

WILTSHIRE ARCHAEOLOGICAL
AND
NATURAL HISTORY SOCIETY



Records Branch

VOLUME XI
FOR THE YEAR 1955

Impression of 300 copies

WILTSHIRE
QUARTER SESSIONS
AND
ASSIZES, 1736

EDITED BY
J. P. M. FOWLE
ASSISTANT ARCHIVIST TO WILTSHIRE COUNTY COUNCIL

DEVIZES
1955

PRINTED IN GREAT BRITAIN BY HEADLEY BROTHERS LTD
109 KINGSWAY LONDON WC2 AND ASHFORD KENT

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PREFACE

The Quarter Sessions records printed in this volume are in the custody of the Clerk of the Peace for Wiltshire. This Branch is indebted to the Wiltshire County Council, to the former Custos Rotulorum (the late Evelyn Francis Edward Seymour, Duke of Somerset, who died in 1954) and to Mr. P. A. Selborne Stringer, Clerk of the Peace, for the various services they have rendered towards furthering the publication of these records. Mr. Fowle was Assistant Archivist to the County Council from 1949 until March of this year when he was appointed Archivist to the Government of Uganda. The Branch is grateful to him for devoting so much of his leisure to editing the documents printed here. Thanks are also due to Mr. M. G. Rathbone, County Archivist, for help in several directions. To make the tale of judicial proceedings in the county for 1736 the more complete I have myself added an abstract of the relevant records of the Justices of Assize for the Western Circuit, which are preserved in the Public Record Office. These are the first post-medieval assizes records to be printed.

Mr. Fowle's introduction is more than an explanation of the documents presented here; for he has surveyed in some detail all the surviving Quarter Sessions records for the county up to the Local Government Act of 1888. It is believed that no such survey of the records of a county has ever before been published.

Northwood.
August 1955

N. J. WILLIAMS.

INTRODUCTION

In the editing of Quarter Sessions records for publication, County Councils and record-publishing societies have adopted one of two policies. The older, and now discredited, system was to crowd the records of as many years as possible into a single volume, by the selection of material to be included in it according to the editor's arbitrary and personal estimation of its importance. By this method some counties have covered a great many years : in one case (Derbyshire) the whole range from 1558 to 1896 appeared in two volumes, and in another (Cheshire) a single volume contains the records of 1559 to 1760. The second policy, which some counties still happily maintain, is that of the systematic publication in abstract of all extant records, beginning with the first and proceeding forward year by year, though now somewhat more slowly in many cases because of the increasing bulk of material and a parallel contemporary increase in the cost of printing. Thus while several counties, such as Warwickshire, have reached a late date in the seventeenth century, none has so far entered upon the eighteenth.

It was with this last consideration in mind that the decision was taken that the second volume of proceedings in Wiltshire Quarter Sessions to appear in this series should be abstracts of the records of a year in the eighteenth century, and more particularly of a year after 1733, so that the documents being wholly in English would provide as great a contrast as possible to the numerous editions of seventeenth century Quarter Sessions proceedings. The year 1736 was chosen almost at random. It is, of course, the historical year 1736, and begins therefore in January with Hilary Sessions.¹ The application of uniform systems of abbreviation to the majority of documents is necessary because of the large number of those in common form, but examples of the various types of form then in use are fully transcribed, as are most entries in the Order Book, the whole of the Minute Book and all the relevant portions of the Process Book of Indictments. A section of this introduction on the editorial method employed in compiling the text will be found on pages lxiii to lxv.

It is not, of course, solely from the point of view of legal diplomatic that this text recommends itself. Quarter Sessions was until 1888 the chief administrative authority in the county, and its proceedings constitute a rich source of local history. While it is hardly possible to find in any single year many events of outstanding importance, there are in most years a few items of general interest ; and though a text such as this may serve as an introduction to the records themselves for those who wish to begin a study in the original documents, perhaps its chief value will be in giving a general impression of the work and pre-occupations of the Justices of the Peace in the early eighteenth century. It is evident that the genealogist and the topographer will find here much grist for

¹ Documents appearing in the text dated between 1 January and 24 March are given the year of the original MS.

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their voracious mills. Details given in the ubiquitous presentments for non-repair of highways make them specially valuable to topographers, while the series of jurors' rolls and books are frequently used by those wishing to find a parish in whose registers essential genealogical information may be sought. Appendix I was added for the administrative historian ; Appendix II is largely for the genealogist.

The records of the Assizes and Appendix III are not local records, but have been included in order to complete, so far as is possible, the tale of local judicial proceedings for the year. They were contributed to this work, together with a note concerning them, to be found towards the end of this introduction, by Mr. N. J. Williams, the general editor of this series.

Editions of Quarter Sessions records for other counties over the last sixty years or so have commonly contained in their introductions, besides a few paragraphs which point out items of general interest in the text, some account of the administrative system of the county in the seventeenth century and of the procedure of Quarter Sessions.¹ In these particulars there is little difference between the seventeenth and eighteenth centuries, and it is not proposed here to cover ground which has already been thoroughly surveyed by several learned scholars. The main body of this introduction will be devoted to a discussion of the Wiltshire Quarter Sessions records as a whole—their form and the manner of their making and keeping by the successive clerks of the peace for this county up to the date of the Local Government Act of 1888. It is believed that such an introduction will throw some light on a fresh facet of local administrative history, and by providing an introduction to the whole range of Wiltshire Quarter Sessions, contribute something towards the other object which the editor has in view.

THE CLERKS OF THE PEACE.

Since they are referred to frequently in this introduction, a list of the known clerks of the peace for Wiltshire and their dates from the mid-sixteenth century is necessary for the reader's reference.² To this list has been added all the names of clerks from 1390, provided by the Pipe Rolls.

1390-1413	..	Richard Collingbourne.
1413	..	John Lambard.
1417-1420	..	Richard Harden.
1425-1444	..	John Giles.
1444-1458	..	John Uffenham.
1461-1480	..	John Chaffin.

¹ See especially : *Warwick County Records*, ed. S. C. Ratcliff and H. C. Johnson, vols. I-VI ; *Minutes of Proceedings in Quarter Sessions held for Parts of Kesteven . . .*, ed. S. A. Peyton, vols. I and II ; *Surrey Quarter Sessions Records (SQSR)*, vols. I-VIII ; *Wiltshire Archaeological and Natural History Society Records Branch (WASRB)*, ed. H. C. Johnson, vol. IV ; *London Sessions Records*, 1605-1685, ed. Dom Hugh Bowler (Catholic Record Society, vol. XXXIV, 1934).

² Throughout this introduction and occasionally in the text the letters H, E, T and M have been used to denote Hilary, Easter, Trinity and Michaelmas sessions respectively.

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1481-1483	..	John Hampton.
1486-1513	..	Thomas Chaffin.
1516-1520	..	Charles Bulkley.
1523-1525	..	Leonard Chaffin. ¹
1537-1567?	..	Christopher Dysmers.
1567?-1580	..	Walter Berington.
1580-1581	..	Robert Strensham.
1581-1582	..	William Staples.
1582-1587	..	Robert Strensham.
1587-1588	..	William Staples.
1588-after 1592		Daniel Appleford. ²
T. 1601?-T. 1626		John Kent.
M. 1626-T. 1645		George Frampton.
deputies:		Francis Bennett, William Coles.
T. 1646-H. 1658		William Coles.
deputies:		Francis Bennett, John Champion.
E. 1658-T. 1659		Gabriel Barnaby.
M. 1659-H. 1660		Samuel Pordage.
M. 1660 ³ -T. 1696		Seymour Bowman.
deputies:		Francis Sambrooke (from at least 1662), Thomas Bennett (of Salisbury), Robert Constable (of Warminster), John Gough, Thomas Eyres, James Edgell (from at least 1692).
T. 1697 ⁴ -E. 1729		James Edgell.
T. 1729-E. 1736		Michael Foster.
deputy:		William Hawkes.
T. 1736-H. 1743		William Hawkes.
E. 1743-T. 1782		Michael Ewen.
M. 1782-E. 1796		John Turner.
T. 1796-E. 1824		James Swayne.
deputy:		John Swayne (from 1818).
T. 1824-E. 1864		John Swayne.
deputy:		James Edward Judd (from 1862).
T. 1864-T. 1875		William Clark Merriman.
M. 1875-T. 1912		Robert William Merriman.
M. 1912-H. 1940		William Langsdale Bown.
E. 1940- ..		Philip Austin Selborne Stringer.

Too few of these men have left sufficient mark on local affairs, apart from their copious but impersonal work as clerks of the peace, for much

¹ The gaps in the foregoing list are not due to a failure to search but to the apparent absence of the necessary information in the records.

² The above seven entries are taken from *WASRB*, vol. IV, pp. xviii, xix ; q.v. for biographical notes. The explanation of the alternation in office of Strensham and Staples is possibly that one was clerk of the peace and the other his deputy : even in the late seventeenth century it was common for deputy clerks to be referred to and to refer to themselves as ' clerk of the peace '.

³ No sessions in E. or T. 1660.

⁴ James Edgell was acting after T. 1696, as before, but does not appear to have been appointed clerk until T. 1697.

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biographical detail concerning them to be discoverable in local records or in printed works of reference. The little that has been discovered about those who follow Daniel Appleford may briefly be set out here.

John Kent's pedigree appears in the Visitation of Wilts, 1623. He was the son of Roger Kent of Copenhall (Cheshire) and became successively mayor, town clerk and Member of Parliament (1597, 1620, 1623) for Devizes.¹ He died in 1630 aged 72, leaving a son of the same name. He was steward to the Earl of Hertford,² to whose family settlement of 1611 he was a party³. The Earl was Custos Rotulorum in 1603, and probably earlier. Kent was, as we shall see, a meticulously careful officer; and it was characteristic of him that he should cause the constitutions of Devizes to be written out in a fair book hand with illuminations.⁴

Nothing certain has been discovered about George Frampton. He may be the 'Mr. Frampton' of Knook who contributed £4 8s. to the relief of Ireland in 1648.⁵ His office was in Warminster, and he may have been the steward of Sir Francis Seymour of Maiden Bradley, Custos Rotulorum in 1626. Again, all that is known of William Coles is that he was probably the man of that name who lived in the Close at Salisbury and who founded a charity in that city by his will proved in 1674.⁶ He must not be confused with his contemporary of the same name who regularly appears in the Quarter Sessions records of this date as a Justice of the Peace, and who lived at Woodfalls in Downton and was M.P. for Downton in 1654. The Herbert family of Wilton, Earls of Pembroke and Montgomery, were Custodes Rotulorum at this time, and this doubtless explains the provenance of the mid seventeenth century clerks from the southern part of the county. Gabriel Barnaby was likewise a prominent citizen of Salisbury.⁷

Some details of the life of Samuel Pordage can be found in the *Dictionary of National Biography*, a distinction which he earned by the writing of admittedly somewhat inferior poetry. It can there be read that he was the chief steward of Philip, Earl of Pembroke and Montgomery, who was Custos Rotulorum in 1659. His brief tenure of office was due, no doubt, to the Restoration and the consequent elevation of William, Marquess of Hertford, to the place of his patron. The Marquess of Hertford gave the clerkship to Seymour Bowman of Lincoln's Inn. Bowman paid tax for a tenement in Mead Ward, Salisbury, towards the end of 1667.⁸ In 1660 he was returned as M.P. for Old Sarum; and in 1685 was elected a freeman of Salisbury.⁹

In 1697 the head of the Thynne family of Longleat, Thomas, Viscount

¹ *Wiltshire Notes and Queries*, vol. III, p. 36.

² *WASRB*, vol. III, p. 98.

³ Typescript calendar of deeds retained by the Marquess of Ailesbury, Wilts. Record Office, para. 187.

⁴ *WASRB*, vol. V, p. 13; *Wiltshire Archaeological and Natural History Society Magazine (WAM)*, vol. 43, p. 41.

⁵ *WAM*, vol. 37, p. 373.

⁶ Benson and Hatcher, *History of Salisbury*, p. 474.

⁷ *Ibid.*, p. 449.

⁸ *WAM*, vol. 36, p. 431.

⁹ Benson and Hatcher, *op. cit.*, p. 483.

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Weymouth, was Custos Rotulorum. His steward was James Edgell, an attorney of Warminster, who was also steward to the A'Court family of Heytesbury. He frequently acted as under-sheriff, and was from 1703 to 1713 county treasurer as well as clerk.

With Michael Foster the office of clerk of the peace moved north to Marlborough. More is known about Foster than about any other clerk, owing to the distinction of his subsequent legal career. An account of his life, taken chiefly from the biography of him by his nephew, Michael Dodson, can be read in the *Dictionary of National Biography*. He came from a family of Marlborough attorneys, who were protestant dissenters and highly thought of in their profession. To quote Dodson, 'he contracted an intimacy with Algernon, Earl of Hartford, afterwards Duke of Somerset', and it was thus no doubt that he came by his office in Wiltshire, for as we see from our text, the Earl was Custos Rotulorum. In 1735, however, Foster became Recorder of Bristol, and resigned his clerkship to William Hawkes, the husband of his sister, Hannah. Michael Foster became a puisne justice of the King's Bench in 1745 and was knighted in the same year. Hawkes, too, came from Marlborough, and his name appears as steward to a small county family of Compton Bassett, but whether he acted as steward to the Seymour family has not been discovered. His successor certainly did. Michael Ewen was a nephew and executor of Sir Michael Foster, and it seems therefore that the family was likely to establish a dynasty in their tenure both of the clerkship of the peace and of the chief stewardship to the Seymour family and their heirs. Letters are found addressed to Ewen at Marlborough until 1749. Thereafter he appears to have lived on his country estate at Milton Lilborne.¹ From 1770 to his death in 1782 he was also clerk of the peace for Somerset.

Nothing has been discovered about John Turner. Letters on the Great Rolls are addressed to him 'at his office at Devizes' and there is a reference in a Minute Book to 'his house in Salisbury'.² The Custos Rotulorum was Thomas, Earl of Ailesbury. No connection has been found between the Earl and John Turner.

The successor to the Earl of Ailesbury was again a member of the Herbert family of Wilton, and to Wilton also went the clerkship of the peace in the person of James Swayne, their steward. In both offices he was succeeded by his nephew, John Swayne. This was an old but not particularly distinguished county family,³ as was the family of Merriman which had long been established in Marlborough, and which in the nineteenth century bred a number of respected professional gentlemen. They were distantly allied to the families of Foster and Hawkes.⁴ William Clark Merriman and his son no doubt owed their successive clerkships of the peace to the patronage of the Marquess of Ailesbury, to whose family the office of Custos Rotulorum had once again reverted.

¹ James Waylen, *History of Marlborough*, pp. 545-9. See also pedigree in *WAM*, vol. 3, facing p. 244.

² Wilts. QS Minutes, vol. 22, p. 13.

³ See pedigree in R. C. Hoare, *History of Modern Wiltshire, Addenda*, p. 65.

⁴ See pedigree in A. R. Stedman, *History of Marlborough Grammar School*, pp. 40-1.

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CUSTODY OF THE RECORDS.

The first we hear of arrangements being made for the safe custody of the records of the court is an order of 1643:

' This court taking into consideracion howe the sessions records of this county may be preserved and kepte safe in this time of danger doth order and appoynte that Mr. [Francis] Bennett and Mr. [William] Coles deputie clerkes of the peace of this county shall with all convenient speed cause a strong cheste to be made att the counties charge with two lockes and keyes for the safe keepinge of the said records; and that the recordes shalbe put in to the same cheste and the cheste placed in the vestry house of Warminsters church, and the keyes kepte by the said deputy clerkes that they may have recourse thereunto as occasion shall require; and this court doth thinke fitt that two or three yeeres of the later bundells and the later bookes shall remaine in their custodyes for the makinge upp of the sessions booke and for the grauntinge forth of the proces of this Courte againste such persons as are or shalbe indicted or presented.'

A long period of silence follows. We may feel reasonably sure, however, that the records remained at Warminster for some time. The strong chest would have been sufficient to house the accumulation for a few years. Edgell lived at Warminster, and so the likelihood is that they remained there until at least 1729. Michael Foster, William Hawkes and Michael Ewen all practised as attorneys in Marlborough; whether or not they transferred the whole archives there has not been determined, but certainly they must have kept a great many current documents in their offices. That John Turner had all of them in his house in Salisbury seems clear from a reference to them in 1783;¹ and they were certainly in the south of the county in John Swayne's time. A letter among the miscellaneous papers of the clerk of the peace tells a story of how a parish copy of an enclosure award, borrowed by Swayne in connection with his work as steward to the Earl of Pembroke, was misplaced by him among the awards deposited with him as clerk of the peace in his office in Wilton.

According to information left by W. D. Macray, who examined the county archives for the Historical Manuscripts Commission shortly before 1901, John Swayne was also responsible for a certain amount of arrangement and labelling of records. The phrase employed by Macray was, 'reduced to order and arranged chronologically'.² It is now somewhat surprising to see how often a clerk of the peace of the early nineteenth century was able completely to misunderstand the nature of the records before him. His labelling appears today in neat black ink on the covers of rolls and on the spines of volumes. Not only were his dates wrong in a great many cases, but a whole series of draft minute books were inscribed 'Orders', and an order book was for long thought to be missing because for some obscure reason he had marked it 'Appeals'. He does not appear to have known of the first minute book, since he marked the second vol-

¹ Wilts QS Minutes, vol. 22, p. 13.

² *Historical Manuscripts Commission (HMC), Reports on Manuscripts in Various Collections*, vol. 1, p. 65.

