices.

Besides when this High Office was given to Bishops and Clergy men, in whom wealth and a publick Spirit being usually conjoyned, what great publick Acts of Piety and Charity, were done by them for this Nation? to mention onely in *Oxford*, What noble and rich foundations are *Christchurch*, *Magdalens*, *New Colledge*, and *Merton Colledge*? all founded by Bishops that were Chancellors; and on the contrary, since the places of Chancellor, Treasurer, Privy Seal, &c. have been usually in the Hands of Lay-men, what one great work hath been done for the Publick, but onely wealth heaped up for their own private Families.

The manner of Proceeding in this Court, is much like that in the Courts of the Civil Law, the Actions by Bill or Plaint, the Witnesses examined in private, the Decrees in *English* or *Latin*, not in French.

No

No Jury of twelve men, but all Sentences given by the Judge of the Court.

The Chancellor or Lord Keeper hath twelve assistants, antiently called *Clerici*, or *Magistri Cancellariae*, because they were usually in Holy Orders, and all Doctors of Laws, for Master and Doctor was antiently the same, as at this day, a Doctor in the Arts, is called *Magister in Artibus*.

The first of these is called *Master of the Rolls*, a place of great dignity, and is in the gift of the King, either for life or during His Majesties pleasure; and this Officer hath *jure Officii*, the gift of those considerable Offices of the six Clerks in Chancery, hath the keeping of the Rolls, hath the House of the converted Jews now called the Rolls, and in the absence of the Chancellor hears *Causes* and makes *Orders* by Vertue of a Commission, with two Masters and not *jure Officii*.

One reason why the Masters of Chancery were ever Civilians, may be, because for all cases almost imaginable some Law or case conformable thereunto, may be fetched by a good Civilian out of that Law of Laws, called the Civil Law. Another may be, because the Chancery more antient then in any other Court of England (for all Original writs and Comissions, whereupon the other Courts do ground all their proceedings do come from thence) hath probably been taken from the Civil Law, divers points of proceedings not used

used in Common Law Courts, as the Defendants answering to the Bill, and sometimes to the Interrogatories upon Oath, though to the accusing of a mans self, in divers matters dammageable, and penal; also by the whole manner of publication, the depositions of Witnesses, by the examining of witnesses upon Interrogatories, and *in perpetuam rei memoriam*, by the term and use of final Decree, and many other points differing from the Common Law, and wholly agreeing with the Civil Law.

This Court is alwayes open, when all the others are shut, but onely in Term time; so that if a man be wrongfully imprisone d, in the Vacation time out of Term, the Lord Chancellour may grant his Writ of *Habeas Corpus*, and do him justice according to Law; So likewise may this Court grant Prohibitions in time of Vacation, as well as in Term time.

*A List of the several Officers
belonging to the High Court
of Chancery.*

SIR Orlando Bridgman Knight and Baronet, Lord Keeper of the Great Seal of England, Then the 12 Masters of the Chancery as followeth.

Sir Harbottle Grimston Baronet, Master of the Rolls.

Sir William Childe Knight, Doctor of Laws.

Sir Justinian Lewin Knight, Doctor of Laws.

Sir Thomas Escourt Knight.

Sir Mundeford Bramston Knight Doctor of Laws.

Sir Nathaniel Hobart, Knight.

Sir William Glascock, Knight.

Sir John Coel Knight.

Sir Robert Stewart, Knight.

Sir Timothy Baldwin, Knight Doctor of Laws.

Sir Andrew Harket Knight.

Sir William Beversham.

The House founded at first for the converted Jews, was after their expulsion out of England, annexed for ever to the Office of Master of the Rolls, where he hath the custody of all Charters, Patents, Commissions, Deeds, Recognisances, which being

ing made up in Rolls of Parchments gave occasion of the Name.

At present there are kept all the Rolls since the beginning of *Henry 7.* the rest are kept in the Tower of *London.*

In his gift are besides the six Clerks Offices, the Offices of the Examiners, and three Clerks of the Pettibag.

Next Clerk of the Crown, *Henry Barker*, Esquire; this Office is of high importance; he is either by himself or Deputy continually to attend the Keeper of the Great Seal for special matters of State, and hath a place in the Higher House of Parliament; he makes all Writs for summoning Parliaments, and upon a Warrant directed to him by the Speaker of the House of Commons upon the Death or removal of any Member, he makes a Writ for a new Election.

Protonatary of this Court is *Robert Pestod*, Esquire; this Office is chiefly to expedite Commissions for Embassies.

It is executed by a Deputy.

Clerk of the *Hamper* or *Hannasper*, sometime stiled Warden of the *Hannasper*. Whose Office is to receive all the Money due to the King for the Seals of Charters, Patents, Commissions and Writs, and to attend the Keeper of the Seal dayly in Term time, and at all times of Sealing, with leather baggs now (but antiently probably with Hampers) wherein are put all sealed Charters, Patents, &c. and then those

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Examiners in *Chancery* there are two, Sir Robert Peyton, and Sir Nicholas Strode. Their Office is to examine the Witnesses in any suit on both sides on their Oaths.

This Office also is executed at the Rolls.

Clerks of the Petty Bag in *Chancery* are three, Edmund Warcup Esq; John Hobson Esq; and George Low, Esq; they are under the master of the Rolls. Their Office is to make all Patents for Customers, Comtrollers, all *Conge d'eslires*, first summons of Nobility, Clergy, Knights, Citizens, and Burgeses to Parliament, &c.

The *Subpena* Office is to issue out Writs to call a person into *Chancery*.

This Office is in the hands of Frances Lady Vane, Sir Walter Vane, and Charles Vane: and executed by a Deputy.

Clerk of the Patents or of Letters Patents under the Great Seal of England, is Sir Richard Pygot, and executed by a Deputy, erected 16 Jac.

The Register of the Court of Chancery, the Earl of St. Albans, under whom are three Deputy Registers for the Court, two Deputy Registers for the Rolls, two entering Clerks and a Keeper of the Books.

Cursiters Office in the *Chancery*, is to make out Original Writs, they were antiently called *Clerici de Cursu*, of these there are twenty four, whereof each one hath certain Counties and Cities allotted to them, into which they make out such Original Writs as are required. These Clerks

Clerks are a Corporation within themselves, and are all persons of Quality whose names follow.

The Names of the Cursiters now in being, are these that follow.

John Symonds, *Principal.*

William Barker }
Benjamin Gladman } *Assistants.*

Henry Edmonds. Ge. Norbury. Abr. Nelson. Rich. Plumpton. Roger Brown. John Norbury. Richard Cross. Edmund Eyre. Will. Adderley. Abr. Skynner. Jo. Shelbury. Will. Plumpton. Thomas Fisher. Elias Gladman. Roger Twisden. Ben. Storke. John More. William Loe. H. Amhurst. Philip Barecroft. Rich. Parmee, Esquires; *who execute these Offices by themselves, or by their Deputies, This Office is kept near Lincolns Inn.*

Clerk of the Presentations of Spiritual Benefices, *Edmes Esquire.*

Commissioners, Sir George Courthop,
Sir Edm. Turner, Halsal, Esq,
Alienation Office, N. Crew, Esq,
Receiver Gen. Joh. Nichols.

All the forementioned Courts of Judicature at *Westminster*, are opened four times the year, called the four *Termes*, viz. *Easter Term*, which beginneth alwayes

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viz. after the end of *Hilary Term*, and after the end of *Trinity Term*, two by two of these principal Judges ride several Circuits; and at the Principal Town of every County, sit to hear and determine all Causes of lesser moment both civil and criminal, a most excellent wise Constitution begun by King *Hen. 2. Anno 1176.* who at first divided *England* into six Circuits (not the same that are now) and to each Circuit allotted three judges. *Wales* also is divided into two Circuits, *North* and *South Wales*, for which are designed in like manner two Sergeants at Law for each Circuit. These Judges give Judgment of the *Pleas* of the Crown and all Common Pleas within those Counties, dispatching ordinarily in two or three days all Controversies in a County that are grown to issue in the fore-mentioned Courts at *London* between Plaintiffs and Defendants, and that by their Peers: a Jury of 12 men, *ex viceneto*, out of the neighbourhood, where about the business lyes. So that twice a year, in *England* and *Wales*, Justice may be said to be rightly and speedily administred even at our own doors.

Besides, the forementioned Courts at *Westminster*, *Henry 8.* erected for the more ease of the Subject, a Court in the *North* of *England*, another for the County of *Wales* and Counties adjoyning; and intended another for *Cornwall* and *Devonshire*; and these in manner of those Courts

Courts called in *France* Parlements, where all cases might be decided both according to the *Laws of England*, and according to equity in *Chancery*: Of these Courts, that for *Cornwal* was never fully erected, those people desiring rather to come to *London* for Justice; that of the *North*, was by the late long Parliament taken away, and so was that of *Wales*; but this last since the *Restauration* of the King again erected. Of this Court or Council of the *Marshes of Wales* is a Lord President, at present the Lord *Vaughan*, Earl of *Carbury*, divers Councillors, Secretary, Attourney, Sollicitor, Surveyor, who have Salaries from His Majesty.

HAVING given a brief Account of the Civil Government of all *England* in General; next shall be described the particular Government of Counties, Hundreds, Cities, Burroughs, and Villages.

For the Civil Government of all Counties, the King makes choice of some of the Nobility, Clergy, Gentry, and Lawyers, men of worth and parts, who have their usual residence in the County, so many as His Majesty pleaseth, to keep the Peace of the County, and these, by Commission under the great Seal, are called Justices of Peace, and such of them in whom the King doth more particularly confide

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or respect, are called Justices of the *Quorum*, from those words in the Commission, *Quorum A. B. unum esse volumus*, that is, some business of more importance, may not be transacted without the presence or concurrence of one of them.

One of the principal Justices of Peace and *Quorum*, is by the Lord Keeper made *Custos Rotulorum*, so called, because he hath the Custody of the Rolls, or Records of the Sessions, and is to bring them to each Quarter Sessions.

The Original of Justices of Peace is from the first year of *Edward 3.*

Their Office is to call before them, examine and commit to Prison all Theeves, Murderers, wandring Rogues, those that hold Conspiracies, Conventicles, Riots, and almost all other Delinquences that may occasion the breach of Peace and quiet to the Kings Subjects; to commit all such to prison, as either cannot, or by Law are not, to be bailed (that is, cannot be set at liberty by Sureties, taken for their appearance at a place and time certain) and to see them brought forth in due time to Tryal.

Every Quarter or three months, the Justices meet at the chief or Shire Town, where the Grand Enquest or Jury of the County is summoned to appear, who upon Oath, are to inquire of all Traitors, Hereticks, Theeves, Murderers, Money-coiners, Riots, &c. Those that appear to be guilty, are by the said Justices committed

mitted to prison, to be tryed at the next Assises, when the Judges of *Westminster* come their Circuits aforementioned.

For execution of Laws in every County except *Westmorland* and *Durham*; the King every *Michaelmas Term*, nominates for each County, a Sheriff, that is a Reeve of the Shire, *Præpositus* or *Præfectus Comitatus*, a Governor or Guardian of the County, for the words of the Patent are, *Commisimus tibi Custodiam Comitatus nostri de N.*

The Sheriffs Office is to execute the Kings Mandates, and all Writs directed to him out of the Kings Courts, to empanel Juries, to bring Causes and Criminals to Tryal, to see the sentences both in Civil and Criminal affairs executed; to wait on and guard the Itinerant Judges twice a year, so long as they continue within the County, which at the Assises is performed with great Pomp, Splendor, Feasting, &c, In order to the better execution of his Office, the Sheriff hath attendant his Under-Sheriff divers clerks, Stewards of Courts, Bayliffs of Hundreds, Constables, Gaolers, Sergeants or Beedles, besides a gallant train of servants in rich Liveries, all on Horseback at the Reception of the Judges.

He was antiently chosen as Knights of the Shire, but to avoid Tumults it is now thus.

Every year about the beginning of November, the Judges Itinerant nominate

six fit men of each County, that is Kts. or Esquires of good Estates, out of these the Lords Keeper, Treasurer, Privy Counsellors, and 12 Judges assembled in the Exchequer Chamber and sworn, make choice of three, of which the King himself after chooseth one to be Sheriff, for that year only, though heretofore it was for many years, and sometimes hereditary; as at this day to the *Cliffords*, who by dissent from *Robert de Vipont* are Sheriffs hereditary of the County of *Westmoreland* by Charter from King *John*.

Furthermore the Sheriffs Office is to collect all publick profits, Customes, Taxes of the County, all Fines, Distresses and Amercements, and to bring them into the Kings Exchequer or Treasury at *London*, or else where, as the King shall appoint.

The Sheriff of each County hath a double function, first Ministerial to execute all Proseses and Precepts of the Courts of Law, and to make returns of the same. Secondly, Judicial, whereby he hath authority to hold two several Courts of distinct nature, the one called the Sheriffs *Turn*, which he holdeth in several places of the County, enquiring of all Criminal Offences against the Common-Law, not prohibited by any Statute: The other called the County Court wherein he hears and determines civil Causes of the County under 40*s.* which antiently was a considerable summe; so that by the great fall of the moneys now, the Sheriffs authority in that part is much diminished. He

He is said to be the life of Justice, of the Law and of the County, for no suit begins, and no process is served but by him, then no Execution of the Law, but by him; lastly he is the chief Conservator of the Peace in the whole County. Every County being subdivided into Hundreds (so called at first, either for containing an hundred houses or 100 men bound to find Armes) or Wapentakes, so called, from touching a weapon, when they swore *Allegiance* (as the manner at this day is in *Sweden*, at their solemn weddings for the chief witnesses to lay all their hands upon a *Lance or Pike*) every such Wapentake or Hundred hath commonly a Bayliff, a very antient Officer, but now of small Authority: also Officers called *High Constables*, first ordained by the Statute of *Winchester* 13 *Edw. 1.* for conservation of Peace and view of Armour, they disperse Warrants and Orders of the Justices of Peace to each Petty Constable.

There are also in every County two Officers, called *Coroners*, whose Office is to enquire by a Jury of Neighbours how and by whom any person came by a violent death, and to enter the same upon Record, which is matter Criminal, and a plea of the Crown, and thence they are called *Crownors* or *Coroners*.

These are chosen by the Free holders of the County, by vertue of a Writ out of the *Chancery*. They were antiently men of estates, Birth and Honour; and therefore

in the Reign of *Edward III.* a Merchant being chosen a Coroner was removed, *quia communis Mercator fuit*, whereas he ought to have been a *Gentleman*, which have no Trades man is reckoned to be by our Laws.

Every County also hath an Officer called Clerk of the *Mercat*, whose Office is to keep a *Standard* of all Weights, and Measures exactly, according with the Kings *Standard* kept in the Exchequer, and to see that none others be used in the same County, to Seal all Weights, and Measures made exactly by the *Standard* in his custody and to burn such as are otherwise. He hath a Court, and may keep and hold Plea therein.

Of the Civil Government of Cities.

Every City of *England* by their Charters or Priviledges granted by several Kings is a little Common-wealth apart, governed not as the Cities of *France*, by a Nobleman or Gentleman placed there by the King; but wholly by themselves, they choose amongst themselves their own Governor; in Cities a Mayor is chosen, commonly out of 12 Aldermen. In some other Corporations, a Bailiff is chosen out of a certain number of Burgessees. They

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yeares been computed and found; that yearly children from 6 to 10 years of age, have gained 12 thousand pounds more then what they spend, and that chiefly by knitting fine *Fersey* Stockings.

The Government of *Burroughs*, and other Towns corporate is much after the same manner. In some, there is a Mayor, in others, one or two Bailiffs, who have equal power with a Mayor and Sheriffs, and during their Offices, they are Justices of the Peace within their Liberties, and have there the same power, that other Justices of the Peace have in the County.

For the better Government of Villages, the Lord of the place hath ordinarily power to hold a *Court-Baron*, so called, because antiently such Lords were called *Barons*, as they are still in many parts of *France*: or else *Court Baron* (i. e.) Court of *Freeholders*, as the Barons of *Germany* are called *Frey herren*; so the Barons of the *Cinq; Ports* in *England* are but the Freeholders of the *Cinq; Ports*. And this Court may be held every 3 weeks.

Also, for the Government of Villages there is a *Pety Constable* chosen every year by every one that is Lord of the place; this Officer is to keep the Peace, in case of quarrels, to search any house for Robbers, Murdrers, or others that have any way broken the peace: to raise the *Hue and Cry* after Robbers fled away, to seize upon them, and keep them in the Stocks or other Prison, till they can bring them before some Justice of

of Peace: to whom the Constables are subser-
vient upon all occasions, either to bring
criminals before them, or to carry them
by their command to the common Prison.

Every little Village almost hath an *Epi-
tome* of Monarchical Government, of Ci-
vil and Ecclesiastical policy within it self,
which if duly maintained, would render
the whole Kingdome happy.

First, for the *civil* Government, there is
the Lord of the Soyl, who from the Crown
immediately or mediately holds *Dominium
soli*, and is said to have in him the Roy-
alty, as if he were a little King, and hath
a kind of Jurisdiction over the Inhabitants
of the Village, hath his *Court-Lett*, or
Court-Baron, to which they owe *suit* and
service, and where may be tryed smaller
matters happening within the Mannour,
Escheats upon Felonies or other accidents,
Custody of Infants and Lunaticks, power
of passing Estates and admitting of Te-
nants, Reliefs, Hariots, Hunting, Haw-
king, Fishing, &c. under the Lord, is the
Constable or Headborough, to keep the
Peace, to secure offenders, to bring them
before the Justice, &c.

Then for the *Ecclesiastical* Government
of Villages, there is (as before hath been
mentioned) the Parson or Vicar, who hath
Curam Animarum, the Care of Souls (as
the Lord of the Mannor hath in some mea-
sure, *Curam Corporum*) for which he hath
the Tythes Glebe, and Church Offerings,
hath under him the Church-wardens and

Sides-mento take care of the Church, and Church Assemblies, the Overseers of the Poor, to take care of the Poor Sick, Aged, Orphans, and other Objects of Charity; and Lastly, the Clark to wait on him at Divine Service.

Thus admirable and excellent is the Constitution of the present *English Government* above and beyond any other Government in Christendom.

O Fortunatos nimium bona sibi sua norint.

Angligenas ———

If English men did know their Bliss,
Too great would be their Happiness.

Of the Military Government of England.

IT was a smart *Motto* that the Great Henry the IV. of France, Grandfather to our Gracious King now reigning, caused to be engraven on his Great Guns, *Ratio Ultima Regum*: Intimating thereby, that when Subjects refuse to submit to the Laws of the Land, or Neighbours to the Law of Nations; then Kings have recourse to Force and Armes, to bring them to Reason.

So long as Subjects are prone to Sedition, and Neighbour-Princes and States to Ambition, there will be a necessity of a *Military*

litary Power in every State, both by Land and likewise by Sea, where the Country is any where bordering on the Sea.

Of the *Military* power of *England*, both by Land and Sea, the King of *England* hath the sole supreme Power, Government, Command and disposition. And neither one nor both Houses of Parliament, have any right to levey any Forces, or make any War Offensive or Defensive, as they have at large declared in Parliament, *Anno 14. Car 2.*

By Land, the next under the King was the late Duke of *Albemarle*, who by His Majesties Commission dated 4th of *April, 1660.* at *Breda*, was made *Generalissimo* of all His Majesties Forces, in all His Three Kingdoms, Horse and Foot, Land Soldiers in pay, as well within Garrison as without.

Since the Death of the aforementioned Duke, the Horse and Foot which are in constant Pay are thus ordered: there are four excellent Regiments of Foot. The first is called the Kings Regiment, consisting of 24 Companies, and near 1700 men, commanded by Coll. *John Russel*, whose Lieutenant Coll. is *Edw. Grey*, brother to the Lord *Grey*, and whose Major is *William Rolleston*.

The next is the Duke of *Yorks* Regiment 720 men, commanded by Sir *Charles Littelton*, whose Lieft. Coll. is Sir *John Grifstith*, and his Major *Nath. Derrel*.

Of the third Regiment, 600 men, Sir *Walrey*

Walter Vane is Coll. *Thomas Howard* of *Suffolk* Lieft. Coll. and *Sir Thomas Ogle* Major.

Of the fourth Regiment, 960 men, the Coll. is the Earl of *Craven*, his Lieft. Col. is *Sir James Smith*, his Major *John Millar*.

There is also a Gallant Regiment of Horse, consisting of 8 Troops, about 500 Horse, besides Officers, commanded by the Earl of *Oxford*, and his Major is *Francis Windham*.

His Majesty hath besides, 3 compleat Troops for his Life Guards: whereof one is called the Kings Troop, consisting of 200 Horse, and commanded by the Duke of *Monmouth*: Another the Queens Troop, 150 Horse, and commanded by *Sir Philip Howard*: and the third the Duke of *Yorks* Troop, 150 Horse, and commanded by the Marquis of *Blanquefort*, whereof see more in the first Part of the *Present State of England*.

The pay of a Colonel of Foot is 20 s. *per diem*, and of a Colonel of Horse 12 s. *per diem*, the other Officers have proportionable pay. Each Foot Souldier in *London*, hath 10 d. a day, and each Horseman 2 s. 6 d. a day. Onely those of the Life Guard have each 4 s. a day.

The rest of His Majesties Forces that are in constant pay, are disposed of into several Garrisons: a List whereof follows Alphabetically, with the names of their several Governors.

Birwick

Barwick, Lord Widdrington.
Carlisle, Sir Philip Musgrave.
Chepstow, Captain Roger Vaughan.
Chester, Sir Jeofry Shackerly.
Dover, Capt. Strobe.
Deale, Capt. *Titus*.
Guernsey, Lord Hatton.
Gravesend, Sir Francis Leak.
Harwich, Sir Charles Littleton.
Hull, John Lord Bellaflis.
Jersey, Sir Thomas Morgan.
Langward Fort, Major Dorrell.
St. Maws, Sir Viel Vivian.
Pendenis, Richard Lord Arundel.
Plimouth, Earl of Bith.
Portsmouth, D. of York, Sir Philip
 Honywood, Lieutenant Governor.
Scarborough, Sir Tho. Slingsby.
Scylly Isle, Sir Will. Godolphin.
Shereness, Sir Boucher Wray.
Tinmouth, Col. Edward Villars.
Tower, Sir John Robinson.
Upner Castle,
Windsor Castle, Prince Rupert.
Isle of Wight, Sir Robert Holmes.
York, the Lord Frescheville.