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ume with the figure 1, and the remainder accordingly. Apart from these aberrations, however, we probably owe a debt of gratitude to John Swayne, for he may have achieved much. The eighteenth century was commonly a period of neglect in the history of record-keeping; and by 1824 their condition may well have been chaotic. Thus in doing anything at all for the records in his custody, he set an example to his successors which they have ever since diligently followed.

William Clark Merriman, for example, at his first sessions in office, suggested to the Custos Rotulorum ' that if his lordship should be of the opinion that it would be more convenient for the records of the county to be deposited at Devizes, accommodation for them can be made at the Assize courts there '.¹ A committee was formed to consider the question and it was finally decided to wall off and adapt as a repository for the records a block of eight cells in the gaol at Devizes. This arrangement was short-lived, for in 1878 the Home Secretary wrote to say that the Prison Commissioners had informed him that the presence of the county muniments in the prison was causing inconvenience, and he demanded their removal. The original plan was thereupon revived and a special annexe to the assize courts constructed² in which the archives remained until in 1940 they were removed to the new County Hall at Trowbridge, where in 1946 the Wiltshire Record Office with a staff of professional archivists was established.

PUBLICATION OF THE RECORDS.

Many of the earlier records were examined by R. W. Merriman, and in three articles published in the *Wiltshire Archaeological Magazine* (1882-5),³ he drew attention to many points of interest about them by means of carefully transcribed extracts for the years 1602-9, including the form of the precept. W. D. Macray's *Report* on the records for the Historical Manuscripts Commission (1901) included many extracts from the Great Rolls and a few from the Minute Books⁴ for the seventeenth century. The late B. H. Cunnington, who spent much time in the nineteen-twenties surveying, methodizing, and also 'weeding' the Quarter Sessions records, accumulated a mass of extracts from the Great Rolls, made to illustrate social rather than administrative history. Those for the seventeenth century were published in 1932 by the Wiltshire Archaeological Society: various short extracts for the eighteenth century appeared some twenty years ago in numbers of the *Wiltshire Gazette*, the *Marlborough Times*, and other local newspapers; and at the time of his death Cunnington was planning to publish himself a collection for the nineteenth century.⁵ Finally, the earliest Minute Book of the clerk of the peace, containing entries of business done at Assizes and Special Sessions as well as at Quarter Sessions 1563, 1574-92, was edited for the Records Branch by Mr. H. C. Johnson in 1949.

¹ Wilts QS Minutes (fair copy), T. 1864.

² Wilts. Record Office, Clerk of the Peace, Misc. Papers.

³ Vols. 20-22.

⁴ He termed these records ' Files ' and ' Registers ' respectively.

⁵ Letters from Cunnington on this topic are in the files of the Records Branch.

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THE SEAL OF THE COURT.

It may be useful to add here a brief note upon what has so far been found concerning the seals used officially by the clerks of the peace to authenticate the warrants and precepts of the court. Writs issued in the name of the Crown were never sealed. The earliest example of an official seal yet seen was unfortunately detached from its original document and affixed inside the cover of the 'autograph book' compiled by B. H. Cunnington and referred to below (p. xxxix). On the slip of paper still adhering to it Cunnington wrote the date 1678. It is circular, nine-tenths of an inch in diameter, having in the centre a rose with a crown over it, and the letters C.R. one each side with a minute crown over each letter. The one in use throughout most of the eighteenth century is last found on a precept sent out by Turner in 1782. It also was circular and similar to the 1678 seal, but a full inch in diameter; the letters G.R. take the place of the C.R. of the earlier one. This must have been the form of seal referred to in the 1736 records. James Swayne never appears to have used a distinctive seal of the court, but John Swayne had a new one made in 1825. The form chosen is curious. It is oval in shape, measuring 3 cm. long by 2.5 cm. broad; in the centre are the arms of the city of Salisbury, with the legend 'The County | of Wilts' above and below. The anomaly either of the use by the county of the arms of Salisbury, or perhaps of the use by Quarter Sessions of any sort of official seal of its own, must have been discovered during the year 1865. Thereafter the seal of office of the Custos Rotulorum has been used.

GREAT ROLLS

GENERAL.

The Great Rolls of this county, or to give them their older and more descriptive title, the sessions bundles, are for most of their history similar to those found in other counties. They are not rolls, or enrolments, but files upon which are strung all the documents used at a particular Sessions, whether handed in at Court or made during the proceedings. When completed they were rolled and tied up, hence their name. The Great Roll is the oldest record of Quarter Sessions and was, until 1563 in Wiltshire and later in other counties, the only one. It is clear that by the date of the first surviving roll the form of this record was as well-established as the business of the court. In this respect the Great Rolls may be contrasted with the Minutes, which show a rapid evolution in the first two volumes. Probably the first surviving Great Roll would compare very closely both in form and content with the same class of record of a century and more earlier, had such a one survived. The oldest roll of Wiltshire Quarter Sessions now extant is that for Hilary Sessions, 45 Elizabeth I (January, 1603). The reason for this general disappearance of the earlier records is probably that given by Lambard in his well known plea for the setting up of county repositories—the absence of a fixed centre for storage and the fact that clerks had usually to find room

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in their own houses to keep the records. An incoming clerk would naturally arrange to have transported to his house or office only those which he needed for current business or as formularies, while the retiring clerk or his executors would happily arrange for the destruction of the remainder.

It is indeed the survival after 1603 of so much that is cause for comment, especially in Wiltshire where the court had no fixed centre and no official court house, but was peripatetic. It is not easy to account for this good fortune. Perhaps it was a precept handed down or a tradition established by John Kent who, as we can see from the form of the minute books, was a clerk who exercised his office with exemplary diligence according to principles which were then new to the county, but which seem to have been based upon a sound discipline learned elsewhere. Perhaps it was the influence of Lambard himself whose treatise Kent and his successors must have studied even if they did not always follow its recommendations.

In several counties a distinction was made by the clerk between parchment documents of a more formal legal nature, usually in Latin, and those subsidiary documents which are usually to be found written on paper and in English. Only the former would the clerk place on the rolls, while the latter would be folded and tied up in packets in the manner of solicitors' papers. The creation of a class of lesser importance than the 'Great Roll', inevitably resulted in its disappearance for at least the earlier years of the seventeenth century. Wiltshire is fortunate in having avoided this. All its parchment and paper documents were preserved together on one file, and though a small number of rolls for individual sessions here and there have been lost, doubtless in transit from one resting place to another, the record from 1603 to the present day is a remarkably complete and full one.

An important change in the physical make-up of the rolls took place at Michaelmas, 1694, due to the laziness of the then deputy clerk, James Edgell, or more charitably to the pressure of other business. It is obvious that the numerous groups of documents produced at sessions would first be filed by classes. Returned writs would be sent in by the sheriff filed together. The clerk would place recognizances, indictments, presentments, etc., on separate files as he received them. Then, after the sessions he took these files one by one and, breaking the first filing string, placed them all on a single new file. Sometimes, it would appear, he cut a new hole for the second filing before breaking the first cord to ensure that the original order was not disarranged, since many classes, especially the smaller writs, have two filing holes. Sometimes the first cord still remains. In the late seventeenth century there are many examples where the clerk circumvented this second filing by using the ends of the cords of the small files to tie one to another, thus achieving somewhat less tidily the appearance of a single file of all the documents. It is clear from such examples that the clerks were finding the business of the second filing tedious, and one is thus prepared for its abandonment by Edgell after T. 1694.

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From then until 1807 the rolls are merely parcels of from half a dozen to a dozen small files, sometimes screwed up into rolls no thicker than a pencil, each tied round with its lace. A single large document, usually the precept or the grand jury list, is generally used as a wrapper, but sometimes an expired lease was cut up for the purpose. The result of this method was that not only are paper documents so badly crumpled that their examination is a tedious and time-consuming business, but also, as frequently happened, when the bundles came apart individual files were lost, and those remaining have been confused with the débris of parcels belonging to other years.

John Turner was responsible here, as elsewhere, for reintroducing better order into the method of keeping these documents. He did not go so far as to restore the old single file, but he reduced the amount of rolling, folding and crushing of the individual files; a system which the former clerks had adopted seemingly in an attempt to reduce the finished parcel to the smallest possible dimensions. He carefully folded all documents lengthwise as many times as was necessary to convert them all to a uniform size of approximately 3 inches by 9, each file resembling a normal packet of solicitors' papers. Many individual paper documents were included which were not filed at all, but simply stacked and tied round. He then took a part of an old lease and made the bundle of files into a parcel. This neat and comparatively satisfactory arrangement was continued by James Swayne, who even improved on it by providing each file with an individual paper wrapper, carefully labelled with the contents, until he decided in 1807 to return to the system abandoned in 1694 of filing all documents on a single string. This traditional but not altogether satisfactory system has been in use ever since.

An exception, however, was made to this single-string filing between 1807 and 1851: the file of indictments for misdemeanour was not included on the roll, but left loose. The reason for this can now only be surmised. It was found during the examination of the eighteenth century 'rolls' or parcels, that in every case the files of 'indictments found' had been taken out of the parcels, and were loose within the larger bundle of four parcels which made up the record for a single year. As a result of this the indictments for a great many sessions have been lost; Michaelmas 1736 is an example. It was at first assumed that at some period a clerk had been hunting for a precedent for an unusual form of indictment which he wished to draft and having extracted all the files for examination, he or his employee had never replaced them properly. But the difficulty about this theory is that after 1807 also there are separate contemporary files of indictments for misdemeanour, while indictments for felony are placed on the file with all other documents, and this remained the case until 1851. The theory may still be true on the assumption that one of the clerks, Turner, perhaps, or James Swayne, noticed on taking office that the indictment files were never placed with the completed file, and so continued to leave them out without enquiring whether there was any reason for it.

Nineteenth century rolls, though superficially similar to those of the seventeenth century, are naturally very different in appearance and

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content. There is a far higher percentage of large documents on them—the most outstanding among these being plans for highway-diversions on whole skins of parchment, complete copies of newspapers containing official advertisements, and various administrative returns concerning gaols and criminal statistics. These are folded after being placed on the file. Also all the documents—recognizances and indictments, for example—which form a bulky and enduring part of the rolls, are larger in the nineteenth century, being made on printed forms. It was thus never practical to roll the completed file tightly as seventeenth century clerks had done, to the detriment of many of the documents upon it. The Swaynes and the Merrimans first took a large new sheet of parchment, and having passed the lace through a hole in one corner, filed all the documents on this lace. The larger ones were then folded inwards first one way and then the other. Then the outer wrapper was folded inwards, and finally the whole file was doubled twice over. The result was a long, rather fat, parcel, the contents of which were well protected from dust and would remain indefinitely in good physical condition if, as was fortunately the case, they were not exposed to damp.

The ensuing paragraphs of this section will deal one by one with the main classes of documents which appear on the files.

THE PRECEPT.

The precept to the sheriff to proclaim the Quarter Sessions of the Peace was never in fact the first document to be placed on the file, though for part of the eighteenth century it was used as a wrapper to parcel together the individual files which formed the record of a single sessions. It will be dealt with first, partly for logical reasons and partly because the first document on seventeenth century files is technically a schedule to it.

In essence the precept is a command to the sheriff to make known generally the day and place of meeting throughout the county, but especially to certain specified officers, and to warn a prescribed number of jurors to attend, whose names are to be returned to the court. The names of the constables and bailiffs of the hundreds are likewise to be certified to the court. In form the precept for this county was a writ issued in the name of the king and tested by the *Custos Rotulorum*, until the end of the seventeenth century, when by slow degrees Edgell adopted the more usual, and more legitimate, form of a command under the hands and seals of two justices. The first example of this new form was used at H. 1690; it was, however, signed by only one justice.

It may have been this precept in writ-form which Lambard had in mind when he pointed out that the correct procedure for convening Quarter Sessions, being that laid down in the commission of the peace, was by order authenticated by two Justices of the Peace directed to the sheriff: he said specifically that the attestation of the *Custos Rotulorum* by itself was insufficient, he having no more authority in this respect than any other justice of quorum.¹ However, since the Justices of the Peace are commissioned by the Crown, they may issue writs in the King's

¹ *Eirenarcha*, 1614 edition, p. 381.

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name; and since the writ-precept always bore the date of the previous sessions, and was therefore ostensibly issued while the court was in being, there was never any doubt that it was a legal command. It is not known how common was this form of precept in the seventeenth century, but a version very similar seems to have been used by Surrey and by Kent, and in spite of Lambard its use may have been widespread. However, so that a comparison may be made both with the other form as given in paragraph I of this text, and with those of other counties,¹ a full transcript of a Wiltshire seventeenth century precept may usefully be given here:

' Jacobus dei gracia Anglie, Scotie, Francie et Hibernie rex, fidei defensor etc. vicecomiti Wiltes salutem: precipimus tibi quod non omittas propter aliquam libertatem comitatus tui quin proclamari facias per totam ballivam generalem sessionem pacis nostre comitatus tui tenendam apud Marleborough in comitatu tuo die Martis proximo post festum sancti Michaelis archangeli scilicet tercio die Octobris proximo futuro tenendam. Ac quod venire facias coram justiciariis nostris ad pacem in comitatu tuo conservandam ac ad diversa felonias transgressionem et alia malefacta in eodem comitatu perpetrata audienda et terminanda assignatis ad diem et locum predictos xxiiij probos et legales homines de balliva tua quorum quilibet habet xls. terrarum tenementorum vel reddituum per annum ad minus quam omnes et singulos constabularios et ballivos hundredorum burgorum villarum sequencium videlicet hundredorum de Elstubbe et Everleigh, Highworth Cricklade et Staple, Kinwardstone, Kingsbridge, Ramsburye, et Swanborough, burgi de Wotton Bassett, ville de Highworth et ville de Cricklade in comitatu tuo nec non de quolibet hundredo burgo et villa predictis xxiiij probos et legales homines ad faciendum et exequendum ea que tunc et ibidem ex parte nostra eis injungentur; premunire facias eciam quod ad dictos diem et locum omnes singuli constabularii et ballivi predicti secum habeant nomina omnium hujusmodi artificum laboratorum et serviencium husbandrie vadia contra formam statuti inde editi excessive capiencium eo quod omnes illi qui tam pro nobis quam pro seipsis versus hujusmodi artifices laboratores et servientes husbandrie aut aliquos alios delinquentes aliquas querelas juxta vim formam et effectum ordinationum et statutorum nostrorum hujus regni nostri Anglie conqueri vel prosequi volunt, quod tunc sint ibi billas et querelas illas prosecuturi justiciamque ibidem subituri si sibi viderint expedire et quod tempore tunc sis ibi vel subvicecomes tuus ad faciendum et exequendum ea que tunc et ibidem ad officium tuum incumbent et habeas ibi nomina constabulariorum ballivorum predictorum et hoc breve. Teste F. Seymour milite xj die Julii anno regnorum nostrorum Anglie Francie et Hibernie decimo octavo et Scotie quinquagesimo tercio. Kent. [Return—*endorsed.*] Virtute ipsius brevis mihi directi venire feci coram justiciariis infrascriptis apud Novam Sarum [sic] infraspacificatam die et anno infracontento omnes constabularios et ballivos hundredorum et burgorum infraspacificatorum necnon de quolibet hundredo et burgo predicto xxiiij juratores ad faciendum ea que eis ex parte domini regis ad tunc et ibidem injungentur; ac eciam scire feci omnibus constabulariis et ballivis hundredorum infraspacificatorum quod sint ibi habentes secum omnia nomina artificum laboratorum et

¹ *SQSR*, vol. VI, pp. 90-1.

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serviencium husbandrie infra hundredos et burgos predictos vadia contra formam statuti inde editi excessive capiencium; ac insuper sufficienter proclamari feci infra ballivam meam omnes illos qui tam pro dicto domino rege quam pro seipsis versus hujusmodi artifices laboratores et servientes aut aliquos alios aliquas querelas juxta formam ordinacionum et statutorum conqueri vel sequi voluerunt quod tunc sint ibi billas suas prosecuturi justiciam ibi subituri si sibi viderint expedire prout interius mihi precipitur. Residua execucionis istius brevis patet in quibusdem pannellis huic brevi annexatis. Walterus Longe, miles, vicecomes.'

So far as the content of these precepts is concerned, it should be noted first that in 1736 the sheriff was ordered to warn the justices. This was, and still is, usually considered to be unnecessary because, since the justices are assumed to have originated the order, they should be credited with a knowledge of its contents before the sheriff receives it. Also, as the reader who turns to Appendix I will see, there would be some practical difficulty in carrying out this directive to the letter. Either the sheriff warned a select number of local justices who he thought might attend, or he disregarded the clause altogether; probably the latter. Secondly, the grand jury—'twenty four good and lawful men of your county'—were intended to represent the whole county and to be drawn from every quarter of it, as was later specifically laid down in the Jury Act of 1825. In fact, both before and after 1825 they were drawn only from those hundreds named in the precept, being the ones nearest to the town in which the sessions were held in that quarter of the year. Thirdly, the sheriff was directed to return the names of 'twenty four good and lawful men out of the several hundreds' named. This return seems rarely to have been made as a formal schedule to the writ. The returns filed on the rolls are almost always the original bailiffs' returns, and it is doubtful whether they ever passed through the sheriff's office. The names of the constables of the hundreds, which the sheriff had also to give, are similarly found in the original bailiffs' returns, usually on the same sheet as the names of the hundred jurors. Fourthly, the petty jury whose task was 'to try the issues joined to be tried', that is to say, traversed cases and prisoners who pleaded not guilty and put themselves on the country, were, at H. 1736, for example, to be drawn from the neighbourhoods of Corsham, Marlborough and Westbury—an unexplained condition which seems never to have been put into practice during the period for which records survive. At the next Hilary Sessions the places named indicate more clearly their entirely arbitrary selection: they were Langley Burrell, Westbury, Durrington, Woodborough and Wroughton. Fifthly, as can be seen from the earlier precept given above, a reference to the statute of artificers was included in the seventeenth century, the sheriff being warned to return the names of those who had contravened the act by accepting more than the maximum wages. This clause presumably dates from the Act of 5 Eliz I c. 4 and remained a part of the precept until the early eighteenth century; James Edgell eliminated it shortly before his death. No endorsement has yet been found to show that the sheriff ever returned any names in answer to this injunction.

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The precept is somewhat hard to find on the rolls for the earliest years of the seventeenth century. It appears to have been returned by the sheriff with his other writs, of which there are at this time a great many. Soon, however, it is to be found at the beginning of the roll, often still filed by a twist of parchment to the schedules of names of jurors and bailiffs, and it ever afterwards retained this position.

Finally, it may be of interest to note that only in this present year (1954) has any radical change been made in the form of the precept as finally settled by Edgell. The precept no longer makes any reference to the hundreds out of which the sheriff has always been commanded to draw the names for each sessions, though the phraseology employed was deliberately rendered circuitous so as to avoid the prohibition expressed by the Act of 1825 which enjoined that the jurors were to be drawn from the whole of the county and not from a part only.

THE RETURN OF BAILIFFS.

Where the original file of documents as returned by the sheriff has been kept intact, as is so in a very large number of cases, we find fastened together by a twist of parchment the precept, the list of grand jurors and the return of bailiffs, in that order. These three documents together were often placed first on the file without breaking the parchment tie. Thus the return of bailiffs becomes the outside document when the completed file is rolled. For that reason it was always, until 1694, a large sheet of parchment, being about a third of a skin. This was, of course, much larger than was necessary for the purpose of imparting the information written upon it—some eight or ten names of hundreds and extra-hundredal liberties with the names of their bailiffs entered beside them. This suggests that it must have been sent to the sheriff's office as a blank form with the precept, since the sheriff's officers could hardly have been so uniformly generous as to supply the clerk four times a year with a large sheet of almost virgin parchment with which to wrap his roll. Before this conclusion had been drawn it was necessary to examine the possibility that the whole document was simply a copy made by the clerk of the sheriff's original return. This hypothesis was disposed of by the comparison of handwritings on the dorse of the precept with those found on the returns of bailiffs. The latter also bear the sheriff's name at the foot, though here as elsewhere during the seventeenth century it is usually in court hand and must have been appended by the under-sheriff.

It is clear also that the names of the hundreds and liberties were written at a different time and by a different hand than were those of the bailiffs. Often the former appear on the document without the latter, and at M. 1626 no bailiffs' names were filled in at all: and it is usual in most years to find a few missing. It is surprising that the sheriff was so often ignorant of the names of those who were his executive officers in the smaller units of administration, though in the case of bailiffs of liberties the reason is probably that none were appointed. Above these names was written a formal heading showing the date and place of the sessions. This information was also endorsed to form a label for the completed file

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when rolled and tied up. The clerks up to and including James Edgell also put their names at the foot of this label, a practice which was resumed in the nineteenth century.

From T. 1694 when Edgell used part of an old lease as a wrapper for the file, the large bailiffs' return was abandoned, only occasionally re-appearing during the first years of Edgell's clerkship. It thus conforms to the tendency which we shall notice in other respects, for the eighteenth century files not to contain documents made specially for the record. The names of the bailiffs were appended to the grand jurors list, after 1694 and until 1825, when a much more elaborate form was adopted. This will be described in the next section.

JURY LISTS.

The jury lists, like the returns of bailiffs, are technically schedules to the sheriff's precept. There were, as we have seen from the precept, three kinds of jury at Quarter Sessions: first, the grand jury of twenty-four, a jury of enquiry to report on the state of the county for the benefit of the Crown (*ad inquirendum pro domino rege pro corpore comitatus*); secondly, the hundred juries, nominally twenty four from each of the hundreds named in the precept; thirdly, the petty or trial and traverse jury. It will be necessary to make some remarks on the nominal lists of each of these in turn. In a later section we shall have something to say about the presentments made by the first two.

The parchment strips upon which the grand jury lists, and in the first half of the eighteenth century, the hundred jury lists were written, originated in the sheriff's office. The evidence of many surviving original filing strings binding them to the precept proves this. The lists usually bear the sheriff's name, appended by the under-sheriff. In the early seventeenth century, however, it would appear that Kent received grand jury lists on paper and himself transferred them to parchment, since at E. 1614, he filed both the paper original and his own parchment copy. The document is sometimes in English in secretary hand, and sometimes in Latin and in court hand; a variation in practice which suggests that the list originated in an office whose procedure did not become settled by long occupation with shrieval business.

The grand jury list was the one to which most heed was always paid. After a brief heading, the names are listed one below the other, with the residence of each and his addition, which was, until 1825, always 'gentleman'. Usually there are points dotted with the pen against the names of those who reported their presence to the clerk when the list was called over. These are found also in the hundred jurors lists. *Ex'* for '*excusatus*' or '*excused*' was written against the names of those who put in a sufficient essoin. Found occasionally is '*mortuus*' or '*dead*', or the note of a fine imposed for absence. As we have seen above, the same membrane was generally used after 1694 to return the names of the bailiffs, though occasionally during the eighteenth century these are found on separate small pieces of parchment. A great deal more care was taken in compiling this record after the 1825 Jury Act. Henceforth the names of

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the jurors were placed in alphabetical order; their actual occupation was given, the old fiction that all were gentlemen being dropped. Also, the precept now ordered the return of the names of the bailiffs of the hundred from which each juror was drawn. The clerks interpreted this direction in the sense that the name of each bailiff was to be written against the name of every juror from the hundred which formed his bailiwick. This meant that each bailiff's name might appear several times over in the list. Again, the lists became longer: thirty-six names were required, presumably because an average of a third were able to make their excuse. From 1851 the names of the bailiffs no longer appear, since none were appointed.

The names of the jurors called to represent their hundreds and to make presentments to the grand jury were returned to the sheriff by the bailiffs of the hundreds. The precept called upon the sheriff to furnish these names to the court, but, apart from rare occasions in the seventeenth century, when the sheriff's name appears as a signature on the returns, their headings clearly indicate that the bailiffs considered that they were themselves rendering the schedules direct to the court. However, the clerks usually filed these lists near the beginning of the roll, with the return of grand jurors; and during Kent's term of office they were copied in Latin on to parchment, but whether by the under-sheriff or the clerk of the peace is undetermined. Afterwards, as a rule, they were in English on paper, and usually in semi-literate hands. There is a late exception to this at E. 1650.

Some variations were made at times by Edgell, probably on the occasions when he was also under-sheriff. At T. 1706, for example, all the names, both those of the grand jurors and those of the hundred jurors, were entered on one long strip of parchment in his handwriting.

A file of returns of hundred jurors is included in the sessions bundle throughout the eighteenth century, until 1782, when John Turner seems to have persuaded the court to cease calling upon the hundred juries. From that date onwards no hundred jury lists or presentments are to be found.

The trial and traverse, or petty jury, is different in kind from the other two, being akin to the modern trial jury rather than to a jury of inquest. Generally several panels of petty jurors were required during each sessions, since the law had moved towards modern standards of impartiality, requiring that none of the jurors ought previously to have known the prisoner concerned. The grand jury, on the other hand, which determined in the first place whether an indictment should go forward or not, was presumed to know the persons involved and the details of the case, and to be acting according to foreknowledge. Two types of petty jury list are usually to be found on the file for each sessions. First there is the return of names in answer to the relevant clause in the precept, and secondly there are the lists of those actually empanelled to determine particular cases. The history of each of these lists must be followed separately.

Whatever the form of words in the precept relating to the return of names for the petty jury—and this varied considerably from time to

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time—the practice of the sheriff or of his officer seems to have remained constant until 1782: the jurors were chosen arbitrarily from those who presented themselves for service on behalf of their hundred, no one being warned specially for this purpose prior to the beginning of a sessions. The lists of jurors, therefore, which appear on the files must have been drawn up during or after the sessions, a fact which accounts for their not being filed together with the other returns of the sheriff before the clerkship of John Turner. It will be noticed that in the hundred jury lists printed here many of the names have two or three points against them (represented in the text by asterisks), and if these names are checked against the trial and traverse jury lists they will be found to be the same. The lists, on paper and in English even before 1733, were obviously hasty preparations and are usually the only ones to be found in the eighteenth century. The first that has been found is on the roll of E. 1658. Usually they bear the sheriff's name and presumably were drawn up by his officer in court.

After 1782, when the hundred jurors were no longer called, it became necessary to warn persons to attend specially for service on the petty jury. Lists returned by the sheriff's officer are in form precisely similar to those of the grand jury described above, and only the heading serves to distinguish them. They are filed together with the precept and are lengthy, containing at first seventy-two names. This was enough to supply both the main and the second court with three alternative panels. By 1875 the number had been reduced to forty-two, because the amount of criminal business then being dispatched by the first court was small enough to be discharged by a single panel.

The second type of jury list, common before the Restoration and found intermittently during the clerkship of Edgell (probably in those years when he was also under-sheriff), takes a different form from that described above. It is a small parchment strip, in Latin and in court hand, containing the names of a panel of twelve petty jurors and, at first at the head, later at the foot, a list of the prisoners whose cases were tried by that particular jury. Each prisoner has a note of his offence written beside his name, and a note of plea, verdict and sentence over it. The sheriff's name normally appears at the foot of this list, though on one occasion at least (M. 1668) the deputy clerk signed it and noted it as having been extracted by him. It would appear that here at least the document was prepared specially for the file, after sessions, from other records or notes. If this was indeed the normal procedure it would explain the disappearance of this type of document at the end of the seventeenth century, when all documents prepared after sessions specially for the record gradually disappear.

It is not really clear whether we should regard this document as primarily a jury list or as a calendar of prisoners for trial. That the clerk of the peace or the sheriff's officer did not himself trouble to make up his mind on this point can be seen from the fact that the parchment is sometimes headed '*Kalendarium prisonariorum . . .*' and sometimes '*Nomina juratorum ad inquirendum inter dominum regem et prisonarios et personas*

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subscriptas ', to take two examples. Lists of this type were not filed with the other jury lists but are usually found immediately preceding the indictments. Sometimes they are found attached to a writ: at H. 1604 one was filed to a writ of *distringas*.

PRESENTMENTS.

From 1612 to 1782 presentments were required from the grand jurors, the hundred jurors and the constables of the hundreds. Those of the jurors were probably made orally in years before the date for which surviving records are found. Thus there was always a certain lack of formality about them. They are in English, on paper, and generally in semi-literate hands; the unaided composition of a member of the jury or of a constable. Though it does not appear from the form of the record, the presentment of the grand jury was technically the most important because it was the only one made directly to the court. The presentments of hundred jurors and of constables were presumed to be made to the grand jury, which passed them on to the court, and which may once have had the right to quash them if it saw fit. A presentment of M. 1684 is headed 'Amesbury: Presentment of the constables of the said hundred delivered to the grand jury . . .'. John Gough and James Edgell seem to have insisted that the foreman of the grand jury should sign all the presentments of the hundred jurors and of the constables, either at the foot or on the dorse. Again, we commonly find constables being presented by the grand jury for not handing in their presentments.

No distinction in form or content seems generally to have been made between these three classes of presentment. In the early years of the seventeenth century they are unsigned; perhaps a further indication that they were not yet regarded as legal documents, but only as memoranda of an orally delivered report. Soon, however, the foreman of the jury was obliged to append a list of his colleagues, and shortly afterwards these names appear as signatures, though the majority of them are quite evidently in only one or two hands barely disguised. This seems almost always to have been the practice, for it is very unusual to find a juror making his mark, though we may assume that a proportion would generally have been illiterate. Indeed, in the earlier seventeenth century a man might write another man's name without any suggestion of forgery: the idea of 'signing one's name' does not come until the very end of the century. The taking of presentments from constables was evidently not an ancient practice of the court. Such presentments are found intermittently between 1608 and 1612, and only from the latter date onwards were they systematically demanded. Occasionally during the eighteenth century we find the hundred jurors and the constables subscribing to the same presentment.

The contents of these three classes naturally reflect the administrative preoccupations and moral fervour of their age. The eighteenth century in general is characterized by a high proportion of 'all well' returns, couched in more or less complacent language, of which the happiest example is perhaps the common 'we know nothing presentable within our

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said hundred'. When positive returns were made they are found usually to concern the non-repair or obstruction of highways. For most of the seventeenth century it seems to have been customary for the justices to pose a definite series of questions, distinguished numerically, and to obtain a reply to each one bearing a number corresponding to that of the question. This series of questions, known as the charge, had a predominantly moral theme, usually enquiring into the presence in the hundred of recusants, drunkards, vagrants and others of unseemly behaviour. Between 1816 and 1830 an attempt was made to revive the usefulness of the constables' presentment, in view, possibly, of the absence of that of the hundred jury, abandoned in 1782. The instrument devised for this purpose was a printed form, divided down the centre by a line, on the left hand side of which certain questions were printed, the right hand side being left blank for the constables to fill in their answers. It seems to have met with only limited success, since the majority still replied in different words that all was well, as generally did the contemporary grand jury. An exception occurs in T. 1824, when the grand jury presented the clerk of the peace, but that officer was able to note with satisfaction that the presentment had been signed with only twenty-three names—a circumstance, we imagine, that he would normally have overlooked. By 1850 no presentments at all are found on the file, though presumably the grand jury, until it was abolished in 1933, must have retained its right to make them if it wished.

In the seventeenth century all presentments are carefully filed, each in its separate class, positive ones together with those that claimed that all was well. When, however, Edgell changed the form of the roll in 1694, he decided to discard those which required no further action, and to file the positive presentments with the indictments, since both represented the initial document in a legal process. These remained on the same file as the indictments until the clerkship of John Turner, who once again filed all presentments together. The destruction of 'all well' presentments was discontinued by Michael Foster, and from 1729 until 1782 they have a separate file to themselves.

Presentments other than the above three classes are often found. Common in the first half of the seventeenth century are those of the searchers of woollen cloth, informing the court of weavers who had been found to have made cloth of less than the specified width or quality: these presentments sometimes contain a great many names. On rare occasions also there are presentments by surveyors of highways, who probably sought, by presenting their parishioners for non-repair of highways, to avoid being themselves penalized for this misdemeanour. Examples of this occur at E. 1614 and at E. 1745, though the latter is a document transmitted to Quarter Sessions from a petty sessions at Chippenham.

Lastly, a type that is found in small but constant numbers throughout the period is the presentment by one or two justices of the peace on their own view of a highway in need of repair. This procedure was instituted by the Act of 5 Eliz. I c. 13. The document is in stereotyped form, the

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English version of which can be seen in para. 37 of this text. A corollary of this class is the justices' certificate of repair, for it was later laid down, it is believed, by a Wiltshire by-law, that the parish whose highway was so presented could not be discharged until the justice making the original presentment had certified into court that repairs had been carried out to his satisfaction. These presentments were always filed with the indictments.

INDICTMENTS.

The earliest known records relating to Wiltshire Quarter Sessions are preserved among the records certified into the King's Bench and published by Professor B. H. Putnam.¹ These are indictments of the late fourteenth century, and it is interesting to note how little they differ in form from those of the seventeenth century and later. They are expressed as presentments of the grand jury, always beginning 'The jurors for our lord the king on their oath present that . . .', and, though never the *ipsissima verba* of the jurors themselves, indictments do not go forward unless endorsed by the jury. They were, in fact, drafted by the clerks of the peace, and because much importance was attached to precise wording, it was not easy to introduce changes. The rules concerning the drafting of indictments were severe, and if counsel for the accused could find the slightest flaw the indictment would fail. In his *Eirenarcha* Lambard devoted a long section to pointing out the types of error upon which a case would be quashed, ranging from the faulty description of the accused to a grammatical mistake in the Latin, such as a wrong case-ending. Even where a statute declared that a phrase was unnecessary it might still be retained: for example, 37 Henry VIII c.8 laid it down that a bill would not fail if it was not stated that a felony was committed *vi et armis*, yet a translation of this phrase was still being used in certain cases in the nineteenth century.

In spite of their being formal jurors' presentments, indictments were until 1733 in Latin, and are to this day on parchment. A curious anomaly is, however, the fact that they were always in secretary hand where one would have expected the more formal court hand. These facts seem to reflect in the one respect the antiquity of the record and in the other its supposed origin with the jury rather than with the court. In the second half of the seventeenth century it became more normal for the clerks to come to the court prepared with a number of indictments for the most common offences, ready-drafted with blanks left for the insertion of details of name, date and place, etc. This practice naturally developed in the mid eighteenth century into the use of printed forms. Michael Ewen was the first clerk of the peace to acquire a store of these; he had his name printed at the foot of them, and there were enough to serve his successor for several years after his death. By the nineteenth century a wide variety of printed forms of indictment was in use, and only in cir-

¹ Roll of the Sessions of the Peace in Wiltshire, 1383-4, in *Proceedings before the Justices of the Peace in the Fourteenth and Fifteenth Centuries*, Ames Foundation (1938), pp. 384-402.

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cumstances of an unusual nature was it necessary to write one out in full.