In some of these Garrisons His Majesty
 is at the charge of above 500 men constant-
 ly;

ly, each Garrison Souldier hath 8 pence a day.

Of all the Land Forces in pay, the Commissioners Gen. of Musters are *Henry Howard* of *Suffolk*, and *Sir Cecil Howard*.

The Pay-master of all the Forces is *Sir Stephen Fox*.

The Judge Advocate *Dr. Sam. Barrow*.

For regulating and ordering His Majesties Land Forces, that are in constant pay, there are no Orders, yet settled by Act of Parliament, as there are for his Sea Forces, but may be in a short time.

Besides, the afore-mentioned Forces there is the standing *Militia* by Land of all *England* settled in the King, to be governed, ordered, and enlarged from time to time as his Majesty shall see occasion.

For the management of these standing Land Forces the King himself makes choice of divers of the principal Peers of his Kingdom, and by Commission creates them Lord Lieutenants of the several Counties of *England*, with power to arm, array, and form into Companies, Troops, and Regiments, to conduct (upon occasion of Rebellion or Invasions) and employ the men so armed within the Counties and Places for which the said Lords are commissioned, or into any other County, as the King shall give order. To give Commissions to Colonels, or other Commissioned Officers, to present to the King the names of the Deputy-Lieutenants, who have in the absence of the Lord Lieutenant the same power (and these

these are to be of the prime Gentry of the County) to charge any person in the County with Horse, Horsemen, and Arms, or Foot Souldiers and Arms within the said County, proportionable to their estates, with limitation that no person be charged with a Horse, unless he hath 500 *l.* yearly Revenue, or 6000 *l.* in personal Estate. No person to be charged with a Foot Souldier, unless he hath 50 *l.* yearly Revenue, or 600 *l.* personal Estate. Those that have meaner Estates are to joyn two or three together, to find a Horse and Horseman, or a Foot Souldier.

The forementioned Horse and Foot are to muster once or twice a year, and each Horseman during the time of the Muster to be allowed him for whom he serves 2 *s.* a day, and each Foot Souldier 12 *d.* a day.

For furnishing Ammunition and other Necessaries, the Lord Lieutenant, or Deputy Lieutenants may levy every year one fourth part (if they judge it expedient) of each mans proportion in the Tax of 70000 *l.* a moneth upon the whole Kingdom: And in the case of marching against an enemy, they have power to cause every man so charged to allow each Souldier one months pay, which the King is after to repay before they may be charged with another moneths pay.

These Forces are alwayes in readines with all things necessary at the beat of a Drum, or sound of Trumpet, to appear, muster, and be compleat with men, horse, and

and armes, and are at certain times trained and disciplined, that they become able, skilful, and useful Souldiers.

These are to be commanded only within the Kingdom, for the security of the King and Kingdom.

Subservient in the standing *Militia* to the Lord Lieutenant, and Deputy Lieutenant are the Justices of Peace of every County, who upon all occasions according to the orders of their Superiors, are to send their Warrants to the High Constable of the Hundred, or Petty Constable of the Parish, &c.

These are commonly called the Trainbands of every County, whereof the number is so great, that in only five of the bigger Counties of *England* there are to be found well provided forty thousand able lusty men ready to assist the King upon all occasions, so that in all times of peace the King hath six or sevenscore thousand men enrolled, and wholly and solely at his disposing for the defence of his Kingdom of *England*.

For the better securing of the Kingdom from foreign Invasion, besides the Ships of war (whereof more anon) there are upon certain eminent places over all parts of *England*, mediterrane as well as maritime, high Poles erected, whereon are fastned pitch Barrels to be fired by night, and a smoke made by day, and thereby to give notice in few hours to the whole Kingdom of the approaching Invasion: whereupon the Inhabitants

habitants in arms make haste to the sea-coasts. These are called Becons, from the Saxon *Beacen* or *Beacnian*, to shew by a sign. In all times of danger some are set to watch at every Beacon.

Antiently there were many Castles in all parts of *England*; but inland Castles generally have either been demolisht in latter times, or wittingly suffered to decay, that to Rebels they might be no shelter, to Invaders no stay, nor to the Invaded any refuge in flight, and consequently, that there may not be any *lingring war* again in *England*, which is the greatest misery and calamity that can ever happen to a Nation.

In 1588. upon expectation of the Spanish Armado stiled invincible, there went forth from the Queen Commissions to muster in all parts of *England*, all men that were of perfect sense and limb, from the age of 16. to 60, except Noblemen, Clergymen, University Students, Lawyers, Officers, and such as had any publick charges, leaving only in every Parish so many Husbandmen as were sufficient to till the ground. In all those Musters there were then numbred three millions: but of those fit for war, about six hundred thousand.

In another Muster of *Queen Elizabeth* there were found in all *England* fit for war of common Souldiers, about four hundred thousand, and of those armed and trained one hundred eighty five thousand, besides Horse near forty thousand: and that the Nobility and Gentry were then able to bring

bring into the field of their Servants and Followers twenty thousand men Horse and Foot choice men, and excellent horses; and in all fit for war, and ready upon all occasions, six hundred forty two thousand, leaving sufficient to till the ground, and to furnish Trades, besides Nobility, Gentry, &c.

*Of the present Maritime Power
belonging to the Crown of Eng-
land.*

THe Kingdom of *England* being a Pen-
insula, almost surrounded with the
sea, there will alwayes be a necessity of ma-
ritime forces. And as next Neighbours
grow potent at sea, the King of *England*
will be necessitated to augment his maritime
forces proportionably (how great soever
the charge thereof may be) or else to quit
his antient right to the Sovereignty of the
narrow seas, and to suffer his Merchants to
be abused, and their traffique every where
interrupted.

It is true, that in the 24. of *Eli2.* upon
a general view and muster there were found
but 13 Ships of war, and 135 Ships of con-
siderable burden belonging to all the Sub-
jects of *England*: and in the year 1600 her
Majesty had but 36 Ships of war, and 13
or 14 Pinaces: the biggest Ship was then
of

of One thousand Tun, carried Three hundred and forty Mariners, One hundred and thirty Soldiers, and but Thirty piece of Ordnance : The lesser Ships of War, were of One hundred Tun, Forty or fifty Mariners, Seven or eight Soldiers, and Eight Guns. The Pinnaces of Thirty Tun, Eighteen or twenty Mariners, and Two or four Guns, so small was the Royal Fleet in those days, when our next Neighbor Nations were weak, and always engaged with Civil and Foreign Wars ; but now that their strength at Sea, is of late so prodigiously increased, it will be most expedient for this Kingdom, to be always well provided : And, God be thanked, we have a King that understands better, and takes more delight in Maritime Affairs, and Ships of War, then any of His Royal Ancestors, or any Sovereign Prince now living in the World ; and who hath made it His cheif business that way, to fortifie this Kingdom.

The Forces of Potentates at Sea, *Sont des Marques de Grandeur d'Etat*, saith a French Author, Whosoever commands the Sea, commands the Trade of the World ; He that commands the trade commands the Wealth of the World, and consequently the World itself.

Again, As he that is Master of the Field, is said to be Master of every Town, when it shall please him ; so, he that is Master of the Sea, may, in some sort, be said to be Master of every Countrey, at least of such as are bordering on the Sea ; for he is at liberty

liberty to begin, or end a War, where, and upon what terms he pleaseth, and to extend his Conquests even to the *Antipodes*.

To the Crown of *England* belongs the Dominion of all the Narrow Seas, round about the whole Island of *Great Britain*, by Ancient Right whereof, it hath had possession in all times. First, the *Aborigenes* or *Ancient Britains* were possessors thereof, (as Mr. *Selden* makes appear) and in their Right, the *Romans* held it; then the *Saxons* having gotten possession of *England*, kept that Dominion, their King *Edgar*, amongst His Royal Titles, calling Himself, *Sovereign of the Narrow Seas*.

Afterward the *Normans* possessing *England*, claimed, and quietly possess the same Dominion, in testimony whereof, the *Swedes*, *Danes*, *Hans-Towns*, *Hollanders*, *Zealanders*, &c. were wont to ask leave to pass the *British Seas*, and to take Licenses to fish therein: And to this day, do strike Sail to all the Ships of War belonging to the King of *England*, as oft as they pass by any one of them, thereby to express, that they acknowledge the Sovereignty of the *British Seas* to belong to the King of *England*, according to an Ordinance made at *Hastings* in *Sussex*, by *John*, King of *England*, about Four hundred and fifty years ago.

To maintain this Right and Title, to protect Trade, to subdue Pirates, to defend this Kingdom against hostile Invasions, and

and to reduce foreign Potentates to Reason, the Kings of *England* have had (especially of later times) a considerable number of Ships of War, for Strength, for Beauty and Sailing (if not for number) surpassing all those of our Neighbor Nations : For Strength, by reason of the most excellent *English* Timber, they are like so many floating Castles and *Barbicans* : For Beauty, so proportionably and spaciouly built, and so curiously and richly adorned, that they are as so many *Royal Palaces*. Amongst other Ships at Sea, they are as so many Lions amongst other silly Beasts, or as Eagles amongst other Birds.

Histories mention a great Fleet of *Julius Caesar*, a Fleet of the forementioned King *Edgar*, consisting of Three thousand six hundred Sail ; a Fleet of *Lewis*, Son to *Philip* King of *France*, of Six hundred Sail, that arrived at *Sandwich* to assist the *English Barons* against King *John* ; but those doubtless were but as so many Cottages to Castles, in respect of the present Ships of War.

Henry the Eighth, in the Fifth year of His Reign, built a Ship, then accounted the greatest, that ever had been seen in *England*, and named it *Henry Grace de Dieu*, or the *Great Henry* ; it was of One thousand Tun.

In the Eighth year of King *James* was built by the *Londoners*, a Ship of Twelve hundred Tun, and called *The Trades Increase*, which being lost in the *East Indies*,
King

King *James* caused another to be built of Fourteen hundred Tun, which being given to Prince *Henry*, was by Him named the *Prince*.

King *Charles*, the *Martyr*, perceiving the great encrease of Shipping in our Neighbor Nations, and that the Sovereignty of these Seas was like to be disputed; amongst other great Ships of War, built one greater then any Ship of War, either in *England*, or in any Countrey of *Europe*, and named it *The Royal Sovereign*; which for a little diversion, shall here be more particularly described.

The Royal Sovereign, being a Ship of the First Rate or Rank, built in the Year One thousand six hundred thirty and seven, is in length by the Keel One hundred twenty seven Foot, in bredth by the Beam Forty seven Foot, in depth Forty nine Foot, her draught of Water Twenty one Foot: Of burden, in all Two thousand seventy and two Tuns; and One thousand five hundred fifty and four Tuns, besides Guns, Tackle, &c. This mighty Moving-Castle hath Six Anchors, whereof the biggest weighs 6000 *l.* and the least 4300 *l.* It hath Fourteen Cables, whereof the greatest is Twenty one Inches in compass, and weighs 9000 *l.* Her least Cable being eight Inches in compass, weighing near 1300 *l.*

To the *Royal Sovereign* belong Eighteen Masts and Yards, whereof the greatest, called *The Main Mast*, is One hundred and

and thirteen Foot long, and Thirty eight Inches Diameter; Her Main Yard One hundred and five Foot long, and Twenty three Inches Diameter, and her Main Top Fifteen Foot Diameter: She hath Ten several sorts of Sails of several names (as every Ship of every one of the Six Rates hath) whereof her greatest Sail, called *Her Main Course* (together with her Bonnet) contains One thousand six hundred and forty Yards of *Canvas*, *Ipswich* double, and the least Sail called *The Fore-top-gallant-sail*, contains One hundred and thirty yards of *Canvas*. The charge of one compleat Sute of Sails for the *Sovereign* is 404 *l.* Sterling Money. The weight of the Sea store, in point of Ground Tackle and other Cordage, is Sixty Tuns, Eight hundred and odd pounds.

She carries a long Boat of Fifty Foot, a Pinnace of Thirty six Foot, and a Skiff of Twenty seven Foot long.

The weight of her Rigging is Three and thirty Tun.

She hath Three Tire of Guns, all of Brass, whereof there are Forty four in her upper Tire, Thirty four in her second Tire, and Twenty two in her lower Tire, in all One hundred Guns.

She carries in all, of Officers, Soldiers, and Mariners, Seven hundred Men.

Finally, Her whole Charges for Wages, Victuals, Ammunition, wear and tear, for every Moneth at Sea, costs the King 3500 *l.* Sterling, as hath been computed by a very skilful person.

The

The charges of Building a Ship of the First Rate, together with Guns, Tackle, and Rigging (besides Victualing) doth ordinarily amount to about 62432 l. Those of Lower Rates proportionably.

The King hath now Six Ships of the First Rate, whereof Five are longer by the Keel then the forementioned *Royal Sovereign*, and all of the same force, except two, which yet may carry each one, One hundred and ten Guns.

Of Ships of War, great and small, the King had before the last War with the *United Netherlands*, above One hundred and sixty Sail, whereof a true List followeth,

A List in Alphabetical Order
of all the Ships, Frigats, and
Vessels of his Majestie's Roy-
al Navy ; together with the
Rates, Tuns, Men, and Guns
usually accounted.

*First Rate
Ships.*

	<i>Tuns</i>	<i>Men</i>	<i>Guns</i>
Charles	1229	550	80
Prince	1205	600	84
Soveraign	1554	700	100

Second Rate.

St Andrew	775	300	56
St. George	775	300	56
Henry	1047	380	64
James.	792	350	60
London	1050	500	64
Royal James	1100	500	70
Rainbow	782	320	56
Swittsure	740	340	60
Triumph	779	350	64
Catherine			76
Victory	690	320	56
1		Unicorn	

Second Rate

<i>Ships.</i>	<i>Tuns</i>	<i>Men</i>	<i>Guns</i>
Unicorn	786	320	56
Vanguard	706	300	56
Royal Oak			76
St. Michael			

Third Rate.

Anne	742	240	54
Dreadnought	738	240	52
Dunkirk	635	230	48
Edgar			
Essex	633	230	48
Fairfax	755	240	52
Henrietta	781	250	50
Glocester	755	240	52
Lyon	550	210	48
Mary	727	260	56
Monk		260	50
Montague	769	260	52
Plimouth	771	250	50
Revenge	741	240	52
Resolution	765	250	52
York	739	240	52
Rupert			

Fourth

Fourth Rate
Ships.

Tuns Men Guns

Antelope.	550	160	40
Affiance	513	160	40
Advice	516	160	40
Adventure	505	140	24
Amity	354	120	30
Assurance	341	135	32
Bristol	534	180	44
Bear	430	130	36
Breda	515	160	40
Crown	536	160	40
Centurion	531	170	40
Convertine	500	170	40
Constant Warwick	315	135	32
Charity	400	140	38
Diamond	547	160	40
Dover	511	160	40
Dragon	414	150	38
Elizabeth	477	150	38
Elias	400	130	36
Expedition	323	120	30
Forefight	513	160	40
Guinea	375	120	30
Happy Return	607	180	44
Hampshire	481	150	38
Jersey	560	160	40

I 2

Indian

<i>Ships</i>	<i>Tuns</i>	<i>Men</i>	<i>Guns</i>
Indian	500	180	40
Kent	600	170	40
Leopard	666	180	44
Matthias	400	160	44
Mary Rose	566	160	40
Marmaduke	400	130	32
Newcastle	633	180	44
Nonfuch	389	140	34
Portland	607	170	40
Princess	600	150	36
Portsmouth	433	150	38
Phenix	414	150	38
President	462	150	38
Providence	323	120	30
Reserve	512	160	40
Ruby	550	160	40
Swallow	543	170	40
Saphire	442	150	38
Tyger	447	150	38
Welcome	400	150	38
Yarmouth	608	180	44

Fifth Rate.

Augustin	300	110	26
Briar	180	90	18
Colchester	287	110	24

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<i>Ships.</i>	<i>Tuns</i>	<i>Men</i>	<i>Guns</i>
Success Frigate	230	115	24
Speedwell	200	100	20
Sorlings	250	110	22
Success	380	130	34
Satisfaction	220	110	26
Saphire	300	100	26
Westergat	300	100	26
<i>Sixth Rate.</i>			
Bramble	120	70	14
Blackmore	90	50	12
Carnation,	100	60	12
Chestnut	90	45	10
Cag-way	60	40	8
Cignet	60	40	6
Drake	146	70	12
Dolphin	50	25	4
Diver Smack			
Eaglet	60	40	8
Fox	120	70	14
Francis	90	50	10
Griffin	90	50	12
Gift	120	70	12
Hind	60	40	8
Hawk	60	40	8
Harp	60	40	6
			Hart

<i>Ships.</i>	<i>Tons</i>	<i>Men</i>	<i>Guns</i>
Hart			
Hunter	50	30	6
Henrietta Pinnaee	65	25	6
Kingfale	90	50	10
Lark	80	50	10
Lilly	60	40	6
Martin	130	70	12
Mary	120	60	12
Marygold Hoy			
Nonfuch Catch	60	40	8
Minion			
Paradox	127	70	12
Pearl Brigant	50	25	4
Roe	60	40	8
Rose	60	40	6
Sparrow	90	60	12
Swallow	60	40	6
True Love	100	60	12
Vulture	100	60	12
Weymouth	120	70	11
Wolf	120	70	16

Besides the above mentioned Vessels,
there was the New-Gally, the Eagle, Stork,
Violet, Ostridge, Church and Elias, in all 160
sail.

During

During the late War with the *United Netherlands, France, and Denmark*, some of these forementioned Vessels were lost, and since the Peace concluded many have been new built, even this present year, four Ships of the first Rate, and three of the third Rate have been, to his Majesties great expences, built and perfectly finished, or will be in a short time. Those new built Ships of the first Rate are the *Royal James, Prince, St. Andrew, London.*

All his Majesties *Maritime* Forces are under the Command of the Lord *High Admiral of England*, touching whose Name, Titles, Power, Priviledges, &c. See the first part.

The Lord *Admiral* hath under him many Officers of high and low condition, some at Sea, others at Land; some of a *Military*, some of a *Civil* capacity; some *Judicial*, others *Ministerial*; so that the Dominion and Jurisdiction of the *Sea*, may justly be stiled another *Commonwealth* or Kingdom apart. *In Mari sunt Regna distincta idque Jure Gentium, sicut in arida terra, saith Baldus*, that learned Oracle of the *Civil Law*: And the Lord *High Admiral of England*, may fitly be stiled, or at least reputed as a *Vice-Roy* of the *Maritime Kingdom of England*.

The *Vice-Admiral of England* is an Officer, to whom next under the *High-Admiral*, it belongs to see the *Royal Navy* kept in good repair, the wages of *Mariners* and *Ship-wrights* duly paid, and the Ships provided

provided of all things necessary for any Expedition.

The Lord *High-Admiral* of England doth by virtue of his place appoint in divers parts of the Kingdom his several *Vice-Admirals*, with their Judges and Marshals by Patent under the Great Seal of the High Court of Admiralty. These *Vice-Admirals* and *Judges* do exercise Jurisdiction in Maritime affairs within their several limits; and in case any person is aggrieved by any Sentence or Interlocutory Decree, that hath the force of a definitive Sentence, he may appeal to the High Court of Admiralty,

The present Vice-Admirals of the several Coasts of England, with their Judges, are these that follow in Alphabetical order.

Bristol City, Sir Thomas Bridges Vice-Admiral.

Cheshire and Lancashire, the Earl of Derby Vice-Admiral.

Sir Tim. Baldwin Kt. Dr. of Laws, Judge.

Cornwall South parts, Trelawny Vice-Admiral.

Cornwall North parts, Sir John Godolphin V. Admiral.

Mr. Scawen Judge.

Cumberland, Earl of *Carlile* V. Admiral.
Durham, Earl of *Carlile*. V. Admiral.
Devonshire, *John Vowel* Esq; V. Admiral.
Dr. Masters Judge.

Dorsetshire, *Bullen Reym*s Esq;
Essex, Sir *John Bramston*, V. Admiral.
Sir Mundiford Bramston Judge.

Glocester, *Thomas Cheston* Esq; V. Adm.
Kent, Duke of *Richmond* V. Adm.
Lincoln, Lord *Castleton* V. Adm.
Newcastle, Earl of *Carlile* V. Adm.
Norfolk, Lord *Townsend* V. Adm.
Sir Justinian Lewen Kt. Dr. of Laws, Judge.

Northumberland, Earl of *Carlile* V. Adm.
Somersetshire, Sir *Thomas Bridges* V. Admiral.
Sussex, Sir *John Pelham* V. Adm.
Dr. Low Judge.

Suffolk, Sir *Henry Felton*, V. Adm.
Dr. Clark Judge.

Southampton and Isle of Wight, Sir *Robert Holms* V. Adm.
Dr. Lloyd Judge.

Wales North parts, Col. *John Robinson* V. Adm.
Mr. Walter Mansel Judge.

Terk, Earl of *Mulgrave* V. Adm.

For

For handling of *Maritime* Affairs, the Lord High Admiral hath Courts of his own, whereof that at *London* is the principal or supreme; where all *Process* and *Proceedings* run in his name, and not in the Kings, as it doth in all *Common-Law* Courts; in this Court usually call'd the Court of *Admiralty*, he hath a Lieutenant called Judge of the *Admiralty*, who is commonly some learned Dr. of the *Civil Law*, and is at present Doctor *Fenkins*, lately knighted for his great worth, and now called Sir *Lionel Fenkins*.

The Proceeding in this Court in all *Civil* Matters, is according to the *Civil Law*, because the *Sea* is without the limits of the *Common-Law*, but under the Admirals Jurisdiction; therefore the *Civil Law* onely (all *Common Law* secluded) is made use of, and, by *Libel* they proceed to the Action, the Plaintiff giving Caution to prosecute the Sute, and to pay what shall be judged against him, if he fail in the Sute, the Defendant on the contrary securing the Plaintiff by sufficient surety or caution, as the Judge shall think meet, that he will appear in Judgment, and pay that which shall be adjudged against him, and that he will ratifie and allow all that his Proctor shall do in his name, whereby the Clients are well assured to obtain that which by Law shall be adjudged to them, let the Cause fall on which side soever.