It was not to be expected that Wiltshire indictments would show any significant variation in formal text from those of other counties. The Surrey Quarter Sessions records already mentioned contain a useful series of examples of Latin indictments.¹ From these and from others it seems probable that the only peculiar feature in Wiltshire is the presence of the clerk's surname in the bottom right-hand corner of the document, written in court hand in the same way as it appears on the writs: John Kent introduced this practice at M. 1603, and it has remained ever since. This is strictly anomalous on a record not issued by authority of the court, but in origin it may simply have signified that Kent had checked the wording of a document prepared for him by his own clerks. If this is so, all recollection of this original intention had been lost by the time of Seymour Bowman, whose name is found written in the several hands of his numerous deputies, while Edgell, when he took over, found and used a number of blank forms already bearing Bowman's name, and was constrained to erase it from them before writing his own. Ewen, Turner and the Swaynes had their names printed in capitals at the foot of blank indictment forms, but since 1865 they have borne the clerk's normal signature. At T. 1668 there is an indictment, unique in Wiltshire so far as is known, bearing the name not of the clerk of the peace but of the clerk of the assize.

A further detail on the face of the document which has often excited interest is the cryptic annotations made by the clerk during sessions to record the progress or result of the case. They are found on indictments up to 1715 and again after 1782. Between these dates such information appears only in the Minute Books. In other counties, it is believed, the notes recording plea, verdict and sentence were normally written over the names of the persons indicted. In Wiltshire for the most part this was only done when more than one person was indicted in the same bill: otherwise they were placed at the foot of the document. For a short period between 1710 and 1715 Edgell wrote them on the dorse. These annotations are always found in a traditional form, the knowledge of which seems to have been a universal stock in trade of clerks of the peace. The meanings of most of them seem by now to have been satisfactorily worked out, though some editors do not seem to realize that a few even of the most common ones are still open to question. One of these is the phrase *non cul' nec rec'*.

The interpretation given to this phrase by modern editors is that it was an abbreviation for *non culpabilis nec retraxit se*, and means 'not guilty neither did he [the prisoner] fly [from justice]'. They have good authority, for this is the meaning given to the words by the Commonwealth clerks who had to translate the time-honoured Latin, and by the anonymous author of the contemporary manual for clerks of the peace.² No doubt this translation and application represent what the phrase

¹ *SQSR*, vol. VI, pp. 99-109. They are there wrongly called presentments.

² *The Office of the Clerk of the Peace* . . . , Anon., 1682, p. 159.

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nec rec' was believed to mean throughout most of the seventeenth century. There are, however, certain difficulties raised by this interpretation, which suggest that *retrahere* was not the original word, and that the phrase had, in the fifteenth and sixteenth centuries, a different application. The fact that the abbreviated form is always in Wiltshire, and generally in other counties, found as *rec'*, makes it certain that it did not stand for *retraxit*. The difficulties raised by the seventeenth century interpretation are three: first, the phrase is only found following a note signifying acquittal, never conviction;¹ secondly, its opposite (*sed rec'*) is very rare (only once has it been noticed in Wiltshire records, and then in a form which is equivocal); thirdly, it is unreasonable to suppose that the clerks would ever have troubled to set down a mark to indicate that a prisoner was innocent of an offence for which, had he been guilty of it, he would have been separately indicted. In fact, the note had become a convention, set down mechanically, and knowledge of its original application had been lost probably long before the clerks were forced by the necessity of making a translation to ascribe to it some meaning. It seems obvious that they then chose an erroneous one. This subject was discussed at some length by J. Cordy Jeaffreson, now long ago,² and his first conclusion was that the phrase should be transcribed *non culpabilis nec recesserunt* and translated 'not guilty nor did they [the jurors] withdraw [their verdict]'. Though Jeaffreson later developed some hesitantly expressed doubts, this seems a reasonable interpretation of the origin of the phrase. It refers to the power possessed by the justices of former times of coercing jurors by the threat of impeachment to withdraw a verdict of 'not guilty' if they, the justices, disagreed with it.

A further curiosity is the phrase *li' lo'* which makes its appearance in the late seventeenth century. It is expanded by the editors of Surrey Quarter Sessions records as *licencia loquendi*,³ and doubtless they are right, but such procedure is only proper to cases between subject and subject, and would not therefore be expected to be found in Quarter Sessions records. It is supposed that the clerks used the phrase simply to indicate that the court had granted a respite or licence to traverse.

A fairly common note, indicative of the procedure of the court, is 'tried this by consent', meaning 'tried at this sessions by consent of the court'. Cases to go before a petty jury were normally remanded till a subsequent sessions; and William Coles made a practice of adding to the original note the date of the sessions at which the case was determined.

Two further annotations of interest may be briefly noted. At M. 1626 an indictment was marked '*Non cul' retraxit*: this business was afterwards ordered and ended in court'. An indictment of E. 1653 bears the note 'Found n.g. noe flight, but to be bound to the good behaviour in regard the evidence was playne against her and her father in law was one of the jury that acquitted her'.

¹ S. A. Peyton missed this important point in his introduction, *op. cit.*, p. lxxvii.

² *Middlesex County Records*, 1st Series, ed. J. Cordy Jeaffreson, vols. I-IV. See also my article in *Society of Local Archivists, Bulletin No. 13*, April, 1954.

³ *SQSR*, vol. VIII, p. 274. See also Dom Hugh Bowler, *op. cit.*

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Lastly, before we turn to the endorsements on the indictment, there remains to be noticed the system of numbering, first applied to them by George Frampton in M. 1630. This numeration enabled the clerks to link entries in the minute books, and later in the indictment process books, with the original documents on the rolls. Justices' presentments of highways and, in the eighteenth century, the presentments of jurors and constables who found anything to present, were filed and numbered with the indictments. William Coles replaced the indictments of those whose cases were removed by *certiorari*, by slips of paper giving a brief note of the details of the case and bearing the number which had been first placed on the original. For a short period at the end of the seventeenth century an index was filed with the indictments, as with other documents.

Two endorsements are found on indictments; first, the verdict of the grand jury, and second, the names of the witness or witnesses. The grand jurors gave their verdict in one of two alternative phrases, *billa vera*, or *ignoramus*, according to their previous knowledge of the case and of the personal reputations of accusers and accused. The endorsement is in the handwriting of the foreman of the jury, and in the mid nineteenth century his signature had to accompany the note of the verdict. In 1733, and for a few years after, the foremen seem to have received little help from the clerk in finding a suitable English phrase to translate *ignoramus*. We find them wavering unhappily between 'we are ignorant' and 'we know nothing', before finally settling upon 'no true bill' or 'no bill' as phrases which would not appear personally compromising. According to Lambard, the verdict of the grand jurors was strictly limited to one of these two comments upon the indictment as a whole. In fact, Wiltshire clerks of the peace seem to have allowed jurors on a number of occasions to do precisely that which Lambard claimed was not permissible—to declare a bill true in some respects but not in others. An example has been seen, but unfortunately not noted, of a case where the grand jury declared than an indictment in which a man was accused of stealing several objects was true as regards some of the objects and not true as regards others. A late example occurs on the roll of H. 1855, when an indictment of two persons in the same bill was found true regarding one of them only. An interesting endorsement on a bill of H. 1631 reads '*Ignoramus per defectum evidencie*'.

Until the eighteenth century it was not the general practice in Wiltshire for the clerks to file bills not found. Frampton, at the beginning of his term of office, seems to have thought it necessary to include them, but they are no longer on his files in 1635, and only occasional ones, included probably in error, are found before the clerkship of Edgell, whose method of merely gathering together the files which had lain before him at the sessions into a hastily bundled parcel doubtless rendered it as easy for him to include in it the file of 'ignoramus bills' as to dispose of it elsewhere. From this time onwards indictments not found are included in the rolls, though they become progressively less numerous as the nineteenth century passed.

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The indictments on the first extant Quarter Sessions roll, that of H. 1603, bear no endorsement giving the names of witnesses, but this makes its appearance at the following sessions and is almost always found thereafter. It is tempting to speculate whether this change, which we are lucky to have recorded, marks any significant departure in the practice of the court; whether for the first time witnesses were being called to give evidence before the grand jury instead of taking their place as members of it. The word *teste* was not at first used to introduce the witnesses' names. Kent's phrase was '*hoc sequuntur*', which he had used up to 1631. The Restoration clerks began to note that the witnesses had been sworn by writing '*juratus*' after their names, and soon the practice was adopted by these clerks of adding their surname to the record of the witnesses sworn. From this time onwards it is therefore possible to determine from these endorsements which clerks were actually officiating at sessions. The phrase used to translate '*juratus*' after 1733 was 'sworn in court' still followed by the clerk's surname. When John Swayne handed over all the business connected with the making of indictments to his son-in-law, Edward Yaldon Cooper, with the title of clerk of the indictments, it was the latter's practice to place his initials against the name of each witness as he was sworn.

Two other types of document are occasionally found filed with indictments, and though they take a different form, appear to have initiated almost the same procedure as a normal bill of indictment. The earliest of these to be found is the information of a common informer, a document which might have been seen in larger numbers if the sixteenth century rolls had survived, but which is only rarely found on the rolls of the early seventeenth century. It is in the form of a memorandum to the effect that A.B., a common informer, came into the court and gave the court to understand and to be informed that C.D. had committed an offence against a certain statute. On the roll of E. 1616 there are three informations, one concerning the illegal practice of a craft, one a case of forestalling and another of selling liquor without licence.

Secondly, a class which enjoyed a brief vogue in the second half of the seventeenth century was that of the information against conventicles which arises from the Act of 16 Charles II c.4. This was a simple document on paper, to the effect that a named person had used his house for the purpose of holding an unauthorized religious meeting. The first of these has been found on the roll of M. 1683, and the last in T. 1689.

RECOGNIZANCES.

Though basically in the form of a bond, a recognizance is properly a fairly lengthy and elaborate document. It is in two parts; the first and more formal part was in Latin until 1733, though seldom in court hand, and should be the same for recognizances of all types—giving the date, the names of the principal and of his bails, the sums in which they were bound and the name of the justice of the peace before whom it was taken. The second part, which is usually in English, and often endorsed, gives the conditions which the principal is bound to perform to avoid the for-

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feiture by himself and his bails of the sums stated. These documents do not originate with the court, and are not the work of the clerk of the peace; they are drawn by the justice himself, or by his personal clerk, on strips of parchment, and are signed only by the justice. Though parchment appears generally to have been considered obligatory, paper was occasionally used. An early example is on the roll for T. 1694. Usually the paper documents which served as recognizances were those made on the printed form of a bond, which is described below.

Coming as they did from the pens of many scattered individuals, the forms of the recognizances actually found show too much variation for anything very useful to be said about them. The clerks of the peace, especially between 1660 and 1780, seem to have been prepared to accept almost anything to serve as a recognizance. The most fundamental departure which appears fairly regularly from the first observed specimen in 1689 till about 1740, when printed forms of recognizance became more generally used, was the adaptation of the printed form of a normal bond by the expedient of inserting the words 'the Sheriff of the County of Wilts' in the space provided for the name of the person to whom the principal was bound. He was thus bound to pay the sheriff a certain sum if the stated condition was not performed, whereas the normal recognizance stipulated that the sum was payable to the Crown. While paragraph 4 in this text shows practically the full form of a normal recognizance, by the early eighteenth century it is more common to find these documents in a very much abbreviated shape. A typical example is:

A.B. acknowledges himself bound in the penal sum of 40*l.*
C.D. " " " " " " " " 20*l.*
E.F. " " " " " " " " 20*l.*

The condition that A.B. do appear at the next General Quarter Sessions of the Peace to be held for this county to answer what shall be then and there objected against him by G.H.

Taken and acknowledged before
me this 12th day of March 1752

G. Hungerford.

Though the first printed form of recognizance so far seen is on the roll of T. 1638, they are rare until the mid eighteenth century, when they rapidly came into general use. By 1780 all justices seem to have supplied themselves with a sufficient range of forms printed on parchment, and in the nineteenth century hand-written recognizances are as rarely found as seventeenth century printed ones.

By far the most common types of recognizance on the rolls are those by which parties are bound to appear in court to answer to a charge or to prosecute or give evidence. These two were always kept apart on the files, and between 1694 and 1807 a separate file of each is found.

To illustrate the function of some of these documents it may be useful to suggest here in a brief digression what may have been the normal stages in a criminal case. An aggrieved party, let us say John Smith, having been assaulted by William Higgins, would go before a local justice

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of the peace. The justice might take a deposition from Smith, but he would certainly take his recognizance to appear at the next sessions to accuse Higgins. With him Smith would also bring before the justice two friends to stand bail for him, and any witnesses of the deed whom he could collect, who would be required to enter into separate recognizances to appear and give evidence. The justice would then issue a warrant ordering Higgins to appear before him with two bails, and he similarly would be made to enter into a recognizance to appear and answer Smith's charge. The recognizances would be retained by the justice and handed in by him, or sent by his clerk, to the clerk of the peace at the next sessions. It would seem to have been at the discretion of the individual justice in the early seventeenth century whether recognizances were taken to appear at Quarter Sessions or at Assizes.¹

The clerk of the peace, having sorted his recognizances into their two classes, would, soon after the commencement of proceedings, call upon those who were bound to appear and prosecute to come before him, and upon their statements he would draw up the bills of indictment. Sometimes, it is clear, he used depositions for this purpose when they had been sent in. A note referring to the deposition has been found standing in place of the name of a witness on the dorse of an indictment, and again, several depositions have been found endorsed with, for example, this note, 'Make an indictment upon this examination'. The finished indictment would be endorsed with the names of those whom Smith had induced to appear and bear witness for him. His own name would head these, and might indeed be the only one. The procedure did not, of course, give any occasion for the appearance of witnesses on Higgins' behalf. The completed indictment would thereupon be handed to the grand jury for their verdict. During the Middle Ages Smith and his witnesses would have appeared as members of the grand jury and would have been sworn in as jurors, but probably since the beginning of the seventeenth century they merely submitted themselves upon oath to the jurors' examination. If the grand jury endorsed Higgins' indictment '*ignoramus*', he would be discharged. If they wrote '*billa vera*', three courses would be open to him. He would either acknowledge the indictment, in which case the clerk would note the document '*cognovit*', and he would immediately be sentenced; he could traverse, that is deny the truth of some material part of the indictment; or he could plead not guilty. In both the last cases, unless special permission were given, he would have to appear at the next sessions before a petty jury, who would declare whether or not his traverse had succeeded, or pronounce upon his guilt or innocence; and in both cases he would immediately be discharged or sentenced according to the verdict.

A few annotations of various kinds appear on the face of the recognizances. John Kent added, in the bottom left-hand corner in his

¹ Both courts dealt with much the same type of offence as may be seen in this volume. As the Assizes only came round twice a year it was natural for the justices of the peace in sessions to initiate process against even the most serious offenders: see below, p. lx. An interesting indictment for murder is on the Great Roll of E. 1605.

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minute court hand, a note of the offence with which the principal was charged. Until the eighteenth century they are also noted with an indication as to whether or not the principal had appeared: usually he did, and the note would be made '*comparuit et exoneratur*'. Otherwise the clerk added a memorandum to extreat the recognizances or to issue a sessions-process. As with examinations and indictments, George Frampton numbered the recognizances to appear and answer, and later clerks added name indexes to these. From about 1660 to 1782 the lawyers' preoccupation with their fees caused them to place on the recognizances they drew up a note as to whether the person involved had or had not paid the fees for the document. If the fee had not been paid, the clerk of the peace would add the sum to his own exactions, and the total would be demanded before a discharge were allowed. Annotations referring to this system will be found also in the minute books and in the process books of indictments.

Recognizances serving purposes other than the above types are also found on the rolls. Recognizances to keep the peace and to be of good behaviour are occasionally enrolled. More often these conditions appear simply as a second consideration in a recognizance to appear and answer, the phrase used being something like '. . . and meanwhile to keep the peace towards the liege people of our lord the king and especially towards A.B.' (the person whom the principal was indicted for assaulting), or, more simply, '. . . and meanwhile to be of the good behaviour'.

Finally, there are the recognizances of alehousekeepers, or licensed victuallers: the statutory enrolment of these in the mid sixteenth century gave rise to the series of minute books. The records on the rolls are not properly the original recognizances, which may at first have been taken orally; nor are they truly documents of Quarter Sessions, but are enrolments made in special licensing sessions held throughout the county and deposited with the clerk of the peace. The full form of the recognizance, which is in Latin throughout, appears only for the first name on the list; thereafter the names of other innkeepers are briefly added below as '[the recognizance] of A.B. of X.Y. upon the like condition'. Such rolls of recognizances were a nuisance on the files, since they did not conform in shape to the other documents placed on them, and only occasionally at the beginning of the seventeenth century were they actually placed on the filing strings. Thereafter they are commonly found as a fifth roll, tied up with the parcel of four sessions rolls belonging to each year. It is clear that John Swayne, careful though he was for most of the records in his custody, did not care greatly for the preservation of these, for during the 1820's he is found using eighteenth century rolls of alehousekeepers' recognizances as wrappers for the Great Roll. From 1753 these recognizances were copied into registers and do not appear with the sessions rolls.

WRITS.

Writs issued by Quarter Sessions to the sheriff of the county, and returned by him to the court, form an important section of the rolls of

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the first half of the seventeenth century. From that time onwards they rapidly diminish in number, until by the turn of the century only an occasional single document is found. There are two small files on the roll of T. 1706; from then until 1824 none has been discovered at all.

Owing to their shape, the writs were the last documents to be placed upon the file, though the logical place for them would have been at the beginning, together with the precept and the jury lists—the other records returned into court by the sheriff. Seldom measuring more than an inch from top to bottom and about nine inches from side to side, and averaging in number between fifty and sixty during the first thirty years of the seventeenth century, they formed an ideal core round which to roll the remainder of the file. The early clerks, Kent in particular, excelled themselves in the preparation of these documents. With exquisite penmanship John Kent could put four lines of minute court hand on a strip less than three-quarters of an inch wide, still leaving room at the head and foot for annotations.

Wiltshire writs were invariably attested by the *Custos Rotulorum*; they are dated with the date of the sessions previous to that of the roll on which they are found, and the clerk's surname appears at the foot in the normal way as the person taking responsibility for their issue. They were never sealed. They usually bear annotations by the clerks of the peace, indicating either plea, verdict and sentence of those who appeared, or a memorandum of the further process to issue in the case of defaulters.¹

During the eighteenth century an occasional note in the minute book or in the process book, examples of which can be found in this text, indicates that the system of effecting appearances by means of a sessions process was still being followed. The letters 'pr.' to be seen preceding many of the entries in the process book indicate that a process has been or is to be issued in the case.

From the beginning of the eighteenth century onwards it seems that process of the court was issued, not in the form of a writ, but in the form of a precept to the sheriff. If these precepts were returned to the court, which seems unlikely in view of the lack of a directive to that effect contained in the document, it was not the custom of the clerks of the peace to file them, and only a few have been found on the rolls; John Turner filed one in 1782. Similar documents addressed to petty constables are commonly found in parish collections. These precepts are printed on paper, and are simply orders to the sheriff by the justices assembled in Quarter Sessions to arrest and bring before them at their next sessions certain named persons. They were sealed with the official seal of the court.

From T. 1824 onwards a new writ appears on the files attached to a schedule of estreats of fines and recognizances. It is today called a writ of *distringas*, though this word does not appear in the text and it is not the old writ of that name. Its purpose is to order the sheriff to levy and to transmit, at first to the Exchequer, after 1834 to the Treasury, the sums

¹ See *WASRB*, vol. IV, p. xxiv, for description of procedural use of these writs. Cf. *SQSR*, vol. VI, p. xx.

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mentioned in the schedule. The use of this writ and its return was modified by the Act of 5 and 6 William IV c.62. Thereafter it has borne the signatures not only of the clerk of the peace and of the sheriff, but that of the chairman of the bench also. In this connection it is interesting to note that from the time of William Clark Merriman onward, the clerk's name at the foot of both these writs and of the precepts has been a genuine signature, complete with initials and indication of office. It seems, therefore, to be now thought of as an authentication rather than as an indication of responsibility for issue. These writs are not sealed.

SUBSIDIARY PAPERS.

Various supporting papers sent into court or prepared by the clerk are found on the files. Of these the depositions are the most important and the most numerous. Technically the depositions are of two kinds; informations, which are statements taken under oath from prosecutors or from witnesses for the prosecution; and examinations, which are the statements of the accused. In fact, the justices' clerks rarely adhered to this classification, and the word used by them cannot at any period be relied upon to indicate the position of the person making the statement, though this is, of course, always obvious. Depositions were only taken in a small percentage of the cases brought up at any sessions. They are most commonly found in cases of bastardy, though a high proportion relate to theft and assault—always the two most common offences dealt with by Quarter Sessions.

Concerning the form of these documents, there is little to say. They were always written on paper, in English, and in a cursive hand. The formal heading is brief, giving at the most the name of the examinant, the date, and the name of the justice before whom the examination was taken. At the least, simply the name of the examinant appears at the head, while the date and signature of the justice is written at the foot as 'taken this twelfth day of June before me—G. Hungerford'. The examples given in this text cover probably all the variations in the opening words which are found, while the main body of the deposition is naturally intended to represent the actual words of the examinant.

The only development to which attention need be drawn is the fact that until about 1620 it was not thought necessary for the examinant to sign his statement—only the signature of the justice was appended. Thereafter both the signature of the justice and the signature or mark of the examinant always appear.

Between 1635 and 1660, when depositions are more numerous than they were before or since until the early nineteenth century, they were numbered and indexed. During the 1820's their bulk increased so greatly that John Swayne decided in 1828 to take them off the rolls and to make them into separate parcels: a practice which still continues.

Very occasionally forged documents are found filed as exhibits in a case before the court. These are usually Poor Law documents, either forged passes containing a licence to beg, or forged certificates sent in by constables in a fraudulent attempt to obtain repayment of expenses in

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conveying vagrants. An unusual example is on the roll of H. 1690. It is a forged copy of a will, and there is a lengthy indictment on the same roll in which the will is cited in full.

Justices' letters relating to cases before the court are commonly found at all periods. They usually concern highways presented for being in disrepair. The normal procedure in such cases seems to have been for the court to grant a series of respites until the repairs had been carried out, and then to conclude the case by imposing a nominal fine of sixpence on the parish. Occasionally, however, a more substantial fine of from ten to forty pounds was imposed; but since the whole sum was allotted to covering the expenses of repairs, this fine amounted merely to a different method of raising a rate. Possibly the difference between these two systems reflected the degree of confidence felt by the local magistrate in the energy or good faith of the particular surveyor of highways, and it may be that respites were usually granted only upon the receipt by the court of a justice's letter such as that printed as a footnote to paragraph 843 in the text. Such letters were probably received more often than they are found to have been preserved.

Found very occasionally are copies of warrants to arrest prisoners who were brought before the court. Justices' warrants are the more numerous, and there is an early example of one of these at M. 1608. A single sheriff's warrant has also been seen on the roll of T. 1688. This is on a form printed specially for the sheriff of that year.

Throughout the nineteenth century the clerks of the peace placed on the files a number of certificates from the clerks of other courts testifying to the previous conviction of a person whose indictment lies on the same file. Printed forms were used for this purpose.

Certain documents relating to criminal cases were prepared at various times by the clerks of the peace for their own convenience. On receipt of a writ of *certiorari* the general practice seems to have been for the clerk to make copies of the relevant documents on a long strip of parchment for forwarding to King's Bench. William Coles, however, appears to have sent up the original indictments. These he replaced on the rolls by half-sheets of paper giving the bare details of the original record, and numbered in sequence with the remaining indictments. It was a short-lived practice; not even Edgell, who seems always to have felt the pressure of business, adopted this method of saving time.

For a short time between 1670 and 1690 there are also filed amongst the indictments slips of paper beginning with the words 'pray call . . .' followed by the name of a person or of a parish and an indication that he or it had been presented, usually for non-repair of highways. This document was annotated in the same way as indictments, with a note of the result of the judicial process or of the next step to be taken. The purpose of these slips appears to have been to remind the clerk of cases originating in previous sessions, which required to be brought forward again. They appear to be couched in the form of an instruction to the crier of the court.

A further and much more important record on the files, which relates

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to the criminal business of the court, is the calendar of prisoners. A calendar of the prisoners in the county gaol at Fisherton Anger was regularly filed throughout the seventeenth century and until 1706. It was as a rule a single whole sheet of paper, giving the name of the prisoner, the name of the justice upon whose warrant he was detained, sometimes with the date of the warrant, and the reason for his detention. No satisfactory indication has been found as to the origin of the actual documents placed on the files. Technically they should have been the compilations of the gaolers themselves; in fact, during the seventeenth century we occasionally see the 'signature' of the sheriff at the foot (e.g. M. 1653, which is on parchment) and occasionally a note such as 'Extracted by me, Robert Constable, deputy clerk of the peace'. A calendar of H. 1654, headed simply 'For the judge of the sessions', was probably an original gaoler's return. The seventeenth century calendars have as a rule suffered considerably, both because of their size, which made them often the largest documents on the file, and because of their closeness to the outside of the rolled bundle. Many have succumbed entirely to these strains, and a high proportion are missing, while most are severely battered. In 1706 Edgell seems to have given up filing them. He probably started to make them into a separate class, for, though few have survived till 1757, they are thenceforward found apart from the rolls and made up into packets, each packet covering several years. Another of John Turner's innovations in 1782 was to return the calendar of prisoners to the rolls, though a second copy was also added to the separate collection. The calendars were now ordered to be printed, and James Swayne demanded that they should be printed on parchment. Gradually fresh columns were added, giving further details about each prisoner; the nineteenth century calendars even gave a brief indication of his standard of education. These printed calendars show the prisoners detained in the gaols of Marlborough and Devizes as well as in the old county gaol, and also cases which were the business of the Assizes as well as of Quarter Sessions. The copies filed by the clerk were annotated with the judgment of the court, probably copied after sessions from other records. As we shall see, the calendar was also transcribed into the fair-copy minute books during that part of the nineteenth century in which these books were kept.

Three other types of document made by the clerk for his own convenience are found on the files for brief periods during the seventeenth century. The first of these is the list of recusants prepared from constables' and jurors' presentments. Since the clerk of the peace had to send up to the Exchequer lists of the recusants in the county, these must have been regularly compiled, though only rarely were drafts of them preserved. In 1625 there is a curious list, not in the usual form, and apparently drawn up as the result of an official ecclesiastical enquiry. As a corollary to these lists there are also found contemporary certificates, signed by ministers and churchwardens, to the effect that a certain person presented for recusancy has attended his parish church. Secondly, John Kent, until 1608, filed rough draft minutes of the sessions on each

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Roll. These were written on paper gatherings sewn into books of eight or ten leaves. They are hastily compiled scribbles, containing very brief notes both of judicial matters and of administrative orders which served as drafts or memoranda for preparation of the main series of minutes. A line was drawn vertically down the centre of each entry in the draft when it had been fair-copied. Though at times barely legible, these drafts are an invaluable survival owing to the loss of the minute book covering the years 1604 to 1609. Thirdly, attention may be drawn again to the lists and indexes of numbered documents on the files. They are found during the period 1640 to 1660 when the organization of the roll seems to have reached its height. Not only do we find these indexed lists of recognizances, indictments and depositions, but all documents were carefully classified before being placed on the file, and long tongues of paper or parchment inserted between each class, so that when the file was unrolled these tongues protruded at the bottom and enabled the searcher rapidly to find the class for which he was looking.

A group of orders of the court is an almost invariable constituent of the rolls of the seventeenth and eighteenth centuries; but included under this general appellation are orders of three different types. First, there are orders drafted during sessions by the clerk in immediate response to a resolution of the justices, a type which properly belongs to the group of papers of the clerk with which we are now dealing. Secondly, and usually filed with these, are orders of removal or maintenance-orders in bastardy cases, neither of which are orders of Quarter Sessions, but which are found on the files, owing to their having been exhibited in court in pursuance of the appeal of one of the parties against them. Thirdly, there are occasionally orders of the court in the form in which the clerk transmitted them to the person concerned, which were returned as having been acted upon or as having expired.

Draft orders prepared by the clerk are common throughout the seventeenth century, though never very numerous. Usually they refer to some abnormal administrative occasion, and in the early part of the century the clerk often obtained for his draft the signatures of the justices present. Notes of routine orders to be issued must have been destroyed by most seventeenth century clerks between 1608 and 1694, when Edgell started making them in the back of his minute book. On one or two occasions such notes have been found on other documents which lay before the clerk on the court-room table.

Most of the documents discussed in this section were casualties of the eighteenth century clerks' reluctance to prepare documents for the record. We cease therefore to find, not only these draft orders, but the index lists, the notes of cases brought forward from previous sessions and the lists of trial prisoners and petty jurors. The orders found are almost entirely orders of removal from which appeals were entered (1696 to 1835).

Usually classed with orders, because they were used as drafts for them, are the documents called appointments of constables. These are statements, usually on small scraps of paper, handed in by constables and

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tithingmen of parishes and other places, stating that they have served their office for a year or more, and that as no court leet for their manor has been held for the appointment of a successor, they desire the court of Quarter Sessions to make the necessary appointment. The names of three persons judged suitable to succeed them in office were written below. The court selected one of these three, usually the first named, against which the clerk placed a point or a cross to indicate the choice. The clerk would thereupon draft an order for the appointment of that person as constable.

Records of petitions addressed to the justices are common in the seventeenth century; but in the eighteenth century they are rare. The most frequently found are the requests for licences to build cottages according to the Act of 31 Eliz. I c.7, and the petitions of disabled soldiers attempting to obtain a pension. These are naturally especially numerous immediately after the Civil War, and they are usually accompanied by a certificate signed by the soldier's former commanding officer. An amusing if somewhat obvious circumstance is the fact that until 1660 every one of these supplications plays upon the unswerving loyalty of the petitioner to the cause of the Parliament, and recounts his heroic deeds of valour on its behalf; while after that date every petitioner is invariably found to have been an equally deserving adherent of the late King Charles. One wonders whether the earlier pensions awarded were still paid after 1660. Petitions were usually submitted on large sheets of paper, and written in engrossing secretary hand by a professional or at any rate a practised writer. They follow the common form used for petitions addressed to anyone in authority, beginning with an address followed by a long preamble setting out the circumstances, with more briefly at the foot an indication of the action which it was desired should be taken by the court. Petitions are rarely dated. At all periods the clerks occasionally wrote at the foot of the petition a note of the order made by the justices, or an indication that the petitioner had failed to obtain his demands. One such note shows that the person presenting a petition was expected to appear in court, and it is probable that in many cases he would be questioned further upon the matter.

Besides petitions, there are other less formal letters, often addressed to the justices by higher authorities. Up to the time of the Restoration the rolls contained many letters and orders from the central government, either from the Privy Council or from a Secretary of State, and letters from a Secretary of State again become common in the early nineteenth century. These, together with many other documents of miscellaneous interest, were removed from the rolls by B. H. Cunnington in the early nineteen-thirties and made up into a separate volume which he called *The Autograph Book*.¹ This was doubtless done to protect them from further rolling and creasing and to make them more readily available; but, though each is carefully marked with the year to which it relates, and typescript copies were put with the parcel belonging to that year, the

¹ Cunnington received permission to do this from the Custos Rotulorum in April, 1930. Wilts. Record Office, Clerk of the Peace, Misc. Papers.

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actual sessions was not indicated, and therefore replacement will in many cases be only conjectural, if it is decided that it can ever be done at all.

Scattered throughout the rolls of all periods, there are also letters from absent justices to those who were meeting at a particular sessions, usually giving an excuse for non-attendance and requesting the assembled bench to perform some task which would have been undertaken by him had the writer been able to be present. There are also letters from justices to the clerk of the peace, requesting the good offices of the clerk in some particular instance. On the roll of H. 1690 there is a letter from a justice to Robert Constable, the deputy clerk at Warminster, complaining that an order of Quarter Sessions has not yet been acted upon, and that Mr. Thomas Eyres is 'therein much to be blamed'. Eyres was the deputy probably residing at Devizes, and it would appear from this letter that co-ordination between the several deputies of this period, each one of whom seems to have been in charge of the sessions held in his home town, was by no means perfect.

Finally, mention might be made of an unusual type of letter received at T. 1796 from the justices of the West Riding of Yorkshire, urging upon the Wiltshire justices the necessity of administrative reform in local government. In the nineteenth century the clerk received many such letters on behalf of the justices, but they are not to be found on the Great Rolls.

DEPOSITED DOCUMENTS.

The practice of using Quarter Sessions as a court of record for the deposit of documents unconnected with the business of the court, for which it was intended to obtain the status of 'matter of record', began with the Statute for the Enrolment of Bargains and Contracts (27 Hen. VIII c. 16). Enrolments of such deeds of bargain and sale were not, however, placed on the sessions bundles, and the first deposited documents which appear there are the recognizances of licensed victuallers dealt with above. No further Acts of Parliament demanded the deposit of such records until the Test Act of 1673, which began the series of documents known as Sacrament Certificates. The form of these appears from paragraph 91 in the text. Usually at first, because they were numerous, they were not placed on the files, but like the recognizances of alehousekeepers, were simply tied up with the four bundles belonging to a year's sessions. Throughout the eighteenth century and until 1827 a file of such certificates is normally found in the collection of files for each sessions.

From 1673 onwards an increasing number of records of different types were ordered by Acts of Parliament to be deposited with the clerk of the peace, but during the eighteenth century none of these were added to the sessions files. The first innovation after 1782 was the filing of the accounts of coroners and of others, the payment of which it was desired should be ordered by the court. The majority of such accounts are always to be found among the receipted vouchers preserved by the county treasurer, and the reason for the special treatment of the few found on the rolls is not yet clear. At the same time we find the oaths of

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qualification of justices of the peace placed on the rolls. These are signed declarations by the newly commissioned justices to the effect that they possess the requisite property qualifications. In accordance with the Militia Act of 52 Geo. III c.38, s.175,¹ there are returns giving the strength of the county militia and certifying that the statutory training has been carried out. They are accompanied by a certificate of the clerk of the peace. A number of documents of various kinds connected with the administration of prisons reflect the growing interest of the early nineteenth century justices in them. Throughout the first half of the nineteenth century it was a rule that the keeper of each of the three gaols should furnish a document to each Quarter Sessions, certifying that the establishment was in good order and giving a detailed classification of the inmates. These returns were made on large printed forms. A series of returns of the average price of wheat at the market at Warminster during the 1830's bears witness to a rather more transient interest of the bench in economic affairs. Also found very occasionally—less often than could be desired—are reports of committees of justices set up to examine some particular matter. An example on the roll of T. 1885 is the report of a committee formed to enquire into the suitability of the polling districts then in use.