In the *Admiralty* Court of *England* use is made, not onely of the *Civil Laws*, but the

the Laws of *Rhodes* and *Oleron*, whereof the former is an Island in the *Mediterranean* Sea, about twenty miles distant from the Continent of *Asia Minor*, and is now under the *Turk*, the ancient Inhabitants whereof, by their mighty Trade and Power at Sea, grew so expert in the Regulation of all Maritime Matters and Differences, and their Determinations therein were esteemed so just and equitable, that their Laws in such affairs have ever since been observed for *Oracles*. Those Laws were long ago incorporated into the Volumes of the *Civil Law*: And the *Romans*, who gave Laws to other *Nations*, and excelled all *Nations* in making of good Lawes; yet for their Sea-affairs, referred all Debates and Controversies to the Judgement of these *Rhodian* Lawes.

Oleron is an Island antiently belonging to the *Crown of England*, seated in the Bay of *Aquitane*, not far from the Mouth of the *Garonne*, where our famous Warriour King *Richard the First*, caused to be compiled such excellent Laws for Sea matters, that in the *Ocean Sea Westward*, they had almost as much repute as the *Rhodian* Laws in the *Mediterranean*: and these Lawes were called *La Rool d' Oleron*.

King *Edward the Third* (who first erected this Court of *Admiralty*, as some hold) made at *Quinborough* 1375. very excellent Constitutions concerning Maritime affairs, and many Statutes and Ordinances have been made by other Princes, and

and People, as at Rome, Pisa, Genoa, Mar-
seilles, Barcelona, and Messina; yet, that
fragment of the Rhodian Law, still extant
with the Comments thereon by the old
Furiconsults inserted in the Pandects, and
the Constitutions made by the Roman
Emperors contained in the Code, and in
the *Novelles*, still holds the Preemi-
nence.

The Customes and former Decrees of
the English Court of Admiralty, are there
of force for deciding of Controversies.
Under this Court there is also a Court of
Equity for determining differences between
Merchants.

In Criminal affairs, which is common-
ly about Piracy, the proceeding in this
Court was by Accusation and Informati-
on, according to the *Civil Law*, by a
mans own confession, or eye-witnesses
found guilty before he could be condem-
ned: but that being found inconvenient,
there were two Statutes made by H. VIII.
that Criminal affairs should be tried by
Witnesses, and a Jury, and this by speci-
al Commission of the King to the Lord
Admiral; wherein some of the Judges of
the Realm are ever Commissioners, and the
Tryal according to the Laws of England,
directed by those Statutes.

Between the Common Law of England,
and the Admiralty, there seems to be *Di-
visum Imperium*; for in the Sea, so far as
the Low-water Mark is observed, that is
counted, *Infra Corpus Comitatus adjacentis*,
and

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Of the Navy Office, where the whole business concerning the Kings Vessels of War is managed.

First, There is the Treasurer of the Navy, the Earl of *Anglesey*, whose Office is to receive out of the Exchequer, by Warrant from the Lord Treasurer of *England*; and to pay all charges of the Navy; by Warrant from the principal Officers of the Navy for which he hath salary, 220 l. 13 s. 4 d. besides 3 d. in the pound of all moneys paid by him.

This Office is executed, *pro tempore*, by Sir *Thomas Osburn*, and Sir *Thomas Littleton*, for which there are allowed to each fifteen hundred pounds *per annum*.

Next the Controller of the Navy, Sir *John Mennes*, whose Office is to attend and controll all payments of wages, to know the Market rates of all stores belonging to shipping, to examine and audit Treasurers, Victuallers, and Store-keepers, Accounts, &c. his Salary is 500 l. yearly. This Office is executed at present by the Lord Vicount *Brounker*, the forementioned Sir *John Mennes*, and Sir *Jeremy Smith*, together.

Sur-

Surveyor of the Navy, Collonel *Thomas Middleton*, whose Office is generally to know the state of all stores, and see the wants supplied; to find the Hulls, Masts, Yards, and estimate the value of repairs; by Indentures to charge all *Boatswains*, and Carpenters of His Majesties Navy, with what stores they receive, and at the end of each voyage, to state and audit their Accounts, his Salary is 490 l.

Clerk of the Acts *Samuel Pepys* Esquire, whose Office is to record all Orders, Contracts, Bills, Warrants, and other businesses transacted by the Principal Officers and Commissioners of the Navy, &c.

Next the Commissioners of the Navy, viz. the forementioned Lord *Brounker* and Sir *Feremy Smith*, whose Office is as above specified; and Salary to each 500 l. yearly.

Two other Commissioners, *John Tippets* and *John Cox* Esquires, whose particular work is to be at *Portsmouth* and *Chatham*, alwayes in readiness, to give Orders for the better management of His Majesties affairs in his Yards or Store-Houses there; Salary to each is 350 l. yearly.

Each of these Officers above named, have two Clerks, and some of them more, all payd by the Treasurer of the Navy, all hold their Places by Patent from the King, and the most of them during Pleasure.

The King hath for his Navy Royal and Stores, 4 great Yards or Store-houses, viz. at *Chatham*, *Deptford*, *Woolwich*, and *Portsmouth*,

mouth, where his ships are built, repaired and laid up after their voyages. In which Yards are employed divers Officers, where- of there are six Principal, whose Office, Names, and Salaries follow.

Chat. Dep. Wool. Port.

Clerk of the }
Check. } 181 108 93 126

Store-kee- }
per. } 236 164 128 119

Master at- }
tendant. } 200 100 100 108
2 at Cha- }
sham. }

Master ship- }
wright. } 103 113 130

Clerk of the }
Controll. } 100 120 80 80

Clerk of the }
Survey. } 140 102 84

Note

Note that the charges of their Clerks and Instruments are included in the aforementioned Salaries.

Besides these four Yards, His Majesty hath divers Rope Yards, as at *Chatham*, *Woolwich*, and *Portsmouth*, where are made all His Cables and Cordage for His Navy.

Also in time of a Sea-war, the King hath another Yard at *Harwich*, where there is out of War time continued an Officer at the charges of 100 l. yearly.

Yearly Pensions allowed by the King to his Flag-Officers whilst they are at Land out of Employment.

Two Admirals

Salaries.

l.

<i>Sir George Askew</i>	250
<i>Sir Thomas Allen</i>	245

Three Vice-Admirals.

<i>Sir Joseph Jordan</i>	200
<i>Sir Edward Sprag</i>	250
<i>Sir John Herman</i>	200

Three

Three Rere-Admirals.

Riches Utbert,	150
Sir John Kempthorn	150
John Hubbert,	150

All the Fore-mentioned Officers, and the whole Navy Office are governed by the Lord High Admiral of *England*, whose Lieftenant Admiral is the Earl of *Sandwich*, Salary 20 s. *per diem*, and 10 s. *per mens.* for each servant, whereof he is allowed 16.

Lord *Adm.* Secretary is *Matthew Wren*, Esquire, his Salary from the King is 500 l. yearly.

All the ether under Officers, as well those in the several Yards as those belonging to any of His Majesties ships, hold their places by Warrant from the Lord High Admiral *durante bene placito*.

The ordinary yearly Charge of His Majesties Navy, in times of Peace, continuing in Harbour, is so well regulated, that it amounts to scarce 70000 l. besides all charges of building of ships, &c. or setting forth any Fleets, which some years even in peaceable times, amounts to 12 or 1300000 l. more, as may easily be conjectured by the charges of building and rigging of Ships, and of one Months expences.

pences at Sea afore specified, so that the *English* Subject need no longer wonder how their late large Contributions and Aides have been spent, but rather how the Kingdomes necessary Expences, should be discharged with so little.

Of the City of LONDON.

LONDON being the Epitome of *England*, the Seat of the British Empire, the Chamber of the King, and the chiefest Emporium or Town of Trade in the World; it will not be impertinent to give some account thereof.

To describe particularly all things in this City worthy to be known, would take up a whole Volumn, therefore, according to the intended brevity of this *Treatise* here shall be inserted onely τα μεγαλεια τῆς πόλεως *Magnalia Londini*, such things as strangers and foreigners commonly count remarkable.

Take then a summary account of the Name, Antiquity, Situation, Magnitude, Streets, Houses, Number of Inhabitants, Parish-Churches, Cathedral; Royal Exchange, River, Conduits, Aqueducts, Trade, Government, Publick Halls of Companies; of the Tower, Bridge, Custom-House, Publick Offices, Colledges, Schooles, Hospitals, Work-houses, &c.

L O N -

LONDON so called, as some conjecture, from *Llongdin* the British word, Name, signifying in the *Saxon* Tongue *Shipton*, or Town of ships; was built as some write 1108 years before the Birth of our Saviour, Antiqui- that is 2778 years agoe; in the time of *Sa-* ty. *muel* the Prophet, and about 356 years before the building of *Rome*.

In the most excellent situation of *London*, *S* the profound wisdom of our Ancestors is very conspicuous and admirable. It is seated in a pleasant ever green valley; upon a gentle rising Bank, in an excellent Aire, in a wholesome soyl mixt with gravel and sand upon the famous Navigable River *Thames*, at a place where it is cast into a *Crescent*, that so each part of the City might enjoy the benefit of the River, and yet not be far distant one from the other, about 60 miles from the Sea, not so near, that it might be in danger of Surprisal by the Fleets of Forreign Enemies, or be annoyed by the boysterous Winds, and unwholesome Vapours of the Sea; yet not so far, but that by the help of the Tide every twelve hours, all the Commodities that the Sea or World can afford, may by ships of great burden be brought into her very bosome, nor yet so far, but that it may injoy the milder, warmer Vapours of the Eastern, Southern, and Western Seas; yet so far up in the Country, as it might also easily partake even of all the Country commodities: in an excellent air, upon the North side of the River (for the Villages seated on the South-

South-side are noted to be unhealthy, in regard of the Vapours drawn upon them by the Sun) burroughed by gentle hills, from the North and South Winds; it lies in 51 Degree 34 Minutes Latitude.

The High-ways leading from all parts to this Noble City are large, straight, smooth, and fair; no Mountains nor Rocks, no Marshes nor Lakes to hinder Carriages and Passengers, so that as Corn may easily be brought, and Cattel commodiously driven unto it by Land; so those heavy though necessary Commodities, Hay and Fuel are more cheaply conveyed by water: in a word all the blessings of Land and Sea near about, and by the benefit of shipping, all the blessings of the Terrestrial Globe, may be said to be here enjoyed, above any City of the world.

*Magni-
tude.*

The City of *LONDON* with its Suburbs and places adjacent, is of a vast extent: From *Lime House*, measured to the end of *Tothill* or *Turtle* street, from East to West, is above 7500 Geometrical paces, that is, above 7 English Miles and a half; and from the farther end of *Blackmanstreet* in *Southmark*, to the end of *St. Leonard Shoreditch* is 2500 paces, or two Miles and a half.

Streets.

In this great City, the streets, lanes and allyes, as they are called, are in number above 500, and yet, some of them above half a measured mile in length: Dwelling
houses

houses, before the late dreadful Fire, were computed onely within the Walls, above fifteen thousand, and that was accounted but a fifth part of the whole City, as may be judged by the weekly Bills of Mortality.

The Buildings, especially of late years, are generally very fair and stately, but within the City, the spacious Houses of Noble men, rich Merchants, the Halls of Companies, the fair Taverns are hidden to strangers, by reason that they are generally built backward, that so the whole room towards the street, might be reserved for Tradesmen shops. If they had been all built toward the street, as in other Countries, no Forreign City would, even in this particular, much surpass *London*; Yet, if a Stranger shall view *Lincolns-Inne* fields, *Southampton Buildings*, *Covent Garden*, *St. James Fields*, *Hatton-Garden*, *Cheapside*, *Lumbard street*, *Canon street*, *Fleet street &c.* He must confess that for fair *Piazza's* or open Places, for stately uniform buildings, for spacious streight streets, there is scarce the parallel in *Europe*.

That the Reader may the better guess at the number of Inhabitants, or humane Souls, within this great City, he must know, that in one year there were computed to be eaten in *London*, when it was less by one fourth part, 67500 Beefs, ten times as many

Houses.

Number
of Inhabitants.

ny Sheep, besides abundance of Calves, Lambs, Swine, all sorts of Poultry, Fowl, Fish, Roots Milk, &c. Also that *communibus annis* to supply London with *Newcastle Coal*, there is brought into the River of *Thames* two hundred and seventy thousand Chaldron, and every Chaldron is 36 Bushels.

Again the number of Inhabitants may be guessed at by the Burials and Births in London, which, in ordinary years, when there is no *Pestilence*, amount of late to Twenty thousand in a year, three times more then in *Amsterdam*, and but one 20th part less then in *Paris*, as may be seen by the Bills of these three Cities.

As also by the quantity of Beer drank in London in a year, which to all Forreigners will be incredible, for in the year 1667 according to exact computation, there was brewed within that year in London, four hundred fifty two thousand five hundred sixty three Barrels of strong Beer, sold at 12 s. 6 d. the Barrel, and five hundred and eighty thousand four hundred twenty one Barrels of Ale, sold at 16 s. the Barrel, and four hundred eighty nine thousand seven hundred ninety seven Barrels of Table Beer, or small Beer, sold at 6 s 6 d. the Barrel. The Beer strong and small is 36 Gallons to the Barrel, and the Ale 32 Gallons to the Barrel, and now since the *Pestilence* and the Fire, that this City is again fully peopled, there is much more Liquor brewed.

It is true, that some he cof is transported beyond the Sea, but that is scarce considerable.

Besides all this Beer and Ale, there is consumed in *London*, a vast quantity of *French* and *Spanish* wines, much *Rhenish*-wine, *Sider*, *Coffee*, *Chocolatte*, *Brandy* and other Drinks.

The *Excise* only of Beer and Ale for the City of *London* (though it be a very moderate Imposition) is farmed or rented of the King at above one hundred and twenty thousand pounds a year, and about one fourth part of all that Excise throughout *England*.

Parish Churches, besides Chappels Churches there were in all 130. that is double the Number of Churches parochial to be found in any City of Christendom, the Mother Church whereof is dedicated to the memory of Saint *Paul* (the only Cathedral of that Name in *Europe*) and founded by *Sebert* a *Saxon* King, about the year 610. in a place where had stood a Temple dedicated to *Diana*, and afterward enlarged by *Erkenwald* the 4th *Saxon* Bishop thereof; and that old Fabrick being almost destroyed by Fire, *Mauritius* another Bishop of *London*, in One thousand eighty three began and finished a great part of the present magnificent Pile, in the space of 20 years, but the Quire and Tower were not finished till 1221, and then it was dedicated in a most solemn manner (as was the

K Temple

Temple of *Solomon*) the King, the Bishops and a vast number from all Parts of the Nation assisting thereat.

It is seated on the highest part of all the City, and was more conspicuous perhaps then any Cathedral Church in the World; it was a structure for length, height and antiquity surpassing all other Churches; the length thereof was 690 Foot (therein excelling by 20 foot, *St. Peters* in *Rome*, which for beauty, proportion and divers other things excels all other Temples) it was in height 102 foot, and in breadth 130. The Church was built as other Cathedrals, in a perfect Cross, and in the midst of the Cross, upon mighty high Arches, was a Tower of Stone 260 foot high, and on that a spire of Timber covered with Lead, in height 260 foot more, in all from the ground 520 foot; above which was a Hole of Copper Gilt, of 9 foot in compass, whereon stood the Cross, 15 foot and a half high, and almost 6 foot a cross, made of oak, covered with Lead, and another cover of Copper over the Lead; above all stood the Eagle or Cock of Copper Gilt, four foot long, and the breadth over the Wings 3 foot and a half.

In the year 1561. a part of this magnificent Pile was much wasted, and the rest endangered by a fire begun in that stately Timber Spire, by the negligence of a Plummer, who left his Pan of Fire there, whilest he went to Dinner, as he confest of later years on his Death Bed: But by the great
Bounty

Bounty and Piety of Queen *Elizabeth*, of the Citizens of *London*, and of all the Clergy of the Province of *Canterbury*, it was again repaired in the space of Five years. After which, the Stone-work decaying apace, by reason of the corroding quality of the abundance of Sea-coal smoak, the Learned and Pious Doctor *Laud* coming to be Bishop of *London*, and after of *Canterbury*, was so zealous and vigorous, for upholding this most Ancient Church, and Stately Monument of *England*, and glory of the City of *London*; that by the Kings favor, and liberal contribution of Godly People (maugre all opposition of the *Puritans*) the work was so eagerly pursued, that before the year 1640. the whole Body was finished with *Portland* Stone, excellent against all smoak and weather, and the *Tower* scaffolded up to the top, with a purpose to take it all down, and to rebuild it more fair, and of a greater height, with a stately Pinnacle at each corner, because the Arches were not thought strong enough to support another Steeple, and to place in that *Tower* the biggest and most tunable Bells in the World: For performance whereof, and for adorning the Church, there was in the Chamber of *London*, above One hundred and seventy thousand pounds all taken out soon after, and employed in an Unnatural War, by a stiff necked People, against the best of Kings; in which one single act. a great part of the Citizens of *London*, and of the *Long Parliament*,

became deeply guilty of a horrid Rebellion, and detestable Sacrilege.

After the Murder, or rather Martyrdom, of the forementioned Archbishop, the Skaffolds were taken away and sold, with some of the Lead, which covered this famous Structure, and this House of God made a Stable for Horses by the Disloyal Army, and almost all suffered to decay, till the Restauration of the King, who having a pious intent to set upon the repair thereof again, it was all ruined by the late dreadful Conflagration in 1666. Which yet hath not so discouraged our gracious King, and the rest of our Church Governors, but that in a short time they intend to begin again the repair of the *Mother Church* of the *Mother City* of this Kingdom, to the glory of God, and high honor of this City and Nation; for the speedy promoting whereof, both King and Parliament, City and Countrey, Clergy and Laity, high and low, seem to stand engaged, to lend their aid and assistance.

Of the forementioned Fire, that was able to destroy such a vast solid Structure, as the Cathedral of *S. Paul*, a brief account may here be acceptable, especially to Foreigners, who have had imperfect relations thereof.

THE City of *L O N D O N*, within the Walls, was seated upon, near Four hundred

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Next, The dead time of the night, wherein it began, *viz.* between One and two of the Clock after Midnight, when some were wearied with working, others filled with drink, all in a dead sleep.

Thirdly, The dead time of the week, being Saturday night, when Traders were retired to their Countrey Houses, and none but Children or Young Servants left behind.

Fourthly, The dead time of all the year, being then the long Vacation, on the Second of September, when Tradesmen were generally abroad in the Countrey, some in the remotest parts of *England*, to fetch in their debts.

Fifthly, The closeness of the Buildings in that place, facilitating the progress of the Fire, and hindring the usual remedy which was by Engines to shoot Water.

Sixthly, The matter of the Buildings thereabouts, which was generally wooden, and of old Timber.

Seventhly, The long continued drought of the preceding Summer, even to that day, which had so dried the Timber, that it was never more apt to take fire.

Eighthly, The matter of Wares in those parts, where were the greatest Magazines and Store-houses of Oyls, Pitch, Tar, Rozin, Wax, Butter, Brimstone, Hemp, Cordage, Cheese, Wine, &c.

Ninthly, An Easternly Wind, the driest of all other that had continued long before, and then did blow very strongly

Tenthly,

Tenthly, The unexpected failing of the Water, the *Thames* Water-Tower then out of order, and burnt down, immediately after the beginning of the fire, so that most Water Pipes were soon dry.

Lastly, An unusual negligence at first, and a confidence of easily quenching the Fire, on a sudden changed into a general consternation and despondency, all People chusing rather by flight to save their Goods, then by a vigorous opposition to save their Houses, and the City.

These causes thus strangely concurring, (to say nothing of Gods just anger, for the notorious impenitency of the Citizens, for their abetting and instigating the shedding of the precious innocent Blood, both of Gods Anointed, and of their other cheif Governors, both in Church and State, for their still going on in their old hainous sins of *Despising Dominions, and speaking evil of Dignities*, till there was no remedy) those forementioned causes, so wonderfully concurring by a general prodigious Conflagration did make a greater spoil in the space of Three days, *viz.* From Sunday morning to Wednesday morning, then Three or four Armies, unresisted, could probably have done in twice the time; for (to give the Reader some little Prospect of the huge damages done by this Fire) it hath been computed by an ingenious person, that there were burnt in all, within the Walls of this City, Twelve thousand Houses, and without the Walls, One thousand Houses;

all which valued one with another, at no more then 25 *l.* yearly Rent, which at the low rate of Twelve years purchase, will amount in the whole to Three millions and nine hundred thousand pounds sterling. Then the Eighty seven Parish Churches, the most spacious Cathedral Church of *S. Paul*, Six Consecrated Chappels, the *Royal Burse* or *Exchange*, the great *Guild-Hill*, the *Custom-House*, the many magnificent Halls of Companies, the several Principal City Gates, with other Publick Edifices, may well be valued at Two millions.

The Wares, Household-stuff, Moneys, and other moveable Goods lost and spoiled by the Fire, may probably amount to Two millions of pounds, some say much more.

The Money spent in a general removing of Wares and Goods, during the Fire, and bringing them back afterward, in the hire of Boats, Carts, and Porters, may be well reckoned, at the least, Two hundred thousand pounds; the total whereof, is Nine millions, and Nine hundred thousand pounds, which reduced into *French Money*, will amount unto One hundred twenty eight millions and seven hundred thousand *Livres Tournois*. And yet, the Citizens recovering, after a few months, their Native Courage, have since so chearfully and unanimously set themselves to rebuild the City, that within the space of four years, they have erected in the same streets, ten thousand-houses, and laid out for the same,
Three

Three millions of pounds sterling, counting but 300 *l.* a house one with another; (besides whole Streets built and now building in the Suburbs by others:) as if the late Fire had onely purged the City, the Buildings are become infinitely more beautiful, more commodious, and more solid (the three main vertues of all Edifices) then before; nay, as if the Citizens had not been any way impoverish'd, but rather enrich't by that huge Conflagration, they may be said to be even wanton in their Expences upon the stately Italian *Facciata's* or Fronts of their new Houses, (many of *Portland* stone, as durable almost as *Marble*) upon their richly adorned Balconies, Signes, Portals, &c. They have made their Streets much more large and straight; and whereas before they dwelt in low, dark, deform, *Wooden Cottages*, they now live in lofty, lightsome, uniform *Brick Buildings*; so that although our gracious King cannot say of this His Capital City, as one of the Emperors said of *Rome*, *Lateritiam inveni, Marmoream reliqui*, yet he may say of it what is almost equivalent, *Ligneam inveni, Lateritiam reliqui*. And of a Principal Structure of this City, the Royal Exchange, His Majesty may say, *Lateritiam inveni, Saxeam reliqui*: whereof take here this following brief Account.