Of the many returns the clerks had to make to the Home Secretary during the nineteenth century one was a list of crimes committed during each quarter. These returns were in the first place sent into court by the chief constable. A duplicate copy of this elaborately classified compilation on a large printed form was placed on the file from 1865 onwards. Also received from the police were the quarterly reports of the public analyst on samples of food sent to him by them in accordance with the Food and Drugs Act, 1875. Duplicate copies of these are also filed.

Lastly, the nineteenth century rolls contain a frequent and bulky group of documents concerning the diversion of highways and footpaths. Early returns to inquisitions *ad quod damnum* and records resulting from the Act of 13 Geo. III c.78 were at first kept separately, but from 1814 onwards these were filed on the roll for the sessions at which the diversion was authorized. The most useful and spectacular of these documents are the plans of the proposed alterations; though a few are rough products of amateur draughtsmanship, most of them are the work of experienced surveyors. No convention seems to have been adopted as to whether they should be furnished on paper or parchment, but mostly they are on paper. Other cognate records are the original petition, the written authorizations of those whose lands were to be traversed, the statements by local inhabitants, complete copies of those newspapers in which advertisements of the proposed change had been placed, and the order of the justices authorizing the carrying out of the work. In the records of a subsequent sessions it is possible to find a certificate signed by two justices to the effect that the new stretch of road had been satisfactorily constructed.

¹ This Act is the one cited in mid-nineteenth century documents : there are earlier examples filed in accordance with the Act of 42 Geo. III, c. 90, s. 157. In Essex they are found from 1767. See *Guide to the Essex Record Office*, vol. I, p. 76.

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The rolls of the nineteenth century are as a rule larger than the earlier ones, mainly because of the increased size of the average document placed on them. The average total number of documents is less, since the increase in the number of different additions was more than offset by the disappearance of the formerly numerous presentments, jury-lists, depositions, removal orders, sacrament-certificates and writs. Though it is outside the scope of this work, we may conclude by remarking that very little difference to the records found on the Great Rolls was effected by the Local Government Act of 1888.

MINUTE BOOKS

Wiltshire is justly proud of its very fine series of minute or general entry books. Beginning in 1574, they are complete to the present day with the exception of a single volume which should have been third in the series (1604-1609), and for some periods the record has survived both in draft and fair copy.

With few exceptions, the nature of this class has not varied greatly over the ages. It constitutes a series of general entry books containing, in greater or lesser detail, all the criminal and administrative business of the court. The only outstanding exception to this statement is that during the period 1642 to 1755 a separate series of order books carried the main record of administrative business, though for most of this period the clerks made brief notes of the orders of the court in the minute books as well. The chief variation which occurs between one period and another is the result of the industry or laxity of different clerks in the compilation of the record. At one extreme we find John Kent, almost fanatically precise, methodical and detailed in his recording of criminal cases, with James Swayne and the two Merrimans equally careful concerning administrative business; while at the other extreme there is no doubt that James Edgell has left us with only the barest outlines of a record in volumes and papers which are so squalid and badly written that only painful necessity would lead a searcher to contemplate their perusal.

It seems probable that these extremes are the result of two differing conceptions of the nature of the minute books. When the first volume of these minutes was to be published as Volume IV in this series, it was for a time undecided whether it should receive the title 'Minute Book of Quarter Sessions' or whether it should be called 'A Notebook of the Clerk of the Peace'; for this latter title seemed in fact to describe the contents more exactly. Since the nature of this volume is discussed in the introduction to the published version, it is not proposed to treat of it here in any detail; but it seems that, started as a register of licensed victuallers in 1563, it was soon after used by the clerk simultaneously as a personal memoranda book. It was not, and did not pretend to be, a full record of the proceedings of a sessions, even in the way in which, for example, the minutes of William Hawkes, to be found within these covers, were conceived. The chief contribution of John Kent to the record keeping of this county lies in his elaborate systematization of the minute

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books so as to include, clearly set out under appropriate headings, all the proceedings which took place in every sessions. It seems obvious that, since he wrote much more than he would normally expect to need for his own future reference, he must have regarded the minutes not as personal memoranda but as the formal record of the court. It seems, conversely, that it was this point which Edgell overlooked, for he is found once again making only such entries as would serve him when his memory failed, and for this purpose no high standard of neatness, legibility or detail was necessary.

For the ensuing discussion of this series of records, it is proposed to divide the subject into four periods, and to make some general and some detailed remarks concerning the methods employed by the clerks during each period. As stated above, the first volume will not be considered further.

PERIOD 1598-1665.

The eleven volumes which cover this period, together with the first five order books, have in common the fact that they were all rebound at some time, probably in the early eighteenth century, in heavy leather-covered boards. The leather was of poor quality, and is now in most cases badly perished and torn. In some volumes the last leaves show signs of the decay which must have necessitated this work. The rebinding was not carefully done, and the supervision appears to have been inadequate. The sections were oversewn, and there are many errors, usually towards the ends of the volumes where leaves and sections are often found out of order. A leaf from Volume IV was bound in Volume XII. In Volume XI a section was bound in upside down. Even worse errors were perpetrated upon the order books, which will be described below. Most of the minute books were compiled in large folios of from 600 to 700 pages. Where the original bindings are extant, they are usually stationers' bindings in semi-stiff parchment-covered boards.

The handwriting employed was as a rule until 1733 court hand, and the language Latin. The main exception to this rule is that orders and notes of orders are in English. Secretary hand is occasionally found throughout, being probably used at times when the proceedings were being written up by a junior clerk, unskilled in the more recondite hand.

Volume II is, for the first few pages, similar to the first in general appearance. It soon begins, however, to exhibit more formal characteristics, and set patterns emerge for the recording of certain items. At page 45 a sudden change is apparent, and it is on the basis of this change that the deduction has been made that John Kent's clerkship began at Trinity Sessions, 1601. The changes are those which are associated with his régime, and the characteristics which the record then assumed remained throughout his clerkship and lasted to some extent until about 1665. These characteristics are chiefly an exquisite neatness in the style of court hand used, and an exact and formal lay-out of the material, with such regular headings, spacing and indentations of margin that it becomes

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possible merely from a glance at any page to see the type of business that is being recorded.

The business of the court was set out by Kent under ten headings, in order as follows: *de recognicionibus ad ultram in curia captis; de recognicionibus ad istam per justiciariis, etc., certificatis, etc.; de recognicionibus ad istam in curia captis; de indictamentis ad istam; de presentamentis ad istam; de eleccionibus constabulariorum; de comparenciis ad istam; de traversis; de brevibus et processis ad istam emenendis; de ordinibus ad istam.* This example is taken from E. 1622; it was varied only slightly from one sessions to another, and in general it represents an inclusiveness and exactness of classification which was never afterwards maintained for so long by any other clerk. Kent used a number of deputies whose hands often appear but whose names have never been seen. Over them he must have exercised a fairly close supervision, since it is rarely possible to find them making any departures from his rules of format, which remained almost constant during the twenty-four years of his clerkship. His successor, George Frampton, at first made some improvements, but was unable, during the difficulties of the Civil War period, to devote to it the attention which this work required. Throughout Frampton's time the standard was less even. There are occasional lapses into secretary hand, and many sessions were never fully written up, though blank pages were left so that the work could be completed when time was available. The changes made by Frampton were the inclusion of a trial jury list immediately preceding the record of indictments and, for a brief period, a still further sub-division of the recognizances. At T. 1645 he used five headings which, translated, are as follows: recognizances at the last [sessions] taken in court to appear at this; recognizances respited at the last to appear at this; recognizances at this certified into court by the justices; recognizances at this taken in court to appear at the next; recognizances at this taken in court [to keep the peace or to be of the good behaviour]. This scheme enabled him without trouble to transfer whole blocks of names from one sessions to the next.

A more radical departure for which Frampton was responsible was the splitting of the record into two series, one of judicial minutes, and another of administrative orders. This took effect in 1642, when the current volume was filled up. These order books will be discussed in a later section.

It is not possible to determine from Quarter Sessions records the exact date at which the next clerk, William Coles, succeeded George Frampton, since the Civil War resulted in the abandonment of sessions in Wiltshire from T. 1645, when Frampton acted as clerk, until T. 1646, when Coles' name first appears. He does not seem to have been responsible for any innovations in the record, though he did not maintain Frampton's full sub-division of the recognizances, nor was he able to keep a continuous record. The recording of many sessions was never completed, especially during the few years immediately previous to 1660; and occasionally several pages bear simply the quadruplicate marginal rulings which guided the junior clerks in keeping the elaborate indentations

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required, and perhaps also a few of the headings which seem generally to have been written in first, perhaps by a more skilled calligrapher. Coles was the clerk in office in 1651 when, at Trinity Sessions, he was constrained by law to turn his record into English and to write it in secretary hand. This task he performed competently without materially altering the form of the record. His rendering of common form legal phrases seems, so far as one can tell from other published records, to have been much the same as those used everywhere. Quite how this standardization was achieved is a question so far unsolved and seldom asked.

Gabriel Barnaby and Samuel Pordage both held office for very short periods between 1658 and 1660, and when they found themselves able to compile the record at all, they followed the example left them by William Coles which was essentially that of John Kent. The brevity of their tenure of office and the succession of Seymour Bowman in M. 1660 are undoubtedly due to the vicissitudes of fortune suffered by Wiltshire noble families during the Civil War, and the rapid transference from one family to another of the office of Custos Rotulorum. An interesting writ appears on the roll of T. 1646, addressed to George Frampton, commanding him, since Philip Earl of Pembroke and Montgomery has been appointed Custos Rotulorum, to hand over 'all and singular rolls, records and our other memoranda being in your custody to the same Philip Earl of Pembroke and Montgomery or to his deputy, by indenture . . . duly drawn up'.

There is again no material change in the form of the records for the first five years of the clerkship of Seymour Bowman. Bowman and Michael Foster were the only two clerks to treat their office mainly as a sinecure, though others relied entirely upon deputies for a few years toward the end of their term of office. It does not appear that Bowman often acted in person, and the names of no fewer than six of his deputies appear at different times in the record of his thirty-six years of office. Thus the similarity of the record of the first years of the new régime to that of the previous sixty years is probably due to the efficiency of his first two deputies, Francis Sambrooke and Thomas Bennett, and it is tempting to look for an earlier link in the identical surname of one of these two and that of the deputy employed by William Coles. Thomas Bennett is last found acting in the sessions of M. 1689.

For lack of more precise information, we must attribute to Seymour Bowman the beginning of a totally new class of record in 1661: the process book of indictments. A later section is devoted to this class, but it may be noted here that no immediate change due to its inception took place in the entries made in the minute books, though the need for the careful recording of indictments and appearances in the minutes was thereby very much decreased, and from this time onward the latter class of entry was no longer made.

These entries, which are those placed under the heading '*De comparenciis ad istam*', are the records of the appearances of prisoners effected by a sessions process, and in the Latin form they are introduced by the names of the writs employed. A form of entry very similar to that used

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in Wiltshire is in the *Eirenarcha*.¹ For comparison, an English form from the entries of minutes for M. 1653 is given here:

' Wm. Morgan. Wilts ss: William Morgan of Warminster in the County aforesaid labourer was indicted at this Sessions upon the oaths of xij jurors for that he the twentieth day of August in the year of our Lord one thousand six hundred fifty three by force and arms at Warminster aforesaid in the County aforesaid threepence in money nombred of the goods chattles and money of one John Slade then and there being found then and there feloniously did steal take and carry away against the public peace; and the foresaid William Morgan under the custody of William Long Esqr. sheriff of the County aforesaid in whose custody for the cause aforesaid he was committed to the said sheriff; and presently he was allowed to speak what he can to acquit himself of the premisses etc., sayeth he is not guilty etc., and thereupon for good and evill he putteth himself upon the country; and William Coles gent. who etc., and in like manner came the jury here before the justices etc.; immediately etc.; by whom etc.; and who etc.; to enquire etc.; and because etc.; And the jurors being sworn (to witt) [*names*] being the jurors exactly empannelled by the said sherriffe chosen and sworn to try the truth of the premisses do come and say upon their oaths that the foresayd William Morgan is guilty of the premisses in manner and form etc.; and that he hath no goods etc.; therefore it is considered by the court that the foresaid William Morgan shalbe openly whipped on his naked backe until he bleed, And then to be delivered.'

PERIOD 1665-1745.

It is clear that from Volume II to Volume XII, which ends in 1665, the record had been compiled after sessions, at leisure, from annotated documents on the rolls and from rough notes such as those kept by Kent and filed between 1603 and 1608. It is no less clear that from Volume XIII to Volume XIX (1745) most of the entries in the minute books were noted down in court, while other parts were prepared beforehand from the record of previous sessions for appropriate annotation in court. The formal style of the sessions which heads the record of each proceedings was drawn up beforehand, a blank being left for the justices' names which, when the clerk entered them, appear in different ink. The traditional final phrase of this heading, '*et per tres dies continuatur*', was omitted. As a rule nothing is recorded save recognizances under two headings: *de recognicionibus ad ultram in curia captis*, which were prepared beforehand, and *de recognicionibus ad istam per justiciariis certificatis*, or more simply *novi ballii*, which were evidently entered in court and which are numbered consecutively to correspond with the filed recognizances. The orders of the court were briefly noted at the end of the volume, and later make an undistinguished reappearance without heading at the end of the record of each sessions, as in the minute books of William Hawkes.

¹ 1614 edition pp. 544-6.

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It is obvious that the minute book had almost at a single stroke reverted to something like its state at the time of its conception in the sixteenth century. The clerk was using it as a notebook or *aide mémoire*, not as a formally compiled record of proceedings; he was noting in it only such matters as he felt he might otherwise forget to bring forward. One must, however, remember that the indictments were being recorded in the process book. The minute book was probably the only one brought into court, and since it lay open before him, the clerk used it to make rough notes of any matter of which he wished later to be reminded. Court hand was still being used, but not consistently; and then usually just for headings and other matter prepared beforehand. The smallness of the clerk's regard for these records is shown by the fact that the stationery used for Volume XIII is a single large gathering in a limp parchment cover, while the next one consists of three large quires roughly stitched together, now lacking its covers and consequently the first and last leaves also. Both were evidently made up in the clerk's office. Volume XIII has a fore-edge flap and tape ties, now broken off; Volume XV originally had clasps. Consideration was evidently being given to the portability of these books, for in Wiltshire sessions records often had to travel the county from one town to another for several years, at least until the book was full.

The downward trend in the general appearance of this record continued steadily throughout the nominal clerkship of Seymour Bowman until it reached its lowest point in 1689. In Trinity Sessions of that year was noted the appointment of Robert Constable as clerk, though it appears from the rolls that he was only a new deputy. It seems that James Edgell also began his deputy clerkship in the same year, for his crabbed and barely legible court hand is unmistakable. One of these two was responsible for reintroducing the rough notes of orders of the court into the minutes. They were placed at the end of the volume instead of at the end of the record of each sessions, no doubt because the justices made such orders at different times throughout the proceedings, and it was difficult to calculate, before the copying of the recognizances had been completed, how many pages ahead they should be placed. One or other of these clerks was also responsible for reintroducing the lists of cases respited for trial which begin the record of each sessions from 1689 until the end of the eighteenth century. This list was compiled beforehand from the record of previous sessions.

Volume XVI (1694-1702) is all the work of Edgell. At first he began to record the names of jurors, with the name of the sheriff appended as though it were a signature; but in 1722 this detail disappeared. Recognizances newly certified bear at first, as formerly, the names of the justices who handed them in. This detail also soon disappeared, as occasionally did all headings—even the main sessions heading. Again, for a few sessions Edgell recorded in the minutes the names of those taking oaths of allegiance and abjuration, but this did not long continue. Finally, he was responsible for introducing into the record the purely personal matter of the payment or non-payment of his own fees. His lack of consideration for the formality of the records is obvious from the

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wide variations of lay-out that he used. The general aspect of the four volumes which are wholly or partly his work, is uninviting; they are full of scribbles, pen trials, ink smudges and blots; there are frequent erasures and alterations in the text; there is no attempt to maintain a consistent system of indentations and regular margins, nor could he write a straight line. But we must not forget that James Edgell was a busy man, holding several offices and with a private practice. He did at least himself do all the work that was done, never at any time employing a deputy.

The handwriting of the next clerk, Michael Foster, appears only briefly in 1729 and 1730. Early in 1730 he handed the work over to a deputy, William Hawkes, his brother-in-law and eventual successor. The work of these clerks represents but little improvement upon that of Edgell; but at least neither of them wrote as badly, though Hawkes' court hand could be poor. On all possible occasions he wrote a round and clear legal secretary, and his own cursive script was, when not written too hurriedly, reasonably neat and legible. Fortunately he did not have long to practise his court hand, for in accordance with the Statute of 4 Geo. II c.26 the use of both Latin and court hand disappeared from the records of Quarter Sessions at E. 1733.

The nature of the record kept by Hawkes, both as deputy for Michael Foster and on his own account, need not be described, since a typical example appears in transcript between these covers. It may be useful to remark that, apart from the translation into English, it is broadly similar in form to the record kept in the minute books by Edgell and in the draft minutes of Hawkes' successor, Michael Ewen.

PERIOD 1745-1824.

It is clear that our first period exhibited a compilation, carefully and laboriously made after sessions as a permanent record of the court's proceedings; while the volumes of the second period are simply clerical memoranda made before and during sessions. We now come to the contribution of Michael Ewen, which was to combine both these systems of recording the work of the court in a duplicate series of draft and fair copy minutes—a practice which he adopted at E. 1745 when the book opened by Hawkes had been filled. It will be necessary to deal with each of these series separately.

The first nineteen volumes of the draft minutes, covering the years 1745 to 1791, were kept in thin folio books of one to three gatherings, made up roughly in the clerk's office with brown paper wrappers. As stated above, Ewen's books show little variation from the main record kept by Edgell, and are similarly chaotic in lay-out, and generally untidy in appearance. They contain little but lists of cases, recognizances and orders, in very brief note form. Notes of orders may consist of a single name, for example, ' Mr. Holdaway ' might be a reminder to the clerk to make an order on the treasurer to pay the keeper of the county gaol his salary and expenses. It is interesting to note that it was in this record that Ewen reintroduced the phrase *po' se* to indicate that a prisoner pleaded not guilty. This abbreviation for the Latin *ponit se super*

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patriam is presumably used illegally in the record of a court of law because of the Act cited above; but, though introduced into the clerk's private memoranda because of its convenient brevity, it soon found its way into the formal record and remains there to this day.

In Wiltshire, as probably elsewhere, the lax administration of the late seventeenth century and of the eighteenth century came to an end in the 1780's. The new age in this county is personified by John Turner, about whom too little is known. Not content with tidying up the rolls and improving the fair-copy minutes, he strove to keep even his draft minutes neatly and, indeed, with unnecessary formality. Many of the entries were prepared beforehand, and spaces were ruled for the recording of business which could be expected. For example, a page is headed 'Felons'; below it horizontal lines are ruled for the names; then two vertical lines, about an inch apart, are ruled down the centre of the sheet, and between them the words '*po' se jury*' are written right down to the foot of the page, though perhaps only half the lines might be used; finally, during the sessions the verdict and sentence were entered in the right-hand column. These books were written spaciouly in a large hand, and while they bear notes, marks and erasures not found in the fair copy, these were not made carelessly.

At T. 1791, instead of making up a new paper book in his office, Turner purchased a volume for the purpose, bound in limp brown leather with edges overlapping at top and bottom and with a large flap and tie on the back fore-edge. Thus bound, it was well protected against the buffets of its frequent journeyings from one Quarter Sessions town to another. The next clerks perceived how practical was this type of binding, and its use continued throughout the nineteenth century, though blue paper soon became used instead of white, a blue which gradually became darker as the century progressed.

In order to illustrate the inclusiveness of the draft record kept by Turner, it may be useful to give as an example a list of the material included by him at E. 1798: title of sessions; lists of grand jurors and petty jurors; traverses entered last sessions; traverses now entered; appeals entered and adjourned last sessions; appeals now entered; felons; recognizances respited and taken in court last sessions; recognizances to prosecute and give evidence now certified; recognizances [to answer] now certified; recognizances taken in court; orders of court; proclamations [of outlawry, etc.]; constables appointed; orders to pay prosecutors' [expenses]; orders on the treasurer; orders of court [*bis*]. With such comprehensiveness, and with the care taken in the writing up and the organization of the material, it is not surprising to find that the contemporary fair copy is little more than an exact transcript of the draft, as John Swayne appears to have realized in 1824. But before continuing further, we must examine the fair copy minutes up to this date.

For the first of these books, Michael Ewen chose a substantial flexible-backed volume bound in heavy leather-covered boards containing about 360 pages; but for subsequent volumes he used an even larger format which covered 750 and later above a thousand pages, between heavy

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parchment-covered boards reinforced with leather bands and with a spring back. Six and about half of a seventh of such books take us from 1745 to 1824—an indication that the business done and recorded had vastly increased during this period. Usually some twenty-five pages are devoted to a single sessions, as compared with the four or five used by Hawkes. Ewen's books are carefully written in legal secretary, by several persons whose hands exhibit varying maturity; and though he never obtained the formal appointment of a deputy, it is clear that he employed a number of clerks to write for him in his office. Turner was responsible for the final disappearance of secretary hand, and from his time onwards the fair-copy minutes are written in 'copper plate' italic script. For a time Ewen used red ink, now very much faded, for his headings.

So far as the material included is concerned, it will be sufficient to give the headings at E. 1745 and to note later additions to and variations from them. They are as follows: [formal title of sessions]; [names of grand and petty jurors]; traverses; felons; recognizances [to appear and answer] of last sessions taken in court; recognizances [to appear and answer] of this delivered in court by the justices; appeals; minutes of proclamations made at this sessions; minutes of the orders of this sessions; minutes of presentments and indictments of highroads . . . and tythingmen not making returns, respited or discharged; recognizances to prosecute or give evidence delivered in court by the justices; indictments found by the grand jury; presentments made and certified at this. The recording of these details occupied eight folio pages, but the number was immediately increased at the next sessions and thereafter by the inclusion of a transcript of the calendars of prisoners, in so far as they related to Quarter Sessions, annotated with the sentence of the court. This usually filled several pages, and was set out under sub-headings of the names of the three Wiltshire gaols, and further sub-divided under felons and misdemeanants. By 1752 the appeals were being divided into those 'entered last sessions and now to be heard', and those 'newly entered', and the full order of the justices on cases of appeal (almost always against removal orders or orders in bastardy) was entered. During the first year of Turner's office the traverses, indictments and presentments were also sub-divided into those of the last, and those of the present, sessions. The recording of indictments became more elaborate, amounting to a detailed abstract of the original. There were also separate sections for the minutes of orders for raising rates and a copy of the estreats of fines and recognizances. Minutes of orders likewise became more comprehensive, until in 1755 Ewen decided to include the full copies of these in the minute book and to discontinue the separate class of order books. The orders as they appear in the minute books were soon classified, orders of the same kind being grouped together; for example, there are orders on the treasurer, orders in bastardy, orders for raising rates, orders for the election of constables, and orders for the transportation of convicted felons. Sometimes these have appropriate headings, sometimes they are undesignated. A further innovation, which appeared shortly before the end

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of Ewen's term of office, was the recording of business done at the adjournments held at this time mainly to hear the cases of insolvent debtors.

The chief point to note about the contents of the record during the clerkships of John Turner and James Swayne is, naturally, the increase in the amount of space taken up in entering the growing administrative work of the justices. So far as criminal business is concerned, there is little worth comment beyond the inclusion of lengthy transcripts of writs of certiorari and of the documents certified into King's Bench in obedience to them, and a further sub-division by cases of the calendars of prisoners, the headings now being: felony; bastardy; vagrants; breach of the peace and assault. It is also interesting to observe that Turner finally abandoned the one last trace which the record still bore of its origin as the clerk's notebook. It had always been the practice in the minute books to enter the notes of plea, verdict and sentence *over* the names of the persons concerned. Turner, as we have seen, discontinued this, even in his draft minutes, and naturally also in the fair copy. It is perhaps more remarkable that the seventeenth century clerks who had fair-copied their minutes should have followed this curious tradition for so long.

It is not possible to chronicle throughout the eighteenth and nineteenth centuries the arrival in the records of each new class of administrative business. Those which bulk largest, or otherwise seem the most notable, are as follows: (1) petitions to the Lord Chancellor from the justices for briefs for charitable collections on behalf of those who had suffered personal loss—new to the minute books, but by no means a new class of business, for such petitions and other cognate records are frequently found on the seventeenth century rolls (see above, p. xxxix); (2) licences to players to conduct stage performances; (3) orders for the stopping up and diversion of highways and footpaths; (4) orders and reports concerning the administration of the county gaol; (5) at T. 1810, there is a full copy of the report of a committee of justices set up to superintend the building of a new bridge, and occasionally thereafter there are reports and minutes of resolutions by similar *ad hoc* committees; (6) there are regular entries of treasurers' accounts, which include separate accounts of payments made to the families of serving militia-substitutes. The amount of business now being recorded may be gathered from the fact that the proceedings of H. 1823 filled 49 large folio pages.

The task of compiling this meticulous fair-copy was suddenly discontinued at E. 1824, the first sessions at which John Swayne held office as clerk of the peace, though he had been acting as his uncle's deputy since 1818. The decision to abandon the fair-copy was not, however, a deliberate one, but must have been due to some contemporary mischance since the record ends not only in the middle of a sessions, but in the middle of an entry. Possibly Swayne held that, in view of the relatively high standard of neatness achieved in the draft minutes, the fair-copy was redundant. Nevertheless, he made no special effort to keep his minute books tidy, and it would seem that for a third time the principle of compiling minutes which would be a formal record of the court rather than

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clerical memoranda had again been lost to sight, for none of the records kept by John Swayne indicate that he was conscious of it.

PERIOD 1824-88.

This period can be divided into two parts. The first, from 1824 to 1864, is characterized on the one hand by the disappearance of the fair-copy minutes, with the implication we have already drawn; and on the other hand by the proliferation of separate series of entry books for various purposes. The second part covers the clerkships of William Clark Merriman and of his son Robert William Merriman.

We cannot, in fact, fix a precise date for the commencement of this period, since, as we have said, John Swayne was, as his uncle's deputy, in complete charge of all the work of the clerk of the peace from an earlier date, and the changes we are about to describe were introduced by him at various times.

The first of the new series to appear was a separate draft minute book of business transacted in the second court. A second court was a facility permitted to Quarter Sessions by an Act of 59 Geo. III c.28, whereby the justices in sessions were allowed to depute certain of their number to hear cases in a place other than that in which the main body was sitting, if it appeared to them that they had more business than could be transacted in the statutory three days' sessions. The result of this Act was that all but a token number of criminal cases were regularly delegated to a small committee of the justices, and the main court concerned itself almost entirely with administrative business, the hearing of appeals and the taking of the presentments and verdicts of the grand jury. The record of proceedings in this second court, which covers the years 1821 to 1895 in four volumes, is similar in make-up to the main series of draft minutes. The entries are simple. A brief heading is provided, giving the dates of the sessions and the names of the justices deputed to sit in the second court, under a chairman who is designated. The names of the petty jurors follow, set out in two columns: and below them, under the headings 'Felons', 'Misdemeanants' and 'Traverses', the names of the prisoners, with the plea, the verdict and the judgment of the court set out in columns. A fresh jury was called at various times during the sessions of the second court, which usually lasted for two days. The heading 'Second day' divides the proceedings. Only for the first sessions after the adoption of a second court, namely that of E. 1821, was its business entered in Swayne's fair-copy minutes. This is yet another indication of his inadequate conception of the nature of the records for which he was responsible.

The second new series introduced by John Swayne was a register of recognizances, commenced by him in 1827 and continued by successive clerks until 1884: it comprises twelve volumes. The stationery chosen was a relatively slim folio in stiff parchment-covered boards containing the inevitable blue-tinted paper. It is not easy to decide upon what motive Swayne was acting in making this departure. Possibly he intended to relieve the main series of minutes of most of its purely formal

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material, so that it should record little other than the administrative business of the court. At first these registers only contained recognizances to appear in court to answer, to prosecute or to give evidence. Soon, however, they were made to include others: recognizances in bastardy cases and recognizances to keep the peace and to be of good behaviour. The books were ruled in columns, each entry moving across the two open pages; they were written up, sessions by sessions, after proceedings from the original recognizances delivered into court. The headings of the columns vary according to the type of recognizance entered on each page; but there are separate columns for (1) serial number of original recognizance; (2) name, place of residence and addition of principal and of bails; (3) sums in which bound; (4) condition *or* name of accused *or* name of prosecutor *or* name of mother and parish (in bastardy cases); (5) offence; (6) memoranda, usually consisting of the word 'discharged'. The number of recognizances other than those of people bound to appear in court gradually peters out.

The main series of minute books left by John Swayne continued that of his immediate predecessors without much change, except for the large increase in the amount of administrative business recorded, which now took precedence over criminal business, in that it was for the most part entered first. Without descending to the squalid disorder of Ewen's first draft minutes, these records were not neatly kept—partly because they were written up both before and during sessions, and the clerk was naturally unable to calculate exactly the amount of space that would be needed under each previously prepared heading. There are thus frequent blank half-sheets or, alternatively, scribbled notes directing the searcher to a continuation of the same class of entry on a further page. The books are likewise full of hastily-entered memoranda in the margins, and there are frequent alterations in the text; though they are by no means so difficult to work with as are the minutes of James Edgell.

In 1864, when William Clark Merriman took office, he immediately recommenced the series of fair-copy minutes, the first entry in the new volume being that of his own appointment. The two volumes which carry the record to 1888 and beyond are impressive documents, in heavy bindings, containing over a thousand pages each. Business was carefully written up, with a meticulous regard for lay-out, correct legal form and ease of reference. The handwriting is a large italic, the work of several different writers. The spirit of this compilation is shown by the fact that the first line of the formal style of the court, which was traditionally in 'Gothic' lettering, was put in with a stencil.

The entries in these minute books show that, though little was added, the material contained in the draft minutes was completely re-organized before being copied. The drafts contain many directions in pencil to guide the clerk undertaking this work in placing the entries in the required order. Since this material is mainly administrative, the contents and the headings vary a good deal from one sessions to another. The formal style of the court was lengthy, usually taking up a whole page, mainly because of the large number of justices attending nineteenth

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century sessions, and the greater number of Christian names possessed by each justice. A clause was usually appended giving the dates and places of adjournments. This was generally followed by the order to divide the court, and to set up a second bench to deal with criminal business. Then followed the report of the finance committee, comprising accounts of expenditure under various headings. Then there were entered, under appropriate titles, the business concerning for instance, police, highways, county rates, the licensing of locomotives, etc. Next we might find a heading in broad 'Gothic' letters, '*Wednesday 29 June 1864*', marking the beginning of the second day of the sessions, and the entries which follow are similar to those of the first day. Finally, the judicial business was recorded, first that of the main court, consisting of appeals adjourned, appeals now entered, recognizances forfeited, lists of the grand jury and petty jury, and the names of the felons tried; lastly, that of the second court was copied from the appropriate draft minutes. The record was signed by the clerk. Only three or four of the twenty-five pages normally taken up by a single sessions refer to criminal proceedings. These are tabulated under the names of the jurors who tried the cases, and numerical references are given to the appropriate entries on the calendar of prisoners to be found on the roll. The sessions only lasted two days instead of the earlier three, largely because of the division of the court; at H. 1879 all but a nominal four cases were sent down to the second court. In later years these minutes were concluded by a list of cases determined at petty sessions.

The draft minutes during this final period exhibit no change until 1866. In the latter part of that year and thereafter they do not appear to be notebooks used in court by the clerk, and it would seem that no such record has since then been preserved. From 1866 to 1897 these draft minutes were compiled by junior clerks in the office of the clerk of the peace, after sessions from other records, and doubtless from notes taken by the clerk during proceedings and afterwards destroyed. They are largely in immature hands, and bear frequent corrections in the clerk's writing. Clearly they are trial drafts, made for approval by the clerk before final transcription into the main record. They do not contain the proceedings of the second court, although they are otherwise verbally as full as the fair-copy. Use was made of them for the entry of marginal notes of action taken upon the justices' resolutions, usually taking the form of the names of the persons to whom the orders were sent, with the dates of dispatch.

The sessions of H. 1889 was the last to be held before most administrative business was resigned to the newly formed County Council.

ORDER BOOKS

Between H. 1642 and M. 1755 a series of seven order books, branching off from the main series of minutes or general entry books, constitutes a new and relatively short-lived class. These volumes contain, as their title suggests, more or less full copies of the administrative and judicial orders

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of the court, which had until that time usually formed a lengthy final section to the minutes of each sessions. The majority of the orders of any particular sessions belong to one of three classes: first, routine matters, such as orders on the treasurer for the payment of salaries and expenses of officials, and the appointments of constables and other officers; secondly, judicial orders upon cases brought by appeal, which may concern removal orders, bastardy cases or rate assessments; thirdly, orders for raising rates for the repair of highways. The first and third of these types were usually entered in abbreviated form, although sometimes the full order would be written out for the first entry of a particular type—for example, a fully entered order for raising a rate in A. may be followed by the note 'the like order for B.', 'the like order for C.'. There was, however, little attempt to arrange and classify different types of order. The text presented in this volume gives a fair example of the material and arrangement to be found in all seven volumes.

To this remark it is necessary to make one exception; the three earliest volumes contain a varying proportion of matter other than orders of the court. Assessments of county rates, and treasurers' accounts of receipts from them, can be found in the first two volumes: other memoranda on financial matters include a resolution concerning ship money and the rules governing the assessment of the hearth tax. Memoranda of various dates, often copies of much earlier documents, and letters of the Privy Council and of Secretaries of State, were entered into these earliest books.

Thus the tendency for the clerks to regard their records as general personal notebooks seems to have returned, in a small measure, to the seventeenth century order books some time before it reappeared in the minutes. This was probably because of their more informal appearance; for, while the minute books of the seventeenth century were kept in court hand, cursive script was from the first used in the order books, because for the most part the business entered was in English. Court hand was, however, employed for the formal style of the sessions, and for the marginal headings given to each order. In the earlier books the note '*per curiam*' was written in the same hand at the foot of each entry. This is usually in a different ink and was thus an addition after the text, perhaps marking the fact that the order had been sent out. The work of copying this record was usually delegated by the clerks, up to and including Edgell, to apprentices whose work often reflects a fairly low standard of penmanship. Edgell's own hand, both cursive and formal, was very poor, and the record covering his years of office is disfigured throughout with blots, erasures, alterations and *lacunae*. The two last order books, kept by William Hawkes and Michael Ewen, are considerably neater, though no special care was taken to make them so.