The

THe former Burse began to be erected in the year 1566. just one hundred years before it was burnt : it was built at the cost and charges of a noble Merchant Sir *Thomas Gresham*, and in a solemn manner by a Herald and Trumpet, in the presence and by the special Command of *Queen Elizabeth*, proclaimed and named the *ROYAL EXCHANGE* : it was built most of Brick, and yet was the most splendid Burse (all things considered) that was then in *Europe* (before the building whereof the Burse for Merchants was kept in *Lumbard-street*).

Now it is built within and without of the forementioned excellent stone, with such curious and admirable Architecture, that it surpasseth all other Burses, *Quantum lenta solent inter Viburna Cupressi.*

It is built Quadrangular, with a large Court, wherein the Merchants may assemble, and the greatest part, in case of rain or hot sun-shine, may be sheltered in side-Galleries or Portico's. The whole Fabrick cost above fifty thousand pounds, whereof one half is disbursed by the Chamber of *London*, or Corporation of the City, and the other half by the Company of *Mercers* : and to reimburse themselves, there will be let to hire 190 Shops above stairs, at 20 *l.* yearly rent each, and 30 *l.* for fine, besides the several Shops below, on the East and West sides, and the huge vaulted

vaulted Cellers under ground, so that it will be the richest piece of ground, perhaps, in the whole world; for, according to exact dimensions, the ground whereon this goodly Fabrick is erected, is but 171 foot from North to South, and 203 foot from East to West (for it is *Quadratum oblongum*) so that it is but very little more then three quarters of an Acre of Ground, and will produce above 4000 *l.* yearly Rent.

The River whereon is seated this Great City, for its breadth, depth, gentle, strait, even course, extraordinary wholesome water and Tides, is more commodious for Navigation then perhaps any other River in the world. The Sea flows gently up this River fourscore miles, that is, almost to *Kingston*, twelve miles above *London*, by land, and twenty by water, bringing the greater Vessels to *London*, and the smaller beyond; then against the Stream, boats are drawn to *Oxford*, and higher many miles.

It is high water at this City as oft as the Moon comes to the North East and South West points of Heaven, the one in our Hemisphere, and the other in the other Hemisphere. The highest Tides are upon a Land Flood, the Wind Northwest at the Equinoctial, and the Moon at full: when these four causes concur (which is very rare) then the *Thames* swells in some places over its Banks, and West-

minster.

minster is a little endammaged in their Cellars, not in their Chambers and upper Rooms, as the City of *Rome* sometimes is by the overflowing of the *Tiber*, and *Paris* by the *Seyne*.

This River opening Eastward towards *Germany* and *France* is much more advantageous for Traffick than any other River of *England*. To say nothing of the variety of excellent Fish within this River, the fruitful fat soil, the pleasant rich Meadows, and innumerable stately Palaces on both sides thereof; in a word, the *Thames* seems to be the very Radical moisture of this City, and in some sense, the natural heat too, for almost all the Fuel for firing is brought up this River from *Newcastle*, *Scotland*, *Kent*, *Essex*, &c.

From this River the City by water Engines is in many places supplied with excellent wholesome water; also from almost twenty Conduits of pure Spring water; and moreover, by a new River, brought at a vast charge and exquisite skill (by *Sir Hugh Middleton* who deserves his Statue in Brass) from *Amwell* and *Chadwell*, two Springs near *Ware* in *Hartfordshire*, from whence, in a turning and winding course, it runs threescore miles, before it reaches this City; In some places the Channel is necessarily thirty foot deep, in other places it is carried over valeys more then twenty foot high above ground, in open Troughs. Over this new River.

River are made eight hundred Bridges, some of Stone, some of Brick, and some of Wood : Six hundred men have been at once employed in this great work. It was begun 1608. and finished in five years. It serves the highest parts of *London* in their lower Rooms, and the lower parts in their highest Rooms.

The vast Traffick and Commerce whereby this City doth flourish, may be guessed at chiefly by the Customs which are paid for all Merchandise imported or exported, which are but very moderate Impositions in comparison of the Imposts of most other Countries of *Europe*, and yet the Customs of the Port of *London* onely amount to above three hundred thousand pounds a year : By the infinite number of Ships, which by their Masts resemble a Forest as they lye along this stream, besides many that are sent forth every year to carry and fetch Commodities to and from all parts of the known world, whereby it comes to pass, that no small number of Merchants of *London*, for Wealth, for stately Houses within the City for Winter, and without for Summer, for rich Furniture, plentiful Tables, and honorable living, &c. excel some Princes in divers of our neighbour Nations : Moreover, one may conjecture at the huge Commerce by the infinite number of great well furnished Shops; which a *Spaniard* once observing, together with the

the great number of Law sutes, in Term time, made this report of *London* to his Country men, that it was indeed a great City, but made up of nothing but *Tiendas y Contiendas*, Shops and Sutes: whereas he might rather have said more truly, in a few more words, *viz.* that *London* is a huge Magazin of Men, Money, Ships, Horses and Ammunition of all sorts of Commodities necessary or expedient for the use or pleasure of mankind: that *London* is the mighty Rendezvous of Nobility, Gentry, Courtiers, Divines, Lawyers, Physitians, Merchants, Seamen, and all kinds of excellent Artificers, of the most refined Wits and most excellent Beauties; for it is observed that in most Families of *England*, if there be any Son or Daughter that excels the rest in Beauty or Wit, or perhaps Courage or Industry, or any other rare quality, *London* is their *North-star*, and they are never at rest till they point directly thither.

The Government of this City, considering the greatness and populousness thereof is very admirable, and might take up a Volume in the description thereof.

The Ecclesiastical Government is by a Bishop, was in the time of the *Britains* by an Archbishop, but when it became subject to the *Saxons*, the Archiepiscopal See, was placed at *Canterbury*, not because that was the

the more worthy City; but for the sake of Saint *Austin*, who first preacht the Gospel there to the Heathen Saxons, and was there buried. Since which time it hath been under a Bishop above ten Centuries and a half, in a continual succession, in which space there are reckoned 99 Bishops of *London* to the Present worthy Bishop thereof, the grave, learned, pious, divine Doctor *Humphry Henchman* consecrated Bishop of *Salisbury* 1660. and translated to *London* 1663. To his Cathedral also belongs a Dean, a Chapter, a Treasurer and Thirty Prebendaries, all persons of worth.

For the Ecclesiastical Government of the several Parishes, there are are placed many excellent Divines, that have the Cure of Souls, a Rector or Vicar for every Parish; and these have for a long time had the repute of the most excellent way of Sermonizing in Christendom, insomuch as divers Divines of foreign Reformed Churches have come hither on purpose to learn their manner of haranguing in the Pulpit.

For maintaining these Divines with their families there is in every Parish a Parsonage or Vicaridge house, and in most a competent allowance in Tithes. Antiently the Parsons due in *London*, besides the Tithes of the Trades-mens Gains, and Mortuaries, Obits, &c. was 3 s. 5 d. in the pound of the yearly Rent, of all Houses and Shops; and this was paid as Offerings on Sundayes and Holidayes onely a half penny for each pound, whereby the Parishioners did hardly
feel

feel it, although the Sundayes and Holydayes were so many that in a whole year it amounted to 3 s. 5 d. in the pound. Afterwards many Holidayes being taken away, and the Clergy Means thereby abated, it was ordained 25 H. 8. that 2 s. 9 d. in the pound of all Rents of Houses and Shops should be paid yearly to the Parson, whereunto the *Londoners* did not onely consent (as they had good reason, it being much less in the pound then before) but bound themselves by an Act of Common Council to perform the same, and the said Ordinance was confirmed in Parliament 27 Hen. 8. and again 37 Hen. 8. with a power given to the Lord Mayor to commit to prison any Citizen that should refuse to pay his Tythes and Dues according to that proportion. But since the Reformation, many men willing to think Tythes a rag of Popery, or else making no conscience of robbing God, have devised many base and fraudulent wayes by double Leases, by great Fines and small Rents, and several other wayes to cheat the Law and their God, *Mal. 3. 8.* complaint whereof being made to King *James* 1618. it was declared in his Court of *Exchequer* by the Barons there, that the Inhabitants of *London*, and of the Liberties thereof, ought still (according to the aforementioned Acts) to pay 2 s. 9 d. in the pound, according to the true yearly value of the Rent of their Houses and Shops from time to time; but the Citizens (who think 2000 l. *per annum*. not enough for an Alderman

derman or for a Lawyer : and yet 200*l*. too much for a Pastor of a Parish) opposing the same, the business lies yet unestablished, to the great dishonor of the Reformed Religion.

The Civil Government is not (as it is at *Paris, Rome, Madrid, Vienna*, and other Capital Cities) by a chief Magistrate, some Nobleman set over the City by the King or Supreme Governor; or, as it was here, in the time of the *Romans*, when the chief Magistrate was called (as it is still in *Rome*) the *Prefect* of *London*, or, as it was in the time of the *Saxons*, when he was called the *Portgreve*, that is, *Custos* or *Guardian*, and sometimes *Provost* of *London*, but after the coming in of the *Normans*, the chief Magistrate was called *Bailive* (from the French word *Bailler*, *tradere, committere*) that is *Commissarius*, or one that hath Commission to govern others, and there were sometimes two *Bailiffs* of *London*, till King *Rich. I. Anno 1189*. changed the name of *Bailiff* into *MAYOR*, which also, being derived from the French, hath continued ever since, a Citizen chosen by the Citizens annually, unless sometimes for the disloyalty of the Citizens, their Priviledges and Franchises have been taken from them, and a Guardian set over them, as was done by *Hen. III. and Edw. I.*

Of latter times, the Mayor of *London*, though alwayes a Citizen and Tradesman hath been of such high repute and esteem that in all writing and speaking to him,
the

the Title of *Lord* is prefixt, which is given to none others, but either to Noblemen, to Bishops, Judges, and of later times to the Mayor of *York*, or to some of the highest Officers of the Realm. He is also for his great Dignity usually knighted by the King, before the year of his Mayoralty be expired.

His Table is, and also the Table of each Sheriff, such, that it is not only open all the year to all commers, strangers, and others, that are of any quality, but so well furnished, that it is always fit to receive the greatest Subject of *England*, or of other Potentate; nay, it is recorded, that a Lord Mayor of *London* hath feasted four Kings at once at his Table.

His domestick Attendance is very honorable, he hath seven Officers that wait on him, who are reputed Esquires by their places, that is, the Sword-bearer; the Common Hunt, who keepeth a gallant Kennel of Hounds for the Lord Mayors Recreation abroad; the Common Cryer, and four Water Bailiffs. There is also the Coroner, three Sergeants Carvers, three Sergeants of the Chamber, a Sergeant of the Channel, four Yeomen of the Water-side, one Under-water Bailiff, two Yeomen of the Chamber, three Meal-weighers, two Yeomen of the Wood-wharfs, most of which have their servants allowed them, and have Liveries for themselves.

His

His State and Magnificence is remarkable, when he appears abroad, which is usually on horse-back with rich caparison, himself alwayes in long Robes, sometimes of fine Scarlet cloth richly furred, sometimes Purple, sometimes Puke, with a great Chain of gold about his neck, with many Officers walking before, and on all sides of him, &c. but more especially on the 29. of *October* when he goes to *Westminster* in his Barge, accompanied with all the Aldermen, all his Officers, all the several Companies or Corporations in their several stately Barges, with their Arms, Colours, and Streamers; and having there in the Exchequer Chamber taken his solemn Oath to be true to the King, returns in like manner to *Guild-Hall*, that is the great Common Hall of Guilds or incorporated Confraternities, where is prepared for him and his Brethren a most sumptuous Dinner, to which many of the great Lords and Ladies, and all the Judges of the Land are invited.

This great Magistrate upon the Death of the King, is said to be the prime person of *England*; and therefore when King *James* was invited to come and take the Crown of *England*, *Robert Lee*, then Lord MAYOR of *London* subscribed in the first place, before all the great Officers of the Crown, and all the Nobility.

He is usually chosen on *Michaelmas* day, out of the 26 Aldermen, all persons of great wealth and wisdom.

His Authority reaches not only all over this great City, and a part of the Suburbs, but also on the famous River of *Thames* Eastward as far as *Tendale* or *Tenlect*, and the mouth of the River *Medway*, and Westward as far as *Colny* ditch above *Stanes* Bridge. He hath power to punish and correct all that shall annoy the Stream, Banks, or Fish, onely the strength and safety of the River against an Invasion, and securing Merchandizing and Navigation by Blockhouses, Forts, or Castles is the Care of the King.

To the Lord Mayor and the City of *London* belong divers Courts of Judicature of high importance. The highest and most antient Court is that called the *Hustings* (*i. e.*) *Domus Caesarum*, which doth preserve the Lawes, Rights, Franchises, and Customs of the City. There is a Court of Requests or Conscience. The Court of the Lord Mayor and Aldermen, where also the Recorder and Sheriffs sit. Two Courts of the Sheriffs, one for each Counter. The Court of the City Orphans, whereof the Mayor and Aldermen have the custody. The Court of Common-Council consisting (as the Parliament of *England*) of two Houles, one for the Lord Mayor and Aldermen, and the other for the Commoners: in which Court are made all By-laws which bind all the Citizens of *London*; for every man either by himself, or by his Representative gives his Assent thereunto, wherein consists the great happiness of the English Subject above all the Sub-

Subjects of any other Prince in the world, that neither in Laws nor By-laws, neither in Taxes or Imposts, any man is obliged, but by his own consent. There is another Court of the Chamberlain of the City, to whom belongs the Receipts of the Rents, and Revenues of the City, and to his Court the business of Apprentices, over whom he hath a great authority. To the Lord Mayor also belongs the Courts of Coroner, and of Escheator, and another Court for the conservation of the River of *Thames*. Lastly, the Court of Goal-delivery held usually eight times a year at the *Old-Baily*, both for the City and *Middlesex*, for the Tryal of Criminals, whereof the Lord Mayor is the chief Judge; and hath power of reprieving condemned persons.

There are other Courts called Ward-mote, or the meeting of Wards, whereof there are 26 in the whole City: In which Court inquiry is made into all things that can conduce to the regulating and well governing of the City. Also the Court of Hall-mote, or Assembly of every Gild or Fraternity for regulating what belongs to each Company in particular.

The Traders of *London* are divided into Companies, or Corporations, and are so many Bodies Politique: Of these there are 12, called the chief Companies, and he that is chosen Lord Mayor must be free of one of these Companies, which are 1. *Mercers*, 2. *Grocers*, 3. *Drapers*, 4. *Fishmongers*, 5. *Goldsmiths*, 6. *Skinners*,

ners; 7. Merchant-Taylors, 8. Haberdashers, 9. Salters, 10. Ironmongers, 11. Vintners, 12. Clothworkers: All which Companies have Assembly-places called Halls, which are so many Basilikes or Palaces, and many of them worthy to be viewed by all Strangers. It hath been the custom of some of our Kings, to honour some of these Companies by taking their freedom thereof; and the present King was pleased to be made free of the Company of Grocers, and the present Prince of Orenge, lately chose to be made free of the Company of Drapers.

There are besides near 60 other Companies, or Corporations, all enjoying large Priviledges by the Kings Gracious Charter, granted unto them, and fair Halls to meet in.

For the security and defence of this famous City and River, there have been antiently divers Fortresses; but that called the *Tower of London*, hath been eminent above all others. It is not only a Fort or Cittadel, to defend and command both City and River, but a Royal Palace, where our Kings with their Courts have sometimes lodged; a Royal Arsenal, where are Arms and Ammunition for 60000 Soldiers; the Treasury for the Jewels and Ornaments of the English Crown; the only Mint for coyning of Gold and Silver; the great Archive where are conserved all the Records of the Court of *Westminster*; the chief Prison for the safe custody of great Persons

Persons that are Criminal : in short, if the great extent thereof within the Walls be considered, and its authority over the several Hamlets without, and the many high Priviledges and Liberties belonging thereto, it may rather be reputed a City, then a Cittadel.

The Tower of *London* is out of all County or Parish (only a small part, some hold to be in *Middlesex*) is a liberty of it self, exempt from all Taxes to the King, to the Church, or to the Poor. It hath a Parochial Church, exempt from all Ecclesiastical Jurisdiction of the Archbishop, and is a Donative bestowed by the King without Institution or Induction. There are Thirteen Hamlets in several Parishes, of large extent, belonging to the Tower, whose Trainbands are all bound to assist the Constable or Lieftenant of the Tower, they are all called the Kings Company, are to wait on the Kings person in time of need, and to go no farther than the King.

Within the Tower is kept the Office of Master of the Ordnance, called in *France*, *le grand Maître de l'Artillerie* so called, *ab arte telorum mittendorum*) and hath been alwayes an Office of great Account and Importance, commonly conferred on persons of great eminency and integrity. It hath the ordering of that grand Magazin there lodged, wherein, and at the *Minories*, *Woolwich*, and *Chatham* is Ammunition at all times for as many Land and Sea forces

as

as may not onely defend England, but be formidable to all our Neighbours.

The place of Master of the Ordnance, is, since the death of that accomplished Gentleman Sir *William Compton*, executed by Commissioners, viz. by the Lord *John Berkley*, now Lord Lieutenant of Ireland, Sir *John Duncomb* Knight, and *Thomas Chichely* Esquire.

Lieutenant of the Ordnance, is *David Walter* Esquire, and Groom of his Majesties Bed-chamber, and the Pay-master is Captain *George Wharton*; Surveyor is *Jonas More* Esquire; Keeper of the Stores is *Richard March* Esquire; Clerk of the Ordnance is *Richard Sherborn* Esquire; Clerk of the Deliveries is *George Clerk* Esquire. Under which several Officers there are many Officers and Servants, for brevity sake to be passed over.

The forementioned Commissioners have the charge and superintendence of all the Ordnance, Arms offensive, Ammunition of War by Sea and Land.

The Lieutenant of the Ordnance is Treasurer, doth receive and disburse all moneys touching this Office.

The Surveyor of the Ordnance doth supervise all Arms.

Clerk of the Ordnance is to record all Orders touching that Office.

Keeper of the Stores is to have the custody of all the Arms offensive.

Clerk of the Deliveries takes Indentures for all Stores issued out.

All

All these hold by Patent immediately from the King.

All Inferior Officers and Artificers places, are in the gift of the Master, or Commissioners of the Ordnance.

Moreover, in the Tower is kept the office of Warden of the Mint, where onely, of later times, is minted all the Bullion that is minted in *England*.

The Warden of the Mint is a very considerable charge, and is at present Sir *Anthony St. Leger*.

Master Worker is *Henry Slingsby* Esquire. Comptroller is *James Hore* Esquire. These hold by Patent of the King.

Assay-Master to try the pureness of the Metall, is Mr. *John Brittle*.

Surveyor of the Meltings, and Clerk of the Irons, is Mr. *Thomas Swallow*.

There is moreover, a Weigher, a Teller, and a Graver; all which five last named Officers hold also by Patent from the King, but are to be approved by the three first Commissioned Officers, in whose custody is all Money or Bullion brought in by the Subject.

There are besides many other Inferior Officers and Servants belonging to the Mint.

The office of His Majesties Records, kept in the Tower of London, is of venerable Antiquity, and the place of Keeper, and Deputy of the same, dignified with special trust, whereof Sir *Algernon May* Knight, is at present the Keeper, salary 500 l. per

L annum;

annum; and William Ryley Esquire, of the Inner Temple, is Deputy thereof.

This place is properly in the Master of the Ro'ls his gift; and then His Majesty by His Letters Patents, hath usually confirmed it.

As the Chappel of the Rolls in Chancery-lane, and Petty-Bag office, doth fill with Records out of other Offices, they are transmitted into the Tower after some years, for it hath been the wisdom and care of former Ages, to send the Records of several Courts to the Tower; for their preservation and safety, not onely as a Policy of State, but the particular Interest of all Men, having Estates requiring it, there being many precedents for it remaining in the Records of the Tower; and a particular Form of a Writ to send the Records in the Chappel of the Rolls to the Tower of London. The Records of the Tower (amongst other things) contain the Foundations of Abbeys, and other Religious Houses, and the Records in the Rolls contain the dissolution of those Abbeys, and the donation of the Lands, of which, many Families are now possess; and if those Records were all in one place, the people might have access unto them, all under one and the same search and charge, which would be a great ease and benefit to the people, and a safety to the Records of this Nation.

Besides,

Besides these Records at the Rolls being joyned to those in the Tower, will make a perfect continuance of all the Ancient Rights of the *English* Nation, which are now set forth in the Records of the Tower, whereof these following are a few heads or particulars of them, viz.

The Leagues of Foreign Princes, and the Treaties with them.

And all the Atchievements of this Nation in *France*, and other Foreign Parts.

The Original of all the Laws that have been Enacted or Recorded, until the Reign of *Richard* the Third.

The Homage and Dependency of *Scotland* upon *England*.

The Establishment of *Ireland*, in Laws and Dominions.

The Dominion of the *British* Seas, totally excluding both the *French* and *Hollander* to Fish therein, without Licence from *England*, proved by Records before the Conquest.

The Interest of the *Isle of Man*, and the Isles of *Fersey*, *Gernsey*, *Sark*, and *Alderney*; which four last are the remaining part of the *Norman* possession.

The Title to the Realm of *France*, and how obtained.

And all that the Kings or Princes of this Land, have until that time done abroad, or granted or confirmed unto their Subjects at home or abroad.

Tenures of all the Lands in *England*, Extents or Surveys of Mannors and Lands, Inquisitions, *post mortem*, being of infinite advantage upon tryals of Interest or Descent.

Liberties and Priviledges granted to Cities and Towns Corporate, or to private Men; as Court-Leets, Waiffs, Estrays, Mercats, Fairs, Free-warren, Felons Goods, or what else could come to the Crown, or pass out of it.

Several Writs, Pleadings, and Proceedings, as well in *Chancery*, as in all the Courts of *Common Law*, and *Exchequer*.

Inspeximus's and Inrolments of Charters and Deeds, made and done before the Conquest, Deeds and Contracts between party and party, and the just establishment of all the Offices in the Nation.

The Metes and Bounds of all the Forests in *England*, with the several respective Rights of the Inhabitants therein to Common of Pasture, &c. Besides many other Priviledges and Evidences, which are too long to be here repeated or inserted.

And are therefore in the Petition of the Commons of *England* in Parliament, *An. 46 Edw. 3. num. 43.* said to be the perpetual Evidence of every Mans right, and the Records of this Nation, without which no story of the Nation can be written or proved.

These Records are repositied within a certain Place or Tower, called *Wakefield Tower*,

Tower, adjoyning to the *Bloody Tower*, near *Traytors Gate*. There is another place called *Julius Cæsars Chappel* in the *White Tower*: The going up to this Chappel, is in *Cold Harbor*, Eighty four Steps up, with Six or eight great Pillars on each side, and at the upper end thereof, there was a Marble Altar; which in the late times of Rebellion, was caused to be beaten down, as a Monument of Tyranny and Superstition.

There are many Cart load of Records lying in this place, out of which, *William Prynne* Esquire, late Keeper of the same, with indefatigable labor, Collected and Printed many of Publick Utility. *Anno*, 1659, 1660, 1662, 1664. in Four severall Volumes, beginning *Primo Regis Johannis*, for before that time there are no Rolls, but onely *Chartæ Antiquæ*, or Ancient Transcripts made and done, before and since the Conquest, until the beginning of King *John*. Then follows His Son *Henry the Third*, where the first Offices *Post Mortem* begins. Then there is *Edward the First*, *Second*, and *Third*, *Richard the Second*, *Henry the Fourth*, *Henry the Fifth*, *Henry the Sixth*, and *Edward the Fourth*, and the Inquisitions *Post Mortem*, of *Richard the Third*, who reigned onely Three years. The Rolls of that King are in the Chappel of the Rolls in *Chancery Lane*.

The Rolls in the *Tower* are variously distinguished, viz. *Rotuli Patentium Cartarum Parliamentorum*, *Clausarum finium*,

Scotia, Vasconia, Francia, Hibernia, Wallie, Normannia, Alemannia, Oblata, Liberata, Extracta, Perambulationes, Foresta, Scutag. Rotul. Marescal, Roma, de Treugis Chart. & Patent. fact. in partibus transmarinis. Patent de Domibus Judeorum Protection. de Perdonation. &c. Statute, cum multis aliis, which are lately depicted upon the outside of every Press in the Repository belonging to each Kings Reign, and very easily to be brought forth for the use of the Client.

By a Table of Orders hanging up in the said Office, and subscribed by the Keeper hereof.

The same is to be kept open, and constantly attended for all Resorters thereto, from the hours of Seven till eleven of the Clock in the Morning, and from One till five in the Afternoon, every day of the week, except in the Moneths of *December, January, and February*, and in them, from Eight till eleven in the morning, and from One to four in the Afternoon, except on Holidays, Publick Fasting and Thanksgiving days, and times of great Pestilence.

The Governor of this great and important Fortrefs, being called *The Lieutenant of the Tower*, is usually a Person of great worth and fidelity, who is, *Virtute Officii*, to be in Commission of the Peace for the Counties of *Kent, Surrey, and Middlesex*. He is High Steward of a Court there held, hath

hath a Deputy, and may refuse an *Habeas Corpus*, may give Protection to all Debtors belonging to the *Tower*; *Infra Regnum Anglia*. Hath the Priviledge to take *Unam lagenam*, Two Gallons and a Pint *Ante malum*, & *retro*, of all Wine Ships that come, and to be, as some hold, *Custos Rotulorum* of the County of *Middlesex*. His Salary is 200 *l.* per annum. His usual Fee for every Prisoner sent to the *Tower*, who are commonly Men of Estates is 20 *l.* and 3 *l.* a week for an Esquire, and 5 *l.* for a Knight. For a Baron or above 50 *l.* at entrance, to whom the King allows weekly 10 *l.* whereof two parts go to the Prisoner, the third to the Lieutenant for Lodgings and Diet; and 50 *l.* to the Lieutenant upon the Prisoners discharge.

The present Lieutenant of the *Tower* is Sir John Robinson Baronet.

The Gentleman Porter of the *Tower* holds his place by Patent, and at the entrance of a Prisoner, hath for his Fee *Vestimenta superiora*, or else a Composition for the same.

The Gentleman Jaylor is put in by the Lieutenant of the *Tower*, his Fee is 41 *s.* of a Gentleman, and 5 *l.* of a Knight: Then there are Forty Warders of the *Tower*, accounted the Kings Domestick Servants, and sworn by the Lord Chamberlain of His Majesties Household, or by the Clerk of the *Check*.

The Moneys allowed by the King to the several Officers and Servants in the *Tower*,

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and

and for keeping in repair that huge structure, amounts to a vast sum.

Near the *Tower* is *S. Katherine's*, which hath a Royal Jurisdiction for the Ecclesiastical Causes and Probate of Wills, and belongeth to the Queen, *Dr. Bud* is Commissary; from whom, if any will appeal, it must be to the King in His Court of *Chancery*, who thereupon issueth out a Commission under the Great Seal, as in Appeals from the *Arches* or *Prerogative*.

The next thing remarkable in the City of *London*, may be the *Bridge*; which, for admirable Workmanship, for vastness of Foundation, for all Dimensions, and for the solid, stately Houses, and rich Shops built thereon, surpasseth all others in *Europe*; it hath Nineteen Arches, founded in a deep broad River, and some say on a soft, ozy Ground; is Eight hundred Foot in length, Sixty high, and Thirty broad; hath a Draw bridge almost in the middle, and Twenty Foot between each Arch; it was built *Anno 1209*. in the Reign of King *John*. The first Stone-bridge in *England*, having been built above One hundred years before, by Queen *Maud*, Wife to *Henry the First*, at *Stratford*, on the River *Lee*, Three miles from *London*; so called from the Highway there passing over a Ford, and since called *Stratford Bow*, from the Arched Bridge, a piece of Architecture then new to the *Englifo* Nation.

The

The building of this Bridge of London, was an exceeding difficult and costly piece of Work, and to those that consider the constant great Flux and Reflux at that place, it seems, almost impossible to be done again. The charges of keeping it in repair, is so great, that it hath been thought fit by our Ancestors to have a large House, a vast Revenue in Lands and Houses; divers considerable Officers, &c. to be set apart for the constant care and repair thereof.

Concerning this *Bridge*, and the stupendious site and structure thereof; take here the fancy of an ingenious Person deceased.

When Neptune from his Billows
London spied,
Brought proudly thither by a High Spring-
Tide.
As through a Floating Wood he steer'd a-
long,
And moving Castles cluster'd in a throng.
When he beheld a mighty Bridge give Law
Unto his Surges, and their fury aw;
When such a Shelf of Cataracts did roar,
As if the Thames with Nile had chang'd
her shoar.
When he such Massie Walls, such Towers did
eye,
Such Posts, such Irons upon his back to see,

L. S.

When ca

When such vast Arches he observ'd, what
 might
 Nineteen Rialto's make, for depth and
 height.
 When the Cerulean god these things sur-
 vey'd,
 He shook his Trident, and astonish'd said,
 Let the whole Earth, now all Her Wonders
 count,
 This Bridge of Wonders is the Paramount.

Not far below this famous Bridge is
 placed the *Custom House*, where is received
 and managed all the Impositions laid on
 Merchandise Imported or Exported from
 this City, which are so considerable, that
 of all the Customs of England, divided
 into three parts, the Port of London pays
 Two thirds, that is above 330000 l. yearly.
 In this Office there are employed many
 persons of great ability and worth, Col-
 lectors, Customers, Comptrollers, Sur-
 veyors, Registers, whereof some have Sa-
 laries of 500 l. yearly, besides many per-
 quisites.

The House where this great Office was
 kept, being destroyed by the late Fire, is
 now rebuilt in a very much more magnifi-
 cent, uniform, and commodious manner
 by the King, and will cost His Majesty
 20000 l. the building.

There are at present within this City of
 London, divers other very considerable
 Offices, whereof take the account follow-
 ing.

off

of the Office of Post-Master
General.

THe Profits of the said Office are settled by Act of Parliament, on his Royal Highness the Duke of York; but His Majesty doth constitute His Post-Master General by Letters Patents under the Great Seal of England; and, accordingly hath conferred that Office upon the Right Honorable Henry Lord Arlington, His Principal Secretary of State.

The present Post-Master General keepeth one Grand or General Office in the City of London, from whence, Letters and Pacquets are dispatched.

Every Monday, to France, Italy, Spain, Flanders, Germany, Sweden, Denmark, &c. and to Kent.

Every Tuesday, to the United Netherlands, Germany, &c. And to all parts of England, Scotland, and Ireland.

Every Wednesday, to Kent onely, and the Downs.

Every Thursday, to France, Spain, Italy, and all parts of England and Scotland.

Every Friday, to the Spanish and United Netherlands, Germany, Sweden, Denmark, and to Kent.

Every Saturday, to all parts of England, Scotland, and Ireland.

And

And the Answers of the said Letters and Pacquers, are received in the said Office in due Course: And from thence dispersed, and delivered according to their respective directions, with all expedition.

The said Office is managed by a Deputy, and other Officers, to the number of Seventy seven Persons; who give their actual attendance respectively in the dispatch of the business.

Upon this Grand Office depends One hundred eighty two Deputy Post-Masters in *England* and *Scotland*; most of which, keep Regular Offices in their Stages, and Sub-Post-Masters in their Branches; and also in *Ireland*; another General Office for that Kingdom, which is kept in *Dublin*, consisting of Eighteen like Officers, and Forty five Deputy Post-Masters.

The present Post-Master General keeps constantly for the transport of the said Letters and Pacquets.

Between <i>England</i> and	(<i>France</i> , Two Pacquet-Boats.
	<i>Flanders</i> , Two Pacquet-Boats.
	<i>Holland</i> , Three Pacquet-Boats.
	<i>Ireland</i> , Three Pacquet-Boats.

And at *Deal*, Two Pacquet-Boats for the *Downs*.

All which Officers, Post-Masters, Pacquet-Boats, are maintained at his own proper charge.

And

And as the Master piece of all those good regulations, established by the present Post-master General, for the better government of the said office, he hath annexed and appropriated the Market Towns of England, so well to the respective Post-stages, that there is no considerable Market-Town, but hath an easy and certain Conveyance for the Letters thereof to and from the said grand office, in the due Course of the Mailes every Post.

Note also, that all Letters are conveyed with more expedition and less charges then in any forreign Country.

A Letter containing a whole sheet of Paper is conveyed 80 miles for 2 d. 2 sheets 4 d. and an ounce of Letters but 8 d. and that in so short a time by night as well as by day, that every 24 hours, the Post goes 120 miles, and in 5 dayes, an answer of a Letter may be had from a place 300 miles distant from the Writer. Moreover if any Gentleman desires to ride Post to any principal Town of England, Post-Horses are alwayes in readines (taking no Horse without the consent of his owner) which in other Kings reigns was not duly observed; and only 3 d. is demanded for every English mile, and for every Stage to the Post boy 4 d. for conducting.

Besides this excellent convenience of conveying Letters and Men on Horseback, there is of late such an admirable commodiousness both for Men and Women of better rank to travel from London, to almost any

any great Town of England; and to almost all the Villages near this great City, that the like hath not been known in the World, and that is by Stage Coaches, wherein one may be transported to any place, sheltered from foul weather and foul ways, free from endamaging ones health or body by hard jogging, or over violent motion, and this not onely at a low price, as about a shilling for every 5 miles, but with such velocity and speed, as that the Posts in some forreign Countreyes make not more miles in a day, for the Stage Coaches called flying Coaches make Forty or Fifty miles in a day, as from London to Oxford or Cambridge, and that in the space of Twelve hours, not counting the time for Dining, setting forth not too early, and coming in not too late. This office is now kept in Bishopsgate-street.

Of the Kings great Wardrobe.

THIS Office was usually kept within the City, near Puddle Wharfe, in an antient House built by Sir John Beauchamp, Son to Guy de Beauchamp, Earl of Warwick, and afterward sold to King Edward the Third.

The Master or Keeper of the Great Wardrobe

drobe is an office of great Antiquity and Dignity.

High Priviledges and Immunities were conferred by Henry the Sixth, and confirmed by his successors, King James enlarged the same, and ordained that this Great Officer should be an incorporation or Body Politique for ever.

His Office is to make Provisions for Coronations, Marriages, and Funerals, to furnish the Court with Beds, Hangings, Carpets, and other necessities; to furnish Houses for Ambassadors at their first arrival here; Presents for Foreign Princes and Ambassadors, Cloaths of Estate, and other furniture for the Lord Lieutenant of *Ireland*, Lord President of *Wales*, and all His Majesties Ambassadors abroad, to provide all Robes for Foreign Knights of the Garter, for the Officers of the Garter, Coats for Heralds and Pursuivants at Arms, Robes for the Lord Chancellor, Lord Treasurer, &c. Rich Liveries for the two Lords Chief Justice, all the Barons of the Exchequer, divers Officers in those Courts, all Liveries for His Majesties domestick servants: all Linnen for the Kings person, &c.

To defray all the forementioned charges, ordinarily there is expended yearly, about twenty five thousand pounds, besides all Extraordinaries, as Coronations, Funerals, &c.

This Office is at present enjoyed by Edward Montague, Earl of Sandwich, one

of

of His Majesties most Honourable Privy Council, and Knight of the most Noble Order of the Garter.

The present Salary to his Lordship in compensation of all other antient Fees and Allowances is yearly 2000 l.

The said House near *Puddle Wharfe* was long ago annext for ever to the Master of this Office; but since the great Fire this Office is kept in the *Savoy*.

The chief Officers under the Master are, a Deputy, *Thomas Townsend Senior*, Esq; his Salary 200 l. and a Clerk, *Thomas Townsend Junior*, Esq; whose Salary in compensation of all Fees and Allowances is yearly 300 l.

Both these Officers had likewise fair dwelling houses, which were also consumed by the fire.

Belonging to this Office are divers Tradesmen, Artificers, and others, to the number of about 40 all sworn Servants to the King.

To this Office have lately been added by Patent, during pleasure, two considerable Officers, *viz.* a Controuler, *Andrew Newport* Esquire, Brother to the Lord *Newport*; and a Surveyour, *Colonel Bullen Reymes*, whose Salaries are 300 l. yearly to each one.

Of the Colledges in London.

THE Famous City of *LONDON* may not unfitly be stiled an University

sity, for therein are taught all Liberal Arts and Sciences, not onely Divinity, Civil Law, Physick, which in other Universities are usual, are read here, but also the Municipal or Common Law of the Nation is here taught, and Degrees taken therein, which can be said in no other Nation: Moreover all sorts of Languages, Geography, Hydography, the Art of Navigation, the Art of Fortification, Anatomy, Chirurgery, Chymistry, Calligraphy, Brachygraphy, or Short-Hand, the Arts of Riding, Fencing, Dancing, Art Military, Fire-works, Limning, Painting, Enamelling, Sculpture, Architecture, Heraldry, all sorts of Musick; Arithmetick, Geometry, Astronomy, Grammar, Rhetorick, Poetry, and any other thing that may any way contribute to the accomplishment of an ingenious Nobleman or Gentleman.

The Colledges of Municipal or Common-Law Professors and Students, are 14 called still *Innes*, the old English word for Houses of Noblemen or Bishops, or of extraordinary note, and which is of the same signification with the French word *Hostel* at *Paris*.

There are Two Inns of Sergeants, Four Inns of Court, and Eight Inns of Chancery.

The Inns of Chancery were probably so named; because there dwelt such Clerks as did chiefly study the forming of Writs, which regularly appertain to the

the Curfitors that are Officers of Chancery. The first of these is called *Thavies Inn*, begun in the Reign of *Edward the Third*, and since purchased by *Lincolns Inn*, as was also *Furnivals Inn*, then there is *Bernards Inn*, *New Inn*, *Clements Inn*, *Cliffords Inn*, antiently the House of the Lord *Clifford*, *Staple Inn* belonging to the Merchants of the *Staple*; and *Lyons Inn*, antiently a common Inn with the Sign of the *Lyon*.

These were heretofore preparatory Colledges for younger Students, and many were entred here, before admitted into the Inns of Court.

Now they are for the most part taken up by Attorneys, Sollicitors and Clerks, who have here their Chambers apart, and their Dyet at a very easy rate in a Hall, together where they are obliged to appear in grave long Robes, and black round knit Caps. These Colledges belong all to some Inns of Court, who send yearly some of their Barresters to read to to these. In these Inns of Chancery one with another, may be about Sixty persons.

The Innes of Court were so named, as some think, because the Students therein are to serve the Courts of Judicature; or else because antiently these Colledges received onely the Sons of Noble men, and better sort of Gentlemen, as *Fortescue* affirmeth.

Of these there are Four : First, The *Two Temples*, heretofore the dwelling of the Knights Templers, and purchased by some Professors of the Common Law, above Three hundred years ago. They are called *The Inner and Middle Temple*, in relation to *Essex House*, which was a part of the Knights Templers, and called *The Utter Temple*, because it is seated without *Temple Bar*.

The two other Inns of Court are *Lincolns Inn*, belonging anciently to the Earls of *Lincoln*; and *Greys Inn* belonging to the Noble Family of the *Greys*.

In the Reign of *Henry the Sixth*, they so flourished, that there were in each of these about Two hundred Students, and a Student then expended yearly about 20*l*. Which was as much as Two hundred pounds now; for they had usually (as the *French Nobles* have now in their *Academies*) every one an old discreet Servant, and divers Masters for to instruct them in all laudable qualities; and therefore, saith the same *Fortescue*, *Ultra Studium legum, sunt quasi Gymnasia omnium morum*. And the Students were onely, saith he, *Nobilium Filii*, that is, Gentlemen, at least; for so the word *Nobilis* was then taken here, and is still in *France*: And therefore by command of King *James*, none were to be admitted into these Colledges, but Gentlemen by descent. Our Ancestors thought those of inferior rank, would rather debase the honor of the Law, and would be prone

to *chicane*, or play tricks, and not like to be so fit for Trusts and Honors, whereas the consideration of Birth and Fortune, makes Men more careful of their Honor and Reputation.

These Societies are no Corporations, nor have any Judicial Power over their Members, but have certain Orders among themselves, which have, by consent, the Force of Laws: For lighter offences they are onely excommunicated, or put out of Commons, not to eat with the rest; and for greater offences they lose their Chambers, and are expelled the Colledge; and being once expelled, they are never received by any of the Three other Societies. Which deprivation of Honor to young generous Spirits, is more grievous then perhaps deprivation of life.

These also, when they meet at Chappel or Hall, or at Courts of Justice, wear a grave black Robe and Cap, at other times walk with Cloak and Sword.

There are no Lands or Revenues belonging to these Societies, which being no Corporations, are not enabled to purchase, nor have they any thing for defraying the charges of the House, but what is paid at Admittances, and Quit-Rents for their Chambers.

The whole Company of Gentlemen in each Society, may be divided into Four parts, Benchers, Utter Barristers, Inner Barristers, and Students.

Benchers are the Seniors, to whom is committed

committed the Government, and ordering of the whole House; and out of these, is chosen yearly a Treasurer, who receiveth, disburseth, and accounteth for all Moneys belonging to the House.

Utter Barristers are such, as, For their Learning and Standing, are called by the Benchers to plead and argue in the Society doubtful Cases and Questions, which are called *Moots* (from meeting the old *Saxon* word for the *French Assemble*, or else from the *French Mot* a word.) And whilest they argue the said Cases, they sit uttermost on the Forms or Benches, which they call the Bar.

Out of these Mootmen are chosen Readers for the *Inns of Chancery*, belonging to the *Inns of Court*, whereof they are Members; where in Term time, and grand Vacations they argue Cases in the presence of Attorneys and Clerks.

All the rest are accounted Inner Barristers, who for want of Learning or Time, are not to argue in these Moots; and yet in a Moot before the Benchers, two of these Inner Barristers sitting on the same Form with the Utter Barristers, do for their Exercises recite by heart the pleading of the same Moot Case in *Law French*; which Pleading is the Declaration, at large, of the said Moot-Case; the one taking the part of the Plaintiff, and the other of the Defendant.

The year also amongst them, is divided into three parts, The Learning Vacation,
the

the Term-times, and the dead or mean Vacation.

They have two Learning Vacations, viz. Lent Vacation, which begins the first Monday in *Lent*, and continueth three weeks and three days; and Summer Vacation, which begins Monday after *Lammas-day*, and continueth also three weeks and three days. In these Vacations are the greatest Conferences and Exercises of Study in manner following.

The Benchers appoint the eldest Utter Barrester to read amongst them openly in the Hall, whereof he hath notice half a year before. He then, the first day, about eight of the clock makes choice of some Act or Statute, whereupon he grounds his whole Reading for that Vacation, and declares such mischiefs and inconveniencies as were unprovided before the same Act, and now are provided by the said Act, and then reciteth certain Doubts and Questions, which he hath devised, that may grow upon the said Statute, and declareth his Judgment therein: After which, one of the younger Utter Barresters repeateth one Question propounded by the Reader, and doth by way of Argument labor to prove the Readers opinion to be against Law; and after him, the Senior Utter Barrester and Readers, one after another, according to Seniority, do declare their Opinions and Judgments in the same: And then the Reader, who did put the Case, endeavoreth to

to confute Objections laid against him, and to confirm his own Opinion: After which, the Judges and Sergeants, if any be present, declare their Opinions; then the youngest Utter Barrester again rehearseth another Case, which is prosecuted as the former was. And this Exercise continueth daily about Three or four hours.

Out of those who have read once in the Summer Vacation, and are Benchers, is chosen always one to read in Lent, who observes the like manner of Reading, as before is expressed.

Out of these Readers usually the Sergeants are chosen.

*The manner of Mooting in the
Innes of Court, is thus.*

IN these Vacations after Supper in the Hall, or, after Drinking on Fasting-nights, the Reader with one or two of the Benchers comes in, to whom one of the Utter Barresters propounds some doubtful Case; which being argued by the Benchers, and lastly, by him that moved the Case, the Benchers sit down on the Bench, at the upper end of the Hall, whence they are called *Benchers*: And upon a Form, in the middle of the Hall, sit two Inner Barresters; and on both sides of them, on the same Form, sitteth one Inner Barrester, who doth in *Law French* declare to the Benchers

Benchers (as Sergeants do at the Bar in the Kings Courts to the Judges) some kinde of Action; the one being, as it were, retained for the Plaintiff, and the other for the Defendant: Which ended, the two Utter Barresters argue such Questions, as be disputable within the Case. After which, the Benchers do likewise declare their Opinions, how they take the Law to be in those Questions.

In these Mootings, the Junior always argueth first, as is used amongst the Judges in the *Exchequer Chamber*, and amongst the Sergeants in open Courts of Judicature. The Inner and Utter Barrester plead here in *Law French*, and the Benchers in *English*; and at the Readings, the Readers Cases are put in *English*.

Mootings in the Inns of Chancery, are thus.

IN the Learning Vacations, each Utter Barrester, who is a Reader in the *Inns of Chancery*, go with two Students of the same Inn of Court, to the Inn of Chancery, where he is appointed to Read, and there meet him commonly two of each Inns of Court, who sitting as the Benchers do in the Inns of Court at their Moots, they hear and argue his Case.

In the Four *Inns of Chancery* that are situated in *Holborn*, the Moots are read, either

either by those of *Greys* Inne or *Lincolns* Inne, the others by the two Templers.

In Term time, the only Exercises of Learning, is arguing and debating Cases after Dinner, and Mooting after Supper, in the same manner as in the Vacation time.

The time between the learning Vacations and Terms, is called the mean Vacation, during which time every day after Dinner, Cases are argued, as at other times; and after Supper, Moots are brought in and pleaded by the Inner Barresters, in the presence of the Utter Barrester, which sit there in the Room of the Benchers, and argued by them, as the Benchers do in Term time and learning Vacation.

The Manner of keeping a Christmas in any of the Innes of Court, thus.

The Students hold a Parliament before *Christmas*, and in case there be in *London* no Pestilence, and that the House is furnished with such a number of Students, and of such quality as are meet to keep a solemn Christmas; then are chosen and appointed certain of the Students to be Officers, in imitation of the Kings Court, as Comptroller, Treasurer, &c.

These bear rule in the House during the whole time of Christmas; and are to behave themselves in that Port, Gravity, and Authority, as if they were so in the Kings House, that so hereafter, they may know the better to behave themselves in case they should be promoted to that Honour: for these Gentlemen are usually of such quality, as come not hither with intent to profess the Law, but to learn so much Law, as may be necessary to preserve their Estates, and to make themselves accomplisht in other qualities, necessary for Gentlemen.

At such time, they have here divers divertisements, as Feasting every day, singing, dancing, Musick which last is allowed there to all Comers, and is so excessive, that what the Dicers allow out of each winning to the Butlers box, usually amounts to above 50 *l.* a day and night, wherewith, and a small contribution from each Student, are the great charges of the whole Christmas defrayed.

Sometimes, when their publick Treasury is great, they create a Prince among themselves, with such Title, as they please to give him, and he hath all his Officers, and a Court futable to a great Prince, and many of the prime Nobility and great Officers of State, are feasted and entertained by him with Enterludes, &c.

From *All Saints* day to *Candlemas*, each House usually hath Revels on Holy-dayes, that is, Musick and Dancing; and for this

is chosen some young Student to be Master of the Revcls.

Note, that the manner of their Parliament is briefly thus.

Every Quarter commonly, the Benchers cause one of the standing Officers of the House to summon a Parliament, which is onely an Assembly and Conference of Benchers and Utter-Baristers, which are called the Sage Company, and meet in a place called the Parliament Chamber, and there Treat of such matters, as shall seem expedient for the good ordering of the House, and the Reformation of such things as they shall judge meet to be Reformed. Here are the Readers for Lent and Summer vacation elected, also the Treasurer is here chosen, and the Auditors appointed to take the Accounts of the old Treasurer, &c. Here offences committed by any of the Society are punished, &c.

These Innes of Court are most wisely situated by our Ancestors, between the Kings Courts of Judicature, and the most opulent City of London.

In the Four Innes of Court are reckoned about 800 Students.

Lastly, there are two more Colledges called Sergeants Inne, where the Common-Law Student, when he is arrived to the highest degree, hath his Lodging and Dyet. These are called *Servientes ad Legem*, Sergeants at Law, and are as Doctors in

the

the Civil Law, only these have heretofore been reputed more Noble and Honourable, *Doctōris enim appellatio est Magisterii, Scrivientis vero Ministerii*, and therefore Doctors of Law are allowed to sit within the Bar in Chairs and covered, whilst Sergeants stand without the Bar bareheaded, only with Coiffs or Caps on.

To arrive to this high Degree, take this brief account.

The young Student in the Common Law, being born of a Gentile Stock, and bred two or three years in the University, and there chiefly versed in Logick and Rhetorick, both expedient for a Lawyer, and gotten some insight into the Civil Law, and some skill in the French Tongue, as well as Latin, he is admitted to be one of the Four Innes of Court, where he is first called a Moot man, and after about Seven years study, is chosen an Utter Barrister, and having then spent Twelve years more, and performed the Exercises before mentioned, he is chosen a Benchet, and some time after a Reader: during the Reading which heretofore was Three weeks and Three days, the Reader keeps a constant and sumptuous Feasting, inviting the chief Nobles, Judges, Bishops, great Officers of the Kingdom, and sometimes the King himself (as that most accomplished Lawyer, the present Attorney General did) that it costs them sometimes 800 or 1000 l.

As,

Afterward he wears a long Robe, different from other Baristers, and is then in a capacity to be made a Sergeant at Law, when His Majesty shall please to call him, which is in this manner.

When the number of Sergeants is small, the Lord Chief Justice of the Common Pleas, by the advice and consent of the other Judges, make choice of Six or Eight, more or less, of the most Grave and Learned of the Innes of Court, and presents their Names to the Lord Chancellor or Lord Keeper, who sends by the Kings Writ, to each of them to appear on such a day before the King, to receive the State and Degree of Sergeant at Law; at the appointed time, they being habited in Robes of two colours, *viz.* Brown and Blew; come accompanied with the Students of the Innes of Court, and attended by a train of Servants and Retainers, in certain peculiar cloth Liveries, to *Westminster-Hall*, there in publick take a solemn Oath, and are clothed with certain Robes and Coyfs, without which they may no more be seen in publick; after this they feast the great persons of the Nation, in a very magnificent and Princely manner, give Gold Rings to the Princes of the Blood, Archbishops, Chancellor and Treasurer, to the value of Forty shillings each Ring: to Earles, Bishops, Rings of Twenty shillings: to other great Officers, to Barons, great Prelates, &c. Rings of less value.

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Out

Out of these are chosen all the Judges of the Kings Bench and Common Pleas, wherefore all those Judges do alwayes wear the white Linnen Coyse, which is the Principal Badge of a Sergeant, and which he had ever the Priviledge to wear at all times, even in the Kings presence, and whilst he spake to the King, though anti-ently it was not permitted to any Subject, to be so much as capped in the Presence of the King of *England*, as at present it is not allowed in the presence of the Pope or of the Emperour.

When any of the aforementioned Judges are wanting, the King by advice of His Council, makes choice of one of these Sergeants at Law, to supply his place, and constitutes him by Letters Patents, Sealed by the Chancellor, who sitting in the middle of the rest of the Judges in open Court, by a set Speech declares to the Sergeant (that upon this occasion is brought in) the Kings pleasure, and to the people, the Kings goodness, in providing the Bench with such able honest men, as that Justice may be done expeditely and impartially to all His Subjects, and then causes the said Letters Patents to be read, and being departed, the Chief Justice places the said Sergeant on the Bench, junior of all the rest; and having taken his Oath well and truly to serve the King and His people in the Office of Justice, to take no reward, to do equal and speedy Jus-

Justice to all, &c. he sits himself to the Execution of his Charge.

The Sergeant being thus advanced to be a Judge, hath thereby great Honour, and a very considerable Salary, besides certain perquisites, for each one hath at least One thousand pound a year from the King; and now in some things, his former habit of a Sergeant is altered, his long Robe and Cap, his Hood and Coif are the same, but there is besides, a Cloak put over him, and closed on his right shoulder, and instead of a *Caputium* lined with Lamb skin, now a *Caputium* lined with *Minever*, or *de Minuto vario*, divers small pieces of white rich Furre.

Note, that to the two Sergeants Innes belong the Twelve Judges, and about Twenty six Sergeants.

Antiently, the Fee expected by a Sergeant from his Client for Advice given at his Chamber, or for pleading in any Court of Judicature, was no more then Twenty shillings, and the Fee of a Barister Ten shillings, (which yet is much more then is usually given in any of our neighbour Nations at this day) but at present, it is become almost ordinary, to give some Sergeants Ten pound, and sometimes Twenty pound, and to a Barister, half as much, at the hearing of any considerable Cause, whereby it comes to pass, that some Lawyers in one year gain in Fees Three thousand pounds, and some Four thousand pounds, and in few

years purchase Estates fit for Lords, and sometimes live to see themselves advanced to be Peers of the Realm, as the late Lord Keepers, *Coventry, Finch,* and others.

Now all these forementioned Innes or Colledges for the Students in our Common law, being not far distant one from another, do make the most famous Profession of the Law that is in the World: and it will be a very difficult thing to find in any one Forreign University, so many Students of the Law, that are of that ripe age past Childhood, and of that high quality, most Gentlemen, and a considerable number of the Sons of the higher Nobility.

*Of the Colledge of Civilians,
called Doctors Commons.*

ALthough Degrees in the Civil Law may be had onely in *Oxford* and *Cambridge*, and the Theory best there to be acquired; yet the Practice thereof, is most of all in *London*, where a Colledge was long since purchased by Dr. *Henry Harvey*, Dean of the Arches, for the Professors of the Civil Law in this City; and where commonly did reside the Judge of the Arches, the Judge of the Admiralty, and the Judge of the Prerogative Court, with divers other eminent Civilians, who there living (for Diet and Lodging) in a Collegiate manner, and Commoning together, it was usually known by the name of *Doctors Commons*, and stood near *S. Pauls*, in the Parish of *S. Bennets Pauls-Wharf*; which being consumed by the late dreadful Fire, they now all reside at *Exeter House* in the *Strand*, in the same manner (until their House be rebuilt) and keep there their several Courts and Pleadings every Term, which begins and ends almost at the same time with the Term at *Westminster*.

The cheif Court of the Archbishop, is that of the Arches, whereof see more in

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the

the Chapter of the Ecclesiastical Government of England.

The Principal, Official, or Judge of this Court is stiled *Dean of the Arches*, and is at present Sir *Giles Sweet* Knight, Doctor of Laws.

He sitteth alone without any Assessors, and heareth and determineth all Causes, without any Jury of Twelve Men, as is necessary in Common Law Courts.

To this Court belongeth an Actuary, a Register, and a Beadle.

The Office of the Actuary is to attend the Court, set down the Judges Decrees, Register the Acts of the Court, and send them in Books to the Registry. This Office is enjoyed by *John Clements*, Batchelor of Laws, and Publick Notary.

The Register of the Court is another of the same name, whose Office is by himself, or Deputy to attend the Court, receive all Libels or Bills, Allegations and Exhibets, examines all Witnesses, Files all Sentences, and keeps the Records of the Court.

The Beadle attends the Court, carrieth a Mace before the Judge, and calls the Persons cited to appear.

Those that are allowed to be Advocates, and plead in this Court, are all to be Doctors of the Civil Law, in one of our English Universities; who upon their Petition to the Archbishop of *Canterbury*, and his *Fiat* obtained, are admitted by the Judge of this Court, upon condition not

to practice for one whole year, after such admittance.

The manner of their Admittance is thus, The Two Senior Advocates in their Scarlet Robes, with the Mace before them conduct him up to the Court, with three low Reverences, and present him with a short Latin Speech, and the Rescript of the Archbishop: Then the Oaths of Allegiance, Supremacy, and some other prescribed in the Statute of the Arches, being taken, he is admitted by the Judge, and a place or seat in the Court, assigned unto him, which he is always to keep when he pleads.

The Judge and all the Advocates, in this Court, always wear their Scarlet Robes, with Hoods lined with Taffara, if they be of Oxford; or White Minever Fur, if of Cambridge; and all round, Black Velvet-Caps.

Here followeth a Catalogue of the Names of all the Advocates, according to Seniority, not Precedence.

D Octor Martin.
Dr. Heath.
Dr. King, Chancellor of Ely.
Dr. Lemen, Knight, Master of Chancery.

Dr.

- Dr. Aldern, Chancellor of Rochester.
 Dr. Wiseman, Knight. Kings Advocate.
 Dr. Chaworth, Knight. Vicar-General to
 the Archbishop of Canterbury.
 Dr. Walker, Knight. Advocate to the Lord
 High Admiral.
 Dr. Pepys.
 Dr. Mills, Chancellor of Norwich.
 Dr. Crusoe.
 Dr. Baldwin, Knight. Master of Chancery,
 and Chancellor of Worcester and Here-
 ford.
 Dr. Nicholson, Chancellor of Gloucester.
 Dr. Lowen.
 Dr. Wake, Chancellor of Peterborough.
 Dr. Warkinson.
 Dr. Birkenhead, Knight. Master of Re-
 quest, and Master of the Faculties.
 Dr. Warren.
 Dr. Bud, Commissary of Huntingdon.
 Dr. Alworth, Chancellor of Oxford.
 Dr. Jones.
 Dr. Exton, Chancellor of London.
 Dr. Hughs.
 Dr. Lloyd, Commissary of Westminster.
 Dr. Boucher.
 Dr. Masters, Chancellor of Exeter.
 Dr. Clark, Professor of Law in Cambridge.
 Dr. Leighton, Knight.
 Dr. Digby.
 Dr. Low.
 Dr. Trumbal.
 Dr. Falconbridge.
 Dr. Pinfold, Official of the Archdeacon
 of London.

Dr.

Dr. Elliot, Chancellor of Salisbury.

Dr. Rains, Chancellor of the Exchequer.

Dr. Briggs, Chancellor of Chichester.

Dr. Oldys, Chancellor of Exeter.

Dr. Meale, Chancellor of Hereford.

There are divers other Civilians, where-
of some, not Advocates of this Court, are
Chancellors to Bishops, or Commissaries;
as

Sir Mundisford Brampton, Knight. Doctor
of Laws, and Chancellor of Win-
chester.

Dr. Burrol, Chancellor of Durham.

Sir Edward Lake Knight. Doctor of Laws,
and Chancellor of Lincoln.

Dr. Dean, Chancellor of Bath and Wells.

Dr. Wainwright, Chancellor of Chester.

Dr. Jones, Chancellor of Bristol.

Chancellor of Carlisle, Rowland Nicols,
B. D.

Mr. Ambury, Chancellor of S. Davids.

Dr. Pennington, Chancellor of Bangor.

Dr. Powell, Chancellor of S. Asaph.

Here note, That before the Vicar-General
or Chancellors of the Bishops, are
Tryable all Ecclesiastical Causes within
their respective Diocesses, except Let-
ters of Request are granted by the Dio-
cesan Bishop to the Party, to sue in the
Court of Arches, which is ordina-
ry.

Note

Note also, That the *Vicars-Generals* and *Chancellors*, are appointed by the respective *Archbishops* and *Bishops*, by *Letters Patents* under their *Seals*, and confirmed by the *Dean and Chapter* of the respective *Cathedrals*; before which *Confirmation*, those places are *Durante bene placito*.

The *Proctors* belonging to this Court, aforementioned, are persons that exhibit their *Proxies* for their *Clients*, and make themselves parties for them, and draw and give in *Pleas* or *Libells* and *Allegations*, in the behalf of their *Clients*, produce the *Witnesses*, prepare the *Causes* for *Sentence*, and attend the *Advocates* with the *Proceedings*.

They are also admitted by the *Fiat* of the *Archbishop*, introduced by the *Two Senior Proctors*, and are allowed to practise immediately after their admission; they wear *Black Robes* and *Hoods* lined with *White Fur*.

According to the *Statutes* of this Court, all *Arguments* made by *Advocates*, and all *Petitions* made by the *Proctors*, are to be in the *Latin Tongue*.

All *Process* of this Court, run in the name of the *Judge*, thus, *Egi. Sweit, Miles, LL. Dr. Almx Curia Cant. de Arcubus Lond. Officialis Principalis*; and returnable before him heretofore in *Bow Church*.

Church; now in the Common Hall at Exeter House.

The Places and Offices belonging to this Court, are all in the gift of the Archbishop of Canterbury, whose Court it is.

Here note, 'That the next Morning after the sitting of this Court, the Judge of the Court of Audience did usually sit, but since the late Troubles, that Court hath been discontinued.

Next is the Court of Admiralty, whereof see more in Chapter of the Military Government.

The present Judge of this Court is Sir Leolin Jenkins, Knight. Doctor of Laws, whose Title is *Suprema Curia Admiraltatis Angliæ locum tenens Judex sive Præfident*. The Writs and Decrees run in the name of the Lord High Admiral, and are directed to all Vice-Admirals, Justices of Peace, Majors, Sheriffs, Bailiffs, Constables, Marshals, and others, Officers and Ministers of our Sovereign Lord the King, as well within Liberties, as without.

To this Court belongs a Register, Orlando Gee, Esquire; a Marshal, who attends the Court, and carries a Silver Oar before the Judge, whereon are the Arms of the King, and of the Lord High Admiral.

The Lord Admiral hath here his Advocate and Proctor, and all other Advocates and Proctors are presented by them, and admitted by the Judge.

This

This Court is held on the same day with the Arches, but in the afternoon, and heretofore at *St. Margarets Hill in Southmark*, but now in the same Common Hall at *Exeter house*. But the Admiralty Session is still held, for the Tryal of Malefactors, and Crimes committed at Sea, at the Antient place aforesaid.

The places and Offices belonging to this Court, are in the Gift of the Lord High Admiral.

Next, is another Court belonging to the Archbishop of *Canterbury*, called the *Prerogative Court*, whereof see more in the Chapter of the *Ecclesiastical Government of England*.

The Judge of this Court is the forenamed *Sir Leolin Jenkins*, and his Title here is, *Curia Prerogativa Cant. Magister, Custos, five Commissarius*.

All Citations and Decrees run in the name of the Archbishop.

This Court is kept in the same Common Hall in the afternoon, next day after the Arches, and was heretofore held in the Consistory of *St Pauls*.

The Judge is attended by a Register; *Marko Corrie Esquire*, who sets down the Decrees, and Acts of the Court, and keeps the Records, all Original Wills and Testaments of parties dying, having *Bona Notabilia*, &c. The place is commonly called the *Prerogative Office*, now kept in the *Savoy*, where for a moderate Fee, one may search for, and have a Copy of any such

Such Testament made since the Rebellion of *Wat Tiler* and *Jack Straw*, by whom many Records and Writings, in several places of *London* were then burnt and destroyed.

The Places belonging to this Court are in the Gift of the Archbishop of *Canterbury*.

From the forementioned Courts, Appeals do lye to the Court of *Delegates*, whereof more pag. 76, the Judges whereof are appointed by the Lord Keeper under the great Seal of *England*, *pro illa vice*, and upon every cause or business there is a new Commission, and new Judges, according to the nature of the Affair or Cause, as sometimes Bishops, Common-Law-Judges, and Civilians, sometimes Bishops and Civilians, and sometimes Common-Law-Judges and Civilians, and sometimes Civilians onely.

To this Court belongs a standing Register, and the Court is kept in the same Common Hall, in the afternoon, the day after the *Prerogative*.

The Citations and Decrees here run in the Kings Name.

From this Court lyes no Appeal in Common course.

But the King of His meer Prerogative Royal may, and many times doth grant a Commission of *Review*, under the Broad Seal,

In this Colledge also usually resides the Vicar General, belonging to the Archbishop

bishop of *Canterbury*, who as he is *Pri-
mate*, hath the Guardianship of the Spi-
ritualties of every Bishop within his Pro-
vince during the Vacancy, and executes
all Episcopal Power and Jurisdiction by his
Vicar-General, who is at present in the
Province of *Canterbury*, Sir *Richard Cha-
worth* Knight, Doctor of Laws.

The Archbishop of *York* hath the like
Power in his Province, and his Vicar-Ge-
neral is Dr. *Burnel*, he also hath a Prero-
gative Court, whereof the Judge is Dr.
Lever.

Of the Colledge of Physitians in London.

Amongst other excellent Institutions
in the City of *London*, there is a Col-
ledge or Corporation of Physitians, who by
Charters, and Acts of Parliament of *Henry
VIII.* and since his Raign, have certain Pri-
viledges, whereby no man though a Gra-
duat in Phisick, of *Oxford* or *Cambridge*,
may without Licence under the said Col-
ledge Seal, practice Phisick in *London*, or
within seven miles of this City, (nor in any
other part of *England*, in case he hath not
taken any Degree in *Oxford* or *Cambridge*.)
Whereby also they can administer an Oath,
fine and imprison any Offenders, in that and
divers other particulars, can make By-
Laws,

Laws, purchase Lands, &c. Whereby they have Authority to search all the shops of Apothecaries in and about London, to see if their Drugs and Compositions are wholesome and well made; whereby they are freed from all troublesome Offices, as to serve upon Juries, to be Constable, to keep watch and ward, to bear Arms, or provide Armes or Ammunition, &c. any Member of that Colledge may practice Surgery if he please not onely in London, but in any part of England.

This Society had antiently a Colledge in *Knight-Rider-Street*, the Gift of Doctor *Linacre*, Physitian to King *Henry the VIII.* since which, a House and Ground was purchased by the Society of Physitians, at the end of *Amenstreet*, whereon the ever famous Dr. *Harvey*, Anno 1652. did erect at his own proper charge a Magnificent Structure, both for a Library and a Publick Hall for the meeting of the several Members of this Society, endowed the same with his whole Inheritance, which he resigned up, while he was yet living and in Health, part of which he assigned for an Anniversary Harangue, to commemorate all their Benefactors, to exhort others to follow their good Examples, and to provide a plentiful Dinner for the worthy Company.

Anno 1666. This goodly Edifice could not escape the Fury of that dreadful Fire, and that ground being but a Lease, the present Fellows of this Colledge have purcha-

sed

sed with their own Moneys, a fair piece of Ground in *Warwick-lane*, whereon they are now raising a futable Edifice.

Of this Colledge there is a President, Four Censors, and Eight Elects, who are all Principal Members of the Society, and out of whom, one is every year chosen to preside.

The Four Censors of the Colledge have, by their Charter, authority to survey, correct, and govern all Physitians, or others, that shall practise in *London*, or within seven miles of the same; to fine, amerce and imprison any of them, as they shall see cause.

Here followeth a List of all the Principal Physitians, who now practise in London.

Socii Colleg. Med. Lond.

Sir George Ent, President.

Dr. Hamey.

Dr. Glisson.

Dr. Salmon

Dr. Stane, Censor.

Sir Alexander Frazer.

Dr. Micklethwait.

Dr. Paget.

Dr. Timothy Clark.

Dr.

Dr. Goddard, Censor.
 Dr. King.
 Dr. Cox.
 Dr. Stanley.
 Dr. Whistler.
 Sir Charles Scarborough.
 Dr. Wharton.
 Dr. Merret, Censor.
 Dr. Samuel Collins.
 Dr. Rugeley.
 Sir William Petty.
 Dr. Terne.
 Sir John Babor.
 Sir Edward Greaves.
 Dr. Croyden, Censor.
 Dr. Bevoir.
 Dr. Wolfe.
 Dr. Luellen.
 Sir John Finch.
 Dr. Banes.
 Dr. Walter.
 Dr. Burwell.
 Dr. Rogers.
 Dr. Mills.
 Dr. Lang.
 Dr. Betts.
 Dr. Twisden.
 Dr. Waldron.
 Dr. Barwick.

Dr.

The present State

Dr. Dacres.
 Dr. Samuel Collins.
 Dr. Collier.
 Dr. James Clark.
 Dr. Jasper Needham.
 Dr. Henry Clark.
 Dr. Carr.
 Dr. Packer.

Candidati.

Dr. Stracey.
 Dr. Yerbury.
 Dr. Allen.
 Dr. Hodges.
 Dr. Millington.
 Dr. Parker.
 Dr. Jo. Smith.
 Dr. Lawson.
 Dr. Coysb.
 Dr. Bruce.
 Dr. Brooks.
 Dr. Howarth.
 Dr. George Smith.
 Sir Thomas Bathurst.
 Dr. Francklin.
 Dr. Atfield.
 Dr. Downes.
 Dr. Trevor.

Dr.

Dr. Croone.
Dr. Browne.
Dr. Burwell.
Dr. Short.
Dr. Marshall.

Socii Honorarii.

Dr. Frear.
Dr. Parker.
Dr. Gourdon.
Dr. Denton.
Sir John Colladon.
Dr. Meara.
Dr. Lampriere.
Dr. Bowle.
Dr. Bacon.
Sir Richard Napier.
Sir John Hinton.
Dr. Colestone.
Dr. Charleton.
Dr. Dawtrey.
Dr. Desdait.
Dr. Fogarsius.
Dr. Hames.
Dr. Jo. Skinner.
Dr. Timme.
Dr. Warner.
Dr. Harris.

Dr

Dr. Argall.
 Dr. Arris.
 Dr. Langham.
 Dr. Meverell.
 Dr. Stanley.
 Sir Theodore de Veaux.
 Dr. Witherley.
 Dr. Titchborne.
 Dr. Woodcock.
 Dr. King.
 Dr. Tayler.
 Dr. Bright.
 Dr. Moore.
 Dr. Cursellis.
 Dr. Walgrave.
 Dr. Ball.
 Dr. Duke.
 Dr. Harrifon.
 Dr. Man.
 Dr. Barebone.
 Dr. Napier.
 Dr. Gelsthorpe.
 Dr. Griffith.
 Dr. Walter Needham.
 Dr. Moesler.
 Dr. Carter.
 Dr. Trapham.
 Dr. Henry Gliffon.
 Dr. Charleton.

Dr.

Dr. John Clark.

Dr. Cavendish.

Dr. Dennis Gourden.

Dr. Bridgood.

Dr. Yardley.

Dr. Browne.

Dr. Paman.

Dr. Fisher.

Dr. Grinder.

Dr. Lawrence.

Dr. Willis.

Dr. Dickenson.

Dr. Fielding.

Dr. Medford.

Dr. Grey.

Dr. Sagittary.

Dr. White.

Dr. Waterhouse.

Permissi.

Dr. Wedderburn.

Dr. Trist.

Dr. Lenthall.

Dr. Barrough.

Dr. Broome.

Dr. Welman.

Dr. Vermuden.

Dr. Sydenham.

N

Anciently,

Dr.

Antiently, the usual Fee of a Doctor was 20 s. and of one that had not taken that degree 10 s. at present there is no certain rule: But some that are eminent, have received in Fees yearly, 2 or 3000 l. and purchase great Estates; which in other Countreys is very rare.

Besides the worthy persons mentioned in the List above, there are divers Physitians, that have good practice in *London*, although they never had any Licence, which is connived at by the Colledge; and so is the too much practise of *Empericks, Mountebanks, Pretended Chymists, Apothecaries, Surgeons, Wise-women, &c.* In which piece of folly, the English surpass all the Nations of Christendom.

And yet, by the Law of *England*, if one who is no Physitian or Surgeon, or not expressly allowed to practise, shall take upon him a Cure, and his Patient die under his hands; this is Felony in the person presuming so to do.

Of the Colledge of Heralds.

NOt far from the Colledge of *Doctors Commons*, stood the Colledge of *Heralds*, that is, of such as are to be Messengers of War and Peace, that are skillful in Descents, Pedigrees, and Coats or Armories,

Armories, an Ancient House, built by *Thomas Stanley*, Earl of *Derby*, who married the Mother of King *Henry* the Seventh, and bestowed by *Queen Mary* on the Kings *Heralds*, and *Pursuivants at Arms* for ever, to the end that they, and their Successors might dwell together (if they so pleased) and assemble, confer, and agree for the good Government of their Faculty, and that their Records might there safely be preserved, &c.

They were made a Colledge or Corporation, by Charter of King *Richard* the Third, and by him had several Priviledges granted unto them; as, to be free from Subsidies, Tolls, and all troublesome Offices of the Kingdom.

Afterwards, another Charter of Priviledges was granted unto this Society by King *Edward* the Sixth, in the third year of His Reign.

Of this Collegiate Society are first, three, stiled *Reges Armorum Anglorum*, Kings at Arms, six called *Heralds*, and four *Pursuivants at Arms*.

Amongst the Kings at Arms; the first and principal is called *Garter*, instituted by King *Henry* the Fifth, whose office is to attend the Knights of the *Garter* at their Solemnities, and to Marshal the Solemnities at the Funerals of all the higher Nobility of *England*, to advertise those that are chosen, of their new Election, to call on them to be installed at *Windsor*, to cause their Arms to be hung up upon their

Seats there, to carry the Garter to Kings and Princes beyond the Seas; for which purpose, he was wont to be joyned in Commission with some Principal Peer of the Realm, &c.

The next is *Clarencieux*, so called from the Duke of *Clarence*, to whom he first belonged; for *Lionel*, Third Son to *Edward* the Third, marrying the daughter and heir of the Earl of *Ulster* in *Ireland*, had with her the Honor of *Clare* in the County of *Twomond*, whereupon he was afterwards created Duke of *Clarence*, or the Territory about *Clare*, which Dukedom escheating to King *Edward* the Fourth, by the death of His Brother *George*, Duke of *Clarence*, He made this Herald, who properly belonged to that Duke, a King at Arms, and named him *Clarentieux* in French, and *Clarentius* in Latin. His Office is to marshal and dispose the Funerals of all the lower Nobility, as, Baronets, Knights, Esquires, and Gentlemen on the South-side of *Trent*, and therefore sometimes called *Surroy* or *Southroy*.

The third King at Arms is *Nerroy* or *Northroy*, whose Office is to do the like on all the North-side of *Trent*.

The two last are called *Provincial* *Heralds*, *England* being by them divided into two Provinces.

These by Charter have power to visit Noblemens Families, to set down their Pedigrees, to distinguish their Arms, to appoint Men their Arms or Ensigns, and

and with *Garter* to direct the *Heralds*.

The Six *Heralds* anciently belonging properly to *Dukes*, have been sometimes named *Dukes at Arms*, and are thus called and ranked: First, *Windsor*; secondly, *Richmond*; thirdly, *Chester*; fourthly, *Somerset*; fifthly, *York*; sixthly, *Lancaster*. Whose Office was anciently to attend *Dukes* in Marshal Executions: Now they are to wait at Court, attend Publick Solemnities, Proclaim War and Peace, &c. thence perhaps named *Heralds*, from two German words, *Here* and *Healt*, that is, the *Armies Champion*, to denounce War, or offer Peace, as the *Feciales* of the *Romans* did; and from hence probably Seven *Danish* Kings, and some Kings of *Norway*, and of *Sweden*, and some of *England*, before the Conquest, have had the name of *Harold*, which is all one (saith *Verstegan*) with *Herald*.

These have no certain Province under them, but by turns wait upon the Kings at Arms, and have part of their Fees.

Of these *Heralds* in *England*, there were anciently many, and so likewise of *Pursuivants*, whereof at present, there are but four thus named, *Rouge Cross*, *Rouge Dragon*, *Portcullice*, and *Blewmantle*, from such Badges heretofore worn by them, as it is thought.

The service of these, and of the *Heralds*, and of the whole Colledge, is used in marshalling and ordering Coronations, Marriages, Christnings, Funerals,

Interviews, Feasts of Kings and Princes, Cavalcades, Shews, Jufts, Tournaments, Combats before the Constable and Marshal, &c. Also they take care of the Coats of Arms, of the Genealogies of the Nobility and Gentry, briefly, whatsoever concerns Honor, is their care and study, they are *Tanquam Sacrorum Custodes & Templi Honoris Aeditui*.

All these receive Annual Stipends out of the Kings *Exchequer*. They are all to be Gentlemen at the least, and the Six Heralds are expressly made Esquires by the King, when they are created Heralds.

Anciently the Kings at Arms were Created, and solemnly Crowned by the Kings of *England* themselves, and the Heralds and Pursuivants had their Creations from the Kings hand; but of later times the Earl Marshal hath had a special Commission for every particular Creation, and to do all that before was done by the King.

For the Creating and Crowning of *Garret*, King at Arms; there are first to be provided a Sword and a Book, whereon to take a Solemn Oath, then a Gilt Crown, a Coller of S's, a Bowl of Wine; which Bowl is the Fee of the new created King, also a Coat of Arms of Velvet richly embroidered: His Creation is on this manner; first, he kneels down before the Earl Marshal, and laying his hand

on

on the Book and Sword, another King at Armes reads the Oath, which being taken, and the Book and Sword kissed; next are read the Letters Patents of his Office, during which, the Earl Marshal powres the Wine on his head, and gives him the Name of *Garter*, then puts on him the Coat of Armes and Collar of S's, and the Crown on his head.

The Oath is to obey, first, the Supream head of the most noble Order of the Garter, and then the Noble Knights of that Order, in such things as belong to his Office, to inquire diligently of all the Noble and notable Acts of every Knight of this Order, and thereof to certify the Register of that Order, that he may record the same, and to give notice to the King, and the Knights of the Order, of the death of any of that Society: to have an exact knowledge of all the Nobility, to instruct Heralds and Pursuivants in doubts concerning the Office of Arms, to eschew and avoid all persons of ill reputation, to be more ready to excuse then to blame any noble person, unless called by Authority, to witness against them, &c. This Officer hath a double Salary, double to the two other Kings, and hath moreover Fees at the Instalments; yearly wages given by the Knights of the Garter, hath the uppermost Garment at their Installments, &c.

The two Provincial Kings at Armes, *Clarentius* and *Norroy*, are created by Letters Patents, a Book, a Sword, &c.

as *Garret*, and with almost the same Ceremonies.

A Herald at Armes is also created with the like Ceremony; onely his Coat of Armes must be Sattin,embroidered and enriched with gold, and must be brought in with two Heralds, as the Kings at Arms are by two Kings at Armes.

They take a solemn Oath to be true to the King, to be serviceable to Gentlemen, to keep secrets of Knights, Esquires, Ladies and Gentlewomen, to assist distressed Gentlemen and Gentlewomen, Widows and Virgins; to avoid Taverns, Dicing, and Whore-houses, &c. Pursuivants at Armes, are created also by Letters Patents, a Book, a Bowl of Wine, and a Coat of Arms of Damask, and to be brought in, as the Heralds, before the Earl Marshal, or his Deputy, and to swear in solemn manner to be true to the King, to be serviceable to all Christians, to be secret and sober, to be more ready to commend then to blame, to be humble, lowly, &c.

This Office since the late dreadful fire, is held in the Queens Court at *Westminster*, where are some always waiting, to satisfy comers touching Descents, Pedigrees, Coates of Armes, &c. as was formerly done at the forementioned house up in *London*, which is now begun to be rebuilt by the Members of the Colledge, and (it is hoped) may in a short time, by the bountiful

bountiful Contributions of all men that have any sence of Honour remaining, be compleated to the glory of this City and Kingdom.

All of this Colledge, being the Kings sworn servants, the Reader may find a List of their Names, in the First Part, about the Kings Court.

Within the Walls of London also is seated a Colledge, built by the forementioned worthy person Sir Thomas Gresham, and indowed in manner following: After he had built the Royal Exchange, he gave the Revenue thereof, the one Moity to the Mayor and Commonalty of London, and their Successors; and the other moity to the Company of Mercers in trust, that the Mayor and Aldermen should find in all time to come, four able persons to read within this Colledge, Divinity, Geometry, Astronomy, and Musick, and to allow to each of them, besides their fair lodging 50 l. a year. And that the Company of Mercers should find Three more able men, to read Civil Law, Physick and Rhetorick, and to allow to each one of them besides fair Lodgings 50 l. a year. And that these several Lecturers should read in Term time, every day in the week (except Sundayes) aforenoon, in Latin, and afternoon the same in English: The Musick Lecture to be read onely in English.

There is also within *London* another called *Sion Colledge*, founded by *Thomas White* Doctor in Divinity, for the use of the Clergy of *London*, and of the Liberties thereof; and a part thereof to be for 20 poor people, to perform all which, he gave 3000 *l.* and for the maintenance of those poor he settled 120 *l.* a year, for ever; and 40 *l.* a year for a Sermon in Latin, at the beginning of every quarter, and a plentiful Dinner for all the Clergy that shall then meet there. In this Colledge is a fair spacious Library, built by *John Symphon*, Rector of Saint *Olaves Hart street*, and one of the said Doctor *Whites* Executors, and by the bounty of divers Benefactors, this Library hath been well furnished with Books, chiefly such as are useful for Divines. This Colledge felt the rage of the late Fire, but is almost repaired again.

A little without the Walls stands another Colledge or Collegiate House, called antiently the *Chartreuse*, now corruptly the *Charter house*, it being heretofore a Covent of *Carthusian Monks*, called in French *des Chartreux*. This Colledge called also *Suttons Hospital*, consists of a Master or Governor, at present *Sir Ralph Sidenham*, a Chaplain Doctor *Thriscross*, a Master and Usher to instruct 44 Scholars, besides fourscore decayed Gentlemen, Soldiers and Merchants, who have all a plentiful

tial maintenance of Dyet, Lodging, Clothes and Physick, &c. and live altogether in a Collegiate manner, with much cleanliness and neatness : and the four and forty Scholars have not onely all necessaries whilst they are here taught, but if they become fit for the *Universities*, there is allowed unto each one, out of the yearly Revenues of this Colledge 20 *l.* yearly, and duly paid, for 8 years after they come to the University, and to others fitter for Trades, there is allowed a considerable Sum of money to bind them Apprentices. There are moreover all sorts of officers expedient for such a Society, as Physician, Apothecary, Steward, Cooks, Butlers, &c. who have all competent Salaries. This vast Revenue and Princely Foundation was the sole Gift of an ordinary Gentleman, Mr. *Thomas Sutton*, born in *Lincoln-shire* : and twas of such high Account as it was thought fit, that by the Kings Letters Patents under the Great Seal, divers persons of the highest Dignity and Quality in Church and State, should alwayes be the Overseers and Regulators of this Society, as the Archbishop of *Canterbury*, the Lord Keeper, Lord Treasurer, and 13 others.

Besides, there are in *London* divers endowed Schools, which in *France*, would be stiled Colledges ; as *Paul's School*, founded 1512. by *John Collet*, Doctor of Divinity, and Dean of *Pauls*, for 153 Children to be taught there gratis, for which purpose

purpose he appointed a Master, a Sub-master or Usher, and a Chaplain, with large stipends for ever, committing the oversight thereof to the Masters, Wardens, and Assistants of the *Mercers* in London; for his father *Henry Collet*, sometime Lord Mayor of London, was of the *Mercers* Company. This famous School was also lately burnt down, and now is reedified in a far more magnificent, commodious and beautiful manner, the worthy Master thereof is *Mr. Samuel Crumholm* alias *Cromlum*.

There are in London divers other endowed Schools, as Merchant-Taylors, *Mercers-Chappel*, &c. a particular Account whereof the designed Brevity of this Treatise will not admit.

It would also make this Book too much swell to give an Account of the many richly endowed Hospitals, Almes-houses, Work-houses, or Houses of Correction, the many stately built Taverns, Inns, and Coffee Houses, some whereof surpass all others in foreign parts, and are worthy to be viewed by curious Travellers, who may also find it worthy their pains, to remarque the several spacious well-built Theaters, which for variety of Scenes, excellent Actors, Language, Designs, Musick, &c. are hardly to be equalled: Moreover they may observe the many well furnisht Markers, the weekly Horse-fairs, the great commodiousness of Hackney-Coaches, of Sedans, of Boats, &c. belonging to this famous City; also to consider the City of
West-

Westminster and the Burrough of *Southmark*, both which now seem to be swallowed up in *London*.

Within the Precincts of *Westminster* are many Magnalia, several things are as remarkable as any aforementioned: the ancient stately Abby Church founded before the *Norman Conquest*, by the Pious King *Edward* the Confessor, and most richly endowed; afterwards rebuilt from the ground by *Henry* the III. with that rare Architecture now seen, wherein are the most magnificent Tombs and Monuments of our Kings and Queens, and greatest Nobles of *England*. To the East end of which is added a Chappel of King *Henry* the VII. which, for the most admirable artificial work without and within, for a Monument of massy Brass, most curiously wrought, is scarce to be paralleled in the World.

This huge Fabrick stands where first was the Temple of *Apollo*, and afterwards King *Sebert*, the East Saxon King, that first built *St. Pauls* aforementioned, built here a Church to *St. Peter*.

Queen *Elizabeth* converted this Abbey into a Collegiate Church, and therein placed a Dean, 12 Secular Canons or Prebendaries, Petty Canons and others of the Quire to the number of 30, ten Officers belonging to the Church, as many servants belonging to the Collegiate Dyer, two Schoolmasters, 40 Scholars, 12 Almshouses, with plentiful maintenance for all, besides

besides Stewards, Receivers, Registers, Collectors, and other Officers, the principal whereof is the high Steward of *Westminster*, who is usually one of the prime Nobility, and is at present the Lord Chamberlain. The Dean is entrusted with the custody of the *Regalia* at the Coronation, honored with a place of necessary service at all Coronations, and a Commission of Peace within the City and Liberties of *Westminster*, the Dean and Chapter invested with all manner of Jurisdiction, both Ecclesiastical and Civil, not onely within the City and Liberties of *Westminster*, but within the Precincts of *St. Martin le grand*, within the Walls of *London*, and in some Towns of *Essex*, exempted in the one, from the Jurisdiction of the Bishop of *London*; and in the other, from that of the Archbishop of *Canterbury*.

For Ecclesiastical Causes and probate of Wills, it hath a Royal Jurisdiction, Dr. *Richard Lloyd* is Commissary, from whom Appeal must be onely to the King in his High Court of Chancery, who thereupon issueth out a Commission of Delegates under the Great Seal of *England*.

When the Convocation is adjourned from *St. Pauls* (for the conveniency of being nearer to the Parliament) to *Westminster*, the Bishops first declare (upon a Protestation made by the Dean there) that they intend not thereby to violate that high Priviledge, *viz. That no Bishop or Archbishop may come there without leave of the Dean first obtained.* There

There is also a fair Publick Library, free for all strangers to study both morning and afternoon alwayes in Term time.

Next this Church stood the Royal Palace, and usual place of Residence for the Kings of *England*, who ordinarily held their Parliaments, and all their Courts of Judicature in their dwelling Houses (as is done at this day at *Madrid* by the King of *Spain*) and many times sate themselves in the said Courts of Judicature, as they do still in their Court of Parliament.

A great part of this huge Palace was in the time of *Henry* the VIII. destroyed by fire, what remained hath still been employed for the use of the Lords and Commons assembled in Parliament, and for the chief Courts of Judicature. The great Hall where these are kept, some say, was built by King *William Rufus*, others by King *Richard* the II. about 300 years agoe, and for all dimensions is not to be equalled by any Hall in Christendom.

Moreover, Strangers and Foreigners may take notice of the extraordinary commodiousness, conveniency and situation of the present Royal Palace, and usual place of Residence, called *Whitehall*, belonging heretofore to Cardinal *Woolsey*, seated between a noble navigable River, and a most delectable Park; of the great Chamber there, called the *Banqueting-House*, the like whereof, for spaciousness, beauty, and exact proportion, no King in *Europe* can parallel; of another Royal Palace, called

Saint

Saint James's, of *Clarendon-House*, which, for situation, and a uniform solid structure is admirable; of the many stately uniform Piles in *S. James's Fields*, of *Northumberland-House*, of *Britains Burse*, or the *New Exchange*, a place excellently furnished with all kinde of choice Commodities and Wares for Ladies; of *Tork*, *Salisbury*, and *Worcester Houses*; of the *Savoy*, a vast building, first erected by *Peter Earl of Savoy* and *Richmond*, Uncle to *Eleanor*, Wife to our King *Henry the Third*, who after purchased the same for Her Son *Edmund*, Duke of *Lancaster*; and is now a famous Hospital, built all of huge Stone, and more like a Kings Palace; of another Palace called *Somerset-House*, built by *Edward*, Duke of *Somerset*, Uncle to King *Edward the Sixth*; of the uniform stately Buildings, and forementioned large *Piazza's* or open places (for which the Cities in *Italy* are so highly esteemed) in *Covent-Garden*, *Lincolns-Inn Fields*, and *Southampton Buildings*, not to be equalled in any of our Neighbor Countreys.

As for the Borough of *Southwark*, granted by King *Edward the Sixth*, by His Letters Patents, to the Major, Commonalty, and Citizens of *London*, called *The Bridge Ward* without, and governed by one of the Twenty six Aldermen of *London*; it hath nothing much remarkable, onely, that it is so rich and populous, that it pays more in a Subsidy to the King, and musters more Men,

Men, then any other City in *England*, besides *London*.

Lastly, Very remarkable also is the Campaign or Country on all sides of this great City, for the number of Royal Palaces, the multitude of Statelike Houses, and Gardens of Noblemen; the innumerable fair Summer Dwelling-Houses of the Wealthy Citizens; the pleasant fertile Meadows, enclosed Pastures and Corn Fields; the abundance of Nurseries and Seminaries, where are to be sold all sorts of Fruit-Trees, Flowers, Herbs, Roots, as well for Physick, as for Food and Delight; the frequency, populousness, and wealthiness of the Villages, whereas the Campaigns about *Rome* and *Madrid*, are more like Desarts.

The Arms of the City of *London*, are Argent Cross-Gules, with the Sword of *S. Paul*, not the Dagger of *William Walworth*, as some have conceited; for this Coat did belong to this City before *Walworth* slew *Wat Tyler*, the Rebel, as Learned Antiquaries affirm.

Of the Universities of England.

THe *English* Universities are so famous beyond the Seas, and so much surpass all other in the World, that they abundantly deserve a larger account then can fute with

with the designed brevity of this Manual; however they shall not be passed over in silence.

Nothing was ever devised more singularly beneficial to Gods Church, and Mans happiness, then what our Ancestors have, to their eternal renown, performed by erecting such admirable Structures for Learning, as our Universities do contain, and by providing thereby that choice parts after reasonable time spent in contemplation, may be called forth to act and practice in Church and State.

In the beautiful Fabrick of the Kingdom of England, the Two Eyes are the Two Universities, Oxford and Cambridge, those Two Nurseries or Seminaries of Learning and Religion, which for number and magnificence of richly endowed Colleges; for liberal Stipends to all sorts of Publick Professors; for well furnished Publick and Private Libraries, for large Charters, Priviledges and Immunities; for number and quality of Students; for exact Discipline and Order, are not to be parallel'd in the whole World.

They were anciently called *Academies*, from a *Grove* so named near *Athens*, whither *Plato*, *Xenocrates*, and other Philosophers retired, for the study of *Sciences*.

Of later times they have been stiled *Universities*, *A Professione Universalium Scientiarum & Artium liberalium*.

An *University* now is properly an *Incorporation* (under one Government) of many Publick Schools, ordained especially for the Study and Profession of *Divinity*, *Civil Law*, and *Physick*, and also of *Philosophy*, and of other Liberal Sciences and Arts, as Hand-maids to the former.

Oxford, *Quasi Ousford*, *Isidis Vadum*, the name of the cheif River whereon it is seated; or perhaps from *Bovis Vadum*, a Ford for Oxen to pass through before the use of Bridges, as *Thracius Bosphorus* signifying the like, is by the *Germans* called *Ochenfurt*.

It is seated at the meeting of two clear Fishy Rivers, in such a healthy Air, and pleasant rich Soyl, that it hath anciently been called *Bellofitum* or *Baulieu*.

It lies in 51 Degrees 50 Minutes Latitude, and about 22 Degrees Longitude.

Oxford was a place of Publick Studies above Nine hundred years ago, and much augmented (not founded) by the Learned Saxon King *Alfred*, hath been very anciently reckoned the *Second University* amongst the Four Principal of *Europe*, whereof the others are *Paris* in *France*, *Bononia*, now called *Bologna* in *Italy*, and *Salamanca* in *Spain*; and although *Paris* hath usually been named in the first place, yet it hath been acknowledged to be *Oxonia Propago*; and if *Paris* for a time was more flourishing, yet since, in many respects is it excelled by this of *Oxford*.

Oxford

Oxford is an antient City, consisting of two sorts of Inhabitants, viz. *Students* and *Citizens*, living one amongst another, though wholly separate for Government and Manners; for when former Kings of England perceived that they could not (as at *Paris*) be separated by a River, they thought best to disjoyn them, as much as might conveniently be by Priviledges and whole manner of Government; so that there are not the same limits, for the University have them much larger; nor the same stroke and Authority of Justice, or power of Magistrates; for the Chancellor of the University, and in his absence his Vice-Chancellor, is not onely in place, but in all affairs of Moment (though concerning the City itself) superior to the Mayor of the Town.

Nor are they governed by the same kind of Laws, for all Members of the *University* are subject to the Vice-Chancellors Judicial Courts, which are ruled wholly by the Civil Law.

Over the *University*; next under the King, is placed the forementioned Magistrate called the Chancellor; who is usually one of the Prime Nobility, and nearest in favour with the Sovereign Prince, Elected by the Students themselves in Convocation to continue *durante vita*; whose Office is to take care of the Government of the whole *University*; to maintain the Liberties and Priviledges thereof, to call Assemblies, to hear and determine Controversies

sies, call Courts, punish Delinquents;
&c.

This great Honour is enjoyed at present
by *James Duke of Ormond*, Lord Steward
of the Kings Household.

The next in Dignity amongst the Officers
of the University of *Oxford*, is the high
Steward, who is nominated by the Chan-
cellor, and approved by the University;
and is also *durante vita*, whose Office is
to assist the Chancellor, Vice-Chancellor
and Proctors, upon their Requests in the
execution of their Places; also to hear
and determine Capital Causes, according
to the Laws of the Land, and Priviledges
of the University, so oft as the Chancel-
lor shall require him.

This Honour is held by *John Earl of
Bridgewater*.

The Third is the Vice-Chancellor, who
is yearly nominated by the Chancellor, and
is commonly the Head of some Colledge.
His Duty is in the Chancellors absence to
do whatever almost the Chancellor might
do if he were present. Moreover he takes
care that Sermons, Lectures, Disputations,
and other Exercises be performed, that
Hereticks, Fanaticks, Nonconformists,
&c. be expelled the University, and the
converse with Students; that the Proctors,
and other Officers and publick servants of
the University, duly perform their Duty;
that Courts be duly called, and Law-sutes
determined without delay; in a word, that
whatever is for the Honour and Profit of
the

the University, or may conduce for the advancement of good literature, may be carefully obtained. The present Vice-Chancellor is Doctor *Richard Mews*, President of *St. Johns Colledge*.

Fourthly, the two Proctors chosen every year out of the several Colledges by turns, these are to assist in the Government of the University, more particularly in the business of Scholasticque exercises, and taking Degrees, in searching after, and punishing all violaters of Statutes, or Priviledges of the University, all Night-walkers, &c.

They have also the oversight of Weights and Measures, that so the Students may not be wronged.

They are at present Mr. *Alexander Pudsey* of *Magdalen Colledge*, and Mr. *Henry Smith* of *Christ Church*.

Next in order is the Publick Orator, whose business is to write Letters, according to the Orders of the Convocation, or Congregation; also at the Reception of any Prince or great Person that comes to see the University, to make solemn Harangues, &c. He is now *Robert South* Dr. in Divinity.

Then is the *Custos Archivorum*, or Keeper of Records, whose Duty it is, not only to collect and keep the Charters, Priviledges and Records that concern the University, but also to be always ready to produce them before the chief Officers, and to plead the Rights and Priviledges of the
said

said University. This Office is now in the trust of Dr. Wallis.

Lastly, is the Register of the University Mr. Cooper, whose Office is to Register all Transactions in Convocations, Congregations, Delegacies, &c.

Besides the fore-mentioned Officers, there are certain publick Servants of the University called Bedels, from the High Dutch *Bitter* or else from the Low Dutch *Bidden*, to summon, admonish, or pray; of these there are six, whereof three are called Squire Bedels, and carry large Maces of Silver Gilt; the other three are stiled Yeomen Bedels, and carry large Silver Maces unguilt.

Their Office is alwayes to wait on the Vice-Chancellor in Publick, doing what belongs to his place, and at his Command to seize any Delinquent, and carry him to Prison, to summon any, to publish the calling of Courts or Convocations, to conduct Preachers to Church, or Lecturers to Schools, &c.

Upon more solemn times and occasions there is a seventh that carries in his hand a Silver Rod, and is thence called the Virger, who with all the other six walk before the Vice-Chancellor, and is ready to observe his Commands, and to wait on Grand Compounders, &c.

Other publick Servants of less note, shall be passed by.

Many Kings of England have been great Favourers of Learning, and esteemed

it their honour, to give or enlarge the Priviledges of the Universities.

By Charter of *Edward 3.* the Mayor of *Oxford* is to obey the orders of the Vice-Chancellor, and to be in subjection to him.

The Mayor with the chief Burgeses in *Oxford*, and also the High-Sheriff of *Oxfordshire*, every year in a solemn manner take an Oath, given by the Vice-chancellor, to observe and conserve the Rights, Priviledges, and Liberties of the University of *Oxford*.

And every year on the day of *St. Scholastica*, a certain number of the Principal Burgeses, publickly and solemnly do pay each one a Penny, in token of their submission to the Orders and Rights of the University.

No Victuals to be taken by the Kings Purveyors within five miles of *Oxford*, unless the King himself comes thither.

King *James* of happy memory honoured both Universities, with the Priviledge of sending each two Burgeses to Parliament.

It is none of the least Priviledges belonging to the two Universities, that they are subject to the Visitation or Correction of none but the King, or whom he shall please to Commissionate.

By Charter of *Henry 4.* It is left to the choice of the Vice-Chancellor, whether any Member in the University there inhabiting, accused for Felony or High Treason, shall be tryed by the Laws of the Land, or by the Laws and Customs of the

the University, though now where life or limb is concerned, the Criminal is left to be tryed by the Laws of the Land.

No Students of *Oxford* may be sued at common Law for Debts, Accounts, Contracts, Injuries, &c. but onely in the Court of the Vice-Chancellor, who hath power to determine Causes, to imprison as afore-said, to give corporal punishment, to excommunicate, to suspend, and to banish.

Antiently in *Oxford* (as now in most Universities beyond the Seas) the Students without any distinction of Habit, lived in Citizens Houses, and had meeting places to hear Lectures and dispute. After that, there were divers Houses for Students onely to live together in Society (as now in the Innes of Court and of Chancery at *London*) and those places were called either *Inns* from the *Saxon*, or *Hostels* from the French, and at present are named Halls, where every Student lived wholly upon his own charges, until divers bountiful Patrons of Learning, in their great wisdom, thought best to settle for ever, plentiful Revenues in Lands and Houses, to maintain in Lodging, Dyet, Cloaths, and Books, such Students, as by Merit and Worth, should from time to time be chosen, and to settle large Salaries for Professors to instruct them, and for a head to govern them, according to certain Statutes and Ordinances made by the said Patrons or Founders. And these are called Colledges, where

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whereof the first thus endowed in Europe, were *University, Baliol, and Merton Colledge* in *Oxford*, all made Colledges in the Twelfth Century after the Birth of Christ; although *University Colledge* hath been reckoned a place for Students ever since the year Eight hundred seventy two, by the Royal Bounty of our foresaid *Saxon King Alfred*, and was anciently called *The University Colledge*, where were divers Professors; and all the Liberal Sciences read.

Of such endowed Colledges there are in *Oxford* Eighteen, and of Halls, (where, with the like Discipline, Students live upon their own means, onely excepting some certain Exhibitions or Annual Pensions annexed to some one or two of them) there are seven; of all which, the names and Governors, See the first Part of the *Present State of England*.

These Colledges have within their own Walls, Lectures, Disputations, all Professions and Liberal Sciences read and taught, and in some of them, Publick Lectures for all Comers, and large Salaries for the Readers; insomuch, that they seem so many compleat Universities, and are not inferior to some of our Neighbor Countreys. *Lipsius* (whose Testimony among the learned, is very considerable) saith of one Colledge of *Oxford*, in his time, what might be said of some others there, and in *Cambridge*, *Non credo in orbe terrarum extra Angliam simile esse, addam, aut fuisse: Magna illic opes & vestigalia, &c.*
Verbo

Verbo vis dicam, unum Oxoniense Collegium (rem inquisivi) superat vel decem nostra.

The whole number of Students in Oxford that partake of the Revenues of the Colledges, are about One thousand; and of other Students, about twice as many.

There were anciently in this University, before the founding of Colledges, Two hundred *Hospitia Studiosorum*, Inns, Hostels, or Halls; and as *Armachanus* Writes, there were Thirty thousand Students; and Twenty miles round Oxford, were by the Kings of England set apart for Provision in Victuals for this City.

The Discipline of these Colledges and Halls, is far more exact and excellent than in any Foreign University.

First, All that intend to take any Degree, are to take their Dyet and Lodging, and have a Tutor constantly in some Colledge or Hall, then they are to perform all Exercises, to be subject to all Statutes, and to the Head of the House: Next they are to be subject to the cheif Magistrate of the University, to perform Publick Exercise, and to be subject to the Publick Statutes thereof. They are to suffer themselves to be shut up by night in their several Houses. They are never to be seen abroad out of their Chambers, much less out of their Colledges, without their Caps and Gowns, (an excellent order, no where observed in Foreign Parts, but in *Spain*.)

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Their Gowns are all to be black, onely the Sons of the higher Nobility are herein indulged, and all Doctors are honored with Purple, or rather Scarlet Robes, which anciently were allowed onely to Emperors or Kings; but now in *England*, besides the King, all Peers in Parliament, all Doctors in the Universities, all Majors and Governors of Cities, and all the Principal Judges are at certain times cloathed in Scarlet.

The Degrees taken in the University are onely two, viz. Of *Bachelor* and *Master* (for so they are anciently called, as well in Divinity, Law, and Physick, as in the Arts.) At present, the Degrees in those Three Professions are called *Bachelors* and *Doctors*, onely in the Arts, *Bachelor* and *Master*: Yet is it not to be supposed, That because in Musick, one of the Liberal Arts, he that takes the second Degree, is usually now stiled a *Doctor*, therefore to be preferred before a *Master of Arts*, who is Doctor of all the Liberal Arts; yet Men, otherwise Learned, have sometimes committed such Errors by their Ignorance in words and names.

Every year, at the Act, or time of completing the Degree of *Master*, both in the Three Professions and Arts (which is always the Monday after the Sixth of *July*) there are (unless some extraordinary occasion hinders) great Solemnities, not onely for Publick Exercises, but Feastings, Comedies,

Comedies; and a mighty concourse of Strangers, from all parts to their Friends and Relations then compleating their Degrees, whereby, and by the set Fees, it usually costs a Doctor of Divinity, Law or Physick, about One hundred pounds sterling, and a Master of Arts 20 or 30 l. sterling.

In these Three Professions, and in the Arts, there proceed Masters or Doctors yearly about One hundred and fifty, and every Lent about Two hundred Bachelars of Arts.

The time required by Statute, for studying in the University, before the taking of the forementioned Degrees, because it is much longer then what is required in any Foreign University, shall here be set down more particularly.

To take the Degree of *Bachelor in Arts*, is required four years, and three years more for to be *Master of Arts*.

To take the Degree of *Doctor of Divinity*, the Student must necessarily, first, have taken the Degree of *Master of Arts*, and then after seven years more, he is capable of being *Bachelor in Divinity*, and then four years more is requisite before the Degree of *Doctor* can be had.

To take the Degree of *Doctor of Laws*, the more ordinary way is, in three years after *Master of Arts*, one may be capable of the Degree of *Bachelor*, and in four years more of *Doctor of Laws*, the like for *Doctor in Physick*.

The Exercises required for taking these Degrees are many, and difficult enough, yet not such, but that may be performed in less time, by any Men of good abilities: But it was the Wisdom of our Ancestors so to order, that before those degrees were conferred upon any, and they allowed to practice, they might first gain Judgment and Discretion, which comes with Time and Years, and perhaps, that those of slower parts might, by Time and Industry, make themselves capable of that Honor, as well as those of quicker abilities.

To speak now particularly of the Publick Schools in *Oxford*, of the large Salary to each Publick Professor, of the most famous *Bodleian Library*, that for number of choice Books, curious Manuscripts, diversity of Languages, liberty of Studying, facility of finding of any Book, equals, if not surpasses, the famous *Vatican*: To speak of the curious Architecture, and vast charges of the New Theater, fabricked by the most ingenious *Dr. Christopher Wren*, at the sole cost and charges of the most Reverend Father in God, *Gilbert*, the present Archbishop of *Canterbury*, for the use of Scholastick Exercises, and of that most excellent Printing Press there. To speak of the beautiful, solid Stone Buildings, Chappels, Halls, Libraries, large Revenues, admirable Discipline of several Colledges: To describe the most delightful Publick Physick Garden, abounding with variety of choice Plants, and surrounded.

rounded with stately Stone Walls at the sole expences of the Right Honorable Henry Earl of *Danby*, would require another Volume.

What hath been said of *Oxford*, the like may be said of Her Sister *Cambridge*, which for Antiquity, Beautiful Colledges, large Revenues, good Discipline, number of Students, plenty of Diet, and of all other things necessary for advancement of Learning (if in complaisance she will at any time give place to *Oxford*, yet at the same time) will challenge precedence before any other University of the Christian World.

These are the two glorious Fountains of Learning, to the same whereof, Foreigners come on Pilgrimage to offer up Honor and Admiration; and yet, even these had lately been like to be dried up, by the over-heated Zeal of some ignorant Fanatics.

These are the cheifest Store-houses of Lettered Men, which sends forth yearly a great number of Divines, Civilians, Physicians, &c. to serve all parts of this Kingdom.

To supply these great Store-houses, there are in several parts of *England*, Grammar Schools, whereof the principal are *Pauls*, *Westminster*, *Winchester*, *Eaton*, *Merchant-Taylers*, the *Charter house*, all richly endowed to maintain Masters, Ushers, and a certain number of Scholars; so that a childe once admitted into these Schools,

if he become capable, may at length be preferred to be Scholar, or Fellow in some Colledge of one of these Universities, and will want little or no assistance from his Parents, all his life time after.

Besides these, there are of late Grammar Schools founded and endowed, in almost every Market Town of England, wherein the children of the Town are onely to be taught *gratis*, without any other allowance. But in the multiplying of these Schools, it may be doubted, whether there appeared not more Zeal then Prudence; for the Parents of such School boys, not able to advance them to the Universities, all the rest, besides Reading and Writing, becomes useless; and the Youths, by Eight or ten years lazy living, rendered unapt for the labor belonging to the more profitable Plough, and divers Manufactures, usually turn either Serving-men, or Clerks to Justices or Lawyers, whereby they learn much Chicanery, they become cunning Petty-foggers, multiply Law-sutes, and cozen their Countrey; or, if perhaps they are set to Trades, that little smattering in Learning, got at the Grammar School, renders them commonly proud, stiff-necked, self-conceited, unapt to be governed, apt to embrace every new Doctrine, Heresie, Schism, Sect, and Faction: Or, in case their Parents are able to put them to the University, yet for want of sufficient maintenance and residence there, they get onely to be half-learned, and thereby a propensity to Preach Faction, Sedition,

Sedition, and Rebellion, to seduce those that are more ignorant then themselves, as was evident in our late unhappy troubles, where it was observed, that the *Seducers* were generally such as had been from those *Market Latin Schools*, advanced to be either *Commoners* or *Servitors*, for a short time in the *University*; and the seduced, ordinarily, such as from those *Schools* became afterward *Shop-keepers* or *Petty-foggers*. If such had been endowed with more or perhaps with less knowledge, they had probably been much more humble, loyal, and obedient, to their *Governors*, both *Civil* and *Ecclesiastical*; and therefore, the late *King of Spain* consulting with his ablest *Counsellors of State* for a general *Reformation of Matters* that were found, by experience, to be inconvenient and prejudicial to His *Kingdoms*; after mature deliberation, came to this resolution, That amongst other abuses, the great number of *Countrey Grammar Schools* should by a solemn *Prematica* or *Ordinance* be diminished, and the childrens time better employed at *Manufactures*, *Trades*, *Husbandry*, &c. Besides, upon serious consideration, it will be found that *England* is over-stocked with *Scholars* for the proportion of its *Preferments*, and for its employments for *Lettered Persons*, whereby it comes to pass that too many live discontented, and longing for *Innovations* and *Changes*, and watching for an opportunity to alter the *Government* both of *Church* and *State*.

This following List was provided to be inserted after the account of the standing *Militia of England.*

A List of the present Lords Lieutenants of the several Counties and Places of England, in Alphabetical Order.

Bedford, Earl of *Alisbury.*
 Berks, Lord *Lovelace.*
 Bristol, Duke of *Ormond.*
 Bucks, Earl of *Bridgwater.*
 Cambridge, Earl of *Suffolk.*
 Cheshire, Earl of *Derby.*
 Cornwall, Earl of *Bath.*
 Cumberland, Earl of *Carlisle.*
 Derby, Earl of *Devonshire.*
 Devon, Duke of *Albemarle.*
 Dorset, Duke of *Richmond.*
 Durham, Bishop of *Durham.*
 Essex, Earl of *Oxford.*
 Gloucester, Marquess of *Worcester.*
 Hereford, Marquess of *Worcester.*
 Hertford, Earl of *Essex.*
 Huntingdon, Earl of *Sandwich.*
 Kent, Duke of *Richmond.*
 Lancaster, Earl of *Derby.*
 Leicester, Earl of *Rutland.*
 Lincoln, Earl of *Lindsey.*

Middlesex,

Middlesex, Earl of Craven.
Monmouth, Marquess of Worcester.
Norfolk, Lord Townsend.
Northampton, Earl of Peterborough.
Northumberland, Earl of Ogle.
Nottingham, Duke of Newcastle.
Oxford, Lord Say and Seal.
Purbeck Isle, Sir Ralph Banks.
Rutland, Viscount Camden.
Shropshire, Lord Newport.
Southwark Borough, Earl of Craven.
Somerset, Duke of Ormond.
Southampton, Lord St. John.
Stafford, Lord Brook.
Suffolk, Earl of Suffolk.
Surrey, Lord Mordant.
Sussex, Earl of Dorset.
Wales, Earl of Carbery.
Warwick, Earl of Northampton.
Westmerland, Earl of Carlisle.
Wilts, Earl of Essex.
Worcester, Lord Windsor.
Tork East-Riding, Lord Bellasis.
Tork West-Riding, Duke of Buckingham.

THus the Reader hath had a small Map
 of a great Monarchy, the most just
 and easie that ever any people lived under
 (except onely those who lived in England,
 before the late unparalleld Rebellion) and
 many ways more happy then that which
 the great and good States-man *Philip Co-*
mines, so much admired in his days, when
 he

he declared (after he had much commended the Policy of the *Venetian Commonwealth*) That amongst all the Seigneuries in the World, *England* was the Countrey where the State was best ordered, and where there was the least Violence and Oppression upon the People.

F I N I S.

These words had a small Map of a great Monarchy, the most just and safe that ever any people lived under (except only this who lived in England) before the late unparaleld Rebellion) and many ways more happy than that which the great and good State-man Philip presented to much admired in his days when

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