Volume IV, covering the years 1679 to 1694, shows that often during this period, especially in the late 1680's, the clerks were too negligent or too pressed for time to complete the entries. The record of the sessions of H. 1684, for example, was never compiled at all, though several blank pages were left for the purpose. At T. 1694, there is only one order,

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without heading, followed by a draft, on smaller paper of different manufacture from that of the rest of the volume. Only rarely at this time did the clerks fill in the marginal notes giving titles to the orders, and some of those that now appear are not contemporary. The inter-leaving or insertion by means of blobs of sealing wax, of draft orders probably made during sessions, was a device used by Edgell, and sometimes also by Hawkes and Ewen, to save themselves the time and trouble of copying.

Like the earlier minute books, all but the last two order books were rebound in the early eighteenth century by the same careless binder. The second volume, covering the years 1668 to 1679, was divided exactly in half and the two halves bound in the wrong order: thus the sessions for the second half of 1673 and 1674 to 1679 appear before those of 1668 to mid-1673. When he came to Volume V (1695-1709), the binder stacked all the gatherings in exactly reverse order, so that the book now commences with what was originally the last section, and ends with the first. Of the remaining two volumes, the first is a small folio bound in limp parchment, and the second rather larger, though with fewer leaves, and with stiff parchment-covered boards.

No good reason, either for the adoption of a new class of order books in 1642, or for their abandonment in 1755, can readily be found. No explanation is afforded by any increase or decrease in the number of orders being made. Possibly it was felt to be anomalous to engross in formal court hand records which were in English, court hand usually being considered obligatory for the minute books. This consideration no longer applied in 1755, since court hand had been abolished twenty-two years previously; and Ewen took advantage of the first occasion upon which he had to purchase a new volume to replace the orders in a single general entry book. He had also since 1745 been keeping two series of minutes, draft and fair-copy. Notes of orders had long since been made in the minute book taken into court; it was therefore an obvious simplification to enter the full order in the fair-copy made from these drafts.

PROCESS BOOKS OF INDICTMENTS

The decrease in the comprehensiveness of the information recorded in the minute books after the middle of the seventeenth century may have resulted from the adoption of this new type of entry book. Conversely, it may also be possible that the necessity for having a record of this type arose from the fact that the minutes no longer contained all the details required by the clerk for drawing up the business of the next sessions. The doubt arises because there is no means of ascertaining whether the first process book now extant is the first that was made. It commences at E. 1661, which is a somewhat late date; the records of many other counties start earlier. The first volume seems to be a completely evolved type, exhibiting from first to last no variation in format; but it may, of course, have been in imitation of the records of another county.

The purpose of this document was to provide a list of criminal cases, to which fresh names could be added as they occurred and against which

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marks could be made after each sessions to indicate the stage which proceedings had reached. Finally, a distinctive mark could be made against the case when it had been determined, so that no one should go free through the clerk's omission to bring the case forward or to issue a process. The possibility of such an event occurring must have been especially great in the case of parishes indicted for non-repair of highways, since these were usually granted numerous respites—often for several sessions at a time. From the new entry book the clerk was able to see at a glance which cases had to be brought forward to the next sessions, what processes had to be sent out, and how the matter stood against each person who had been presented or indicted.

The record was at first entered sessions by sessions, the name of the offender and his offence being set out under a running number. Notes of indictments and of presentments were made in separate sections. Against the presentments, instead of the running number, there was entered briefly a note of the authority making the presentment. After the sessions a phrase, in form similar to the annotations on the original indictments, was written over the names, recording plea, verdict and sentence, grant of respite, permission to traverse, or some other contingency, with the date of the sessions. Thus cases which were carried on for several sessions would have several such notes inserted over the name of the person concerned, and each dated, though appearing in any order. When the case was concluded the name was underlined.

The book chosen for this new record was a small slim folio bound in parchment. The headings, names and annotations are in court hand, the notes of offences in English. The material is well spaced and carefully set out, as though the intention was to compile a formal record. The document which serves as Volume II in this series is like the first in most respects, except that it was never bound, being simply a file of fifty-three individual numbered sheets (of which sheet number 2 is now missing), fastened together in the top left-hand corner by a parchment twist. An index of names occupies another nineteen sheets of various sizes. These two documents carry the record from 1661 to 1691.

A completely different form of record to fulfil the same purpose was evolved by Edgell. He chose a small quarto book in parchment covers, and marked it 'Begun 1694'. On the first leaf he made an alphabetical list of hundreds. The name of the first hundred he placed at the head of the next page; at the head of the fifth page further on he put the name of the second hundred, and so on to the end. Then, going back over the previous process book, he extracted all the entries which were yet undetermined and placed them in his new book chronologically under the names of the hundreds, according to the place of residence of each offender. The earliest entry found in Edgell's first volume is dated 1687. He then added further cases, sessions by sessions as they passed, in the same manner. The result of this new system was to simplify the finding of any case to which he intended to add a further note, though at the sacrifice of a coherent record of the business of every sessions. This can now only be reconstructed by working carefully through the pages

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relating to each hundred one by one. The form of this record and its limitations can be seen from the text in this edition.

Such a reconstruction as has been made here for the year 1736 is made possible because Hawkes, following Edgell's system, entered first the date of the sessions at which the indictment or presentment was originally made. This date is followed by the number which the original document received when it was placed on the roll. In other respects at first the record was the same as that of the two previous volumes, the names of the offenders and the notes of their offences forming two columns down the page, with notes of appearances written over the names. Edgell, however, soon stopped noting the nature of the offence, and as can be seen from the record of 1736 printed here it was seldom entered thereafter, the exceptions being confined mainly to a single word, such as 'nuisance', 'felony' or, more often, 'highways'.

Because, at the opening of each new book, all outstanding cases in the old one were transferred to it, it is not easy to date these volumes precisely, but all the process books now numbered III to VII, covering the years 1694 to 1760, are in style similar to that described above. They are informal and untidy records, being clearly regarded as clerks' memoranda, and were thus freely used for the entry of personal details concerning the receipt or non-payment of fees. Michael Ewen did a little here, as elsewhere, to improve on the low standard of his immediate predecessors. The handwriting is neater, and lines were ruled to keep the information in regular columns; but the compilation of the process books was left mainly to his junior clerks, and he continued to use them to record his fees.

A gap occurs in this class between 1760 and 1785, and while it is possible that a volume is missing, it is most likely that Ewen found that his improved fair-copy minutes made Edgell's cumbersome process book unnecessary. When the process books reappear, we find that the form of the record has reverted more or less to its original shape. The material is once again set out sessions by sessions, but instead of being sub-divided simply into indictments and presentments, it is under the headings 'Accounts of process etc., to be renew'd returnable at the next sessions' and 'Indictments on which process are to be issued'. The columns used are: (1) date of first appearance—often this is a previous session; (2) number on original indictment; (3) name; (4) name of officer, usually the sheriff's bailiff, to whom process was sent, or a note to the effect that the person was discharged. But after a brief experiment with this comprehensive system, Turner reduced the columns to the two original ones, giving the name and the offence. Then, *under* the name he entered a note of the action taken and the date, in a form such as, for example, 'Process to Mr. Joye, 19 June 1788' or 'Venire, Mr. Dowding June 6'. More commonly the note is simply that of the date at which the traverse was tried. The flyleaf of this volume (Vol. VIII) gives a list of 'bailiffs and officers and others who desire to execute process'. The list includes the names of several well known local solicitors. Besides indictments, the record also contains similar notes of presentments by constables, justices of the peace and the grand juries, all of which usually concern

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highways. The last presentment by a justice is in 1832, and after the following year those of the constables also disappear. The latter had for several years made no presentment other than the failure of assessors of the land tax to hand in their assessments.

In the last two volumes the offences are set out in more detail, but notes of action taken are less frequent. An occasional mark, usually in pencil, records a process sent out, but generally only the date of the trial of the case or of its removal by *certiorari*, is given. A vertical line, drawn through the centre of each entry, signifies that the case had been concluded. The final volume comes to a sudden end in 1851, though the book was only half full. There is a single isolated entry for 1857, but thereafter this form of record was discontinued.

INSTRUCTION BOOKS OF INDICTMENTS

Eight volumes, each marked on the cover with the above title, form a consecutive series from E. 1790 to H. 1882. The entries made in them are simple and informal in appearance. The page was divided in half by means of a crease, on the left-hand side of which was entered the name, residence and addition of the person indicted, and on the right-hand side a note of his offence, together with such details of time, place, names of witnesses, etc., as would be needed to draw up an indictment. The record bears all the indications of a draft, having frequent emendations, sometimes in pencil. For the most part a sum of money, usually two shillings, is written in pencil under the name of the person indicted.

These books evidently served a purpose in the drafting of indictments. The clerk must have heard the details of the case from the prosecutor in court, and taken them down first in these books, entering afterwards the fee received by him for drawing up the document. Indictments would then be prepared at leisure from these notes, between the sittings of the court, or by a subordinate while other business was being dispatched.

A note in the last of these volumes gives some information concerning the person responsible for making much of the record: 'Mem. finished at 11.45 on Wednesday the 20th October 1880 at Marlbro', having commenced as clerk of the indictments at Devizes sessions January 1853 . . . Edward Yaldon Cooper, Wincanton, solicitor.' This is the only reference so far found to the practice of appointing a separate official to do the writing connected with the making of indictments, though it would appear from the initials of those swearing in the witnesses, endorsed on the indictments, that this had been done by someone other than the clerk of the peace since the time of John Turner. Edward Yaldon Cooper was John Swayne's son-in-law.

Instruction books were continued by R. W. Merriman himself for a brief period. The series comes to an end suddenly in 1882, in a manner which makes it clear that the system was then deliberately abandoned.

DRAFT ESTREATS OF FINES

One of the duties of the clerks of the peace was to transmit to the Exchequer a list of the fines and recognizances estreated at Quarter

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Sessions. Drafts of these returns were preserved by the clerks with no sort of regularity until 1822, and not at all before the clerkship of Edgell. They are not lengthy documents, and in 1736, as before and after, a single sheet of paper served for each occasion, the material being entered in a manner much as it appears in this edition. The series, such as it is, will not be discussed here in detail, since it does not form part of the record of the court in sessions, but belongs properly to the papers of the clerk. A note on the series of estreats preserved among the records of the Exchequer in the Public Record Office will be found on p. 24.

RECORDS OF THE ASSIZES

An opportunity has been taken of including in this volume such records as have survived of the Lent and Summer Assizes, held at Salisbury in 1736. Wiltshire then formed, as it does still, part of the Western Circuit; and the Justices of Assize generally visited Salisbury after they had begun their circuit by hearing pleas at Winchester.¹ The Lent Assizes were held before James Reynolds, chief baron of the Exchequer, and Sir Francis Page, a justice of the King's Bench; in the summer the justices were Sir Lawrence Carter and Sir William Thompson, each a baron of the Exchequer. The names of these four justices were added, as was usual, to the Commissions of the Peace in all the counties of their circuit.

Hitherto no post-medieval Assizes records have been printed², and it seemed that some fresh ground might be broken by printing these proceedings before the Justices of Assize next to the proceedings before the Justices of the Peace for the same year. At first sight the two series of proceedings seem barely related: the only direct connections between them are the case of Thomas Peirce, presented for not repairing a lane in Calne, and the indictment of Mary Hodges for theft³. But a number of other cases heard at the Assizes had originated in Quarter Sessions before Hilary 1736, and thus are not included in the matter printed in the Quarter Sessions proceedings in this volume: while certain presentments were, of course, made direct to the Assizes. Yet these few records—incomplete though they are—do show quite clearly the kind of cases heard before the Justices of Assize.

Only in 1911 were the Assizes records transferred from the custody of the Clerks of Assize of the various circuits to the Public Record Office. Three records survive for the Western Circuit for 1736, the Gaol Book, the Order Book for Transportations, and the Process Book. The principal

¹ In 1736 the Lent Assizes were begun at Winchester on 3 Mar. The justices were at Salisbury on 6 Mar., at Dorchester on 11 Mar., at Launceston on 17 Mar., at Exeter on 22 Mar., and at Taunton on 29 Mar. They began their circuit again at Winchester on 27 July, proceeded to Southampton on 30 Jul., were at Salisbury on 31 Jul., at Dorchester on 5 Aug., at Launceston on 11 Aug., at Exeter on 16 Aug., and at Wells on 24 Aug.

² There is, however, in *Archeologia Aeliana*, vol. I (1822), a Calendar of Prisoners in the High Castle in Newcastle on Tyne at the Assizes for Northumberland 1628 and 1629, edited by J. Hodgson from Sir Thomas Swinburne's Account of his Shrievalty among the Mickleton MSS. But this is not an Assizes record as such.

³ See below, pp. 23, 50, 123, 125.

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record, the Assize Files, corresponding to the Great Rolls of Quarter Sessions, have not been preserved before 1803. Another important *lacuna* is the Civil Minute Book,¹ which leaves us in ignorance of all civil suits. The Western Circuit also lacks Depositions, Crown Minute Books and Pleadings for this period.

The Gaol Book is the chief record of the work of the Justices in their capacity as Justices of Gaol Delivery. Below a brief heading of the date of the Assizes and the names of the Justices, the Clerk entered the names, not only of prisoners actually in custody, but also of those charged with criminal offences who surrendered to their bails, in the order in which they were returned in the Sheriff's Calendar, leaving a reasonable space between each. When an indictment was found against a prisoner, who would then be arraigned upon it, the Clerk of Assize added the offence by the name. Subsequently, if the prisoner chose to put himself on the country for trial, he would add '*ponit se*' (the Latin abbreviation is still being used in 1736) or, if he confessed, '*confesseth*'. When the verdict was delivered he entered 'Guilty' or 'Not Guilty' and the sentence of the court. At the end of these entries he noted orders for transportation, the continuing of persons in prison, the discharges of prisoners, committals to the house of correction and removals of prisoners under writs of *habeas corpus* to other gaols. At some stage he added a classification of the crime—'felony', 'burglary', 'misdemeanour' or 'petty larceny' in the left-hand margin.

The Order Book for Transportations is almost solely concerned with orders for the transportation to the colonies of convicted felons who had been pardoned. Indeed, the volume consists of a collection of printed orders with various blanks for the names of the prisoners and of the justices of the peace, who were to contract for the transportation. On the reverse of these printed order-forms the Clerk sometimes wrote other orders of the court concerning prisoners (as in Lent Assizes).

The Process Book, containing the presentments of the grand jury and of constables of hundreds, was written up at the end of the previous Assizes. Most of the presentments concern the non-repair of highways. There are in these entries a great many marginal notes and interlineations, marking the various stages of process; and all the entries were at length struck through by the Clerk.

The Estreats of Fines and Amerciaments and Forfeited Recognizances before the Justices of Assize are printed here from the copy sent into the Pipe Office by the Clerk of Assize, now among the Exchequer, Lord Treasurer's Remembrancer, Enrolled Estreats. It is similar to the Estreats of Quarter Sessions noted above.

There is not room here to treat further of these records of the Assizes or to describe the procedure of the court, but the reader who cares to consult *The Office of the Clerk of Assize* (London, 1682, and subsequent editions) will find a wealth of detail. It was this manual, or one such

¹ There is a civil Minute Book for 1724-5, but the series does not begin properly until 1770.

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like it, that Christopher Hawkins,¹ Clerk of the Western Circuit, must have had at his elbow at Salisbury in 1736.

APPENDICES

COMMISSIONS OF THE PEACE

Although the clerk was supposed to read the commission of the peace at the beginning of each sessions, and for that and other reasons must always have possessed a copy, original commissions remaining in the custody of the clerks of the peace are not numerous. It is most probable that the originals were always dispatched to the clerk, as they are now, for they are addressed to the justices named in the commission. However, only thirty-three have survived, the earliest of which is a battered document of August, 1688, the next being that of 1714. The original commission for 1736 is not among the survivors.

The document which forms the basis of Appendix I was found among the papers of the Marquess of Ailesbury.² It is in the handwriting of William Hawkes, and must have been made by him for Lord Bruce, the ancestor of the present Marquess. It is improbable that the hard-worked clerk had the tremendous task of making a transcript of the names for every justice resident in the county; probably only a few were so served when they demanded and paid for a copy. It would appear from the Historical Manuscripts Commission's report on the manuscripts of the Duke of Somerset that in 1780 Michael Ewen sent a full transcript of the commission of that date to the Duke.³

FREEHOLD BOOKS.

According to an Act of Parliament of 1696, constables of parishes were required to return annually to Quarter Sessions a list of all men between the ages of 21 and 70 qualified by ownership of land worth £10 a year to serve as jurors. Substantial leaseholders and copyholders were included by an amending Act of 1730. From these returns the clerk was able to compile a register in duplicate, one for his own reference and the other to be sent to the sheriff. From his copy the sheriff chose the jurors whom he warned to attend each sessions. In 1736 at least, it would appear that the sheriff had a further copy specially prepared in his office and rearranged alphabetically, for he claimed an allowance from the Exchequer in respect of it.⁴

From 1699, the date of the first, to 1782, only a scattering of original freehold books have survived. These are, however, sufficiently well spread out over the years to provide a useful means of reference to the middle strata of eighteenth century society. The record was made on

¹ His name is not apparent from any surviving records of these sessions, but see Chamberlayne, *Present State of Great Britain*, 1736, II, p. 253. Hawkins, a Cornishman, was educated at Pembroke College, Cambridge, and the Middle Temple. He was appointed clerk of the western circuit in 1729 and probably died in 1767. (J. A. Venn, *Alumni Cantabrigienses*, Pt. i, vol. ii (1922), p. 335.

² Wilts. Record Office, Savernake Collection, Letters.

³ *HMC, 15th Report*, Pt. VII, p. 236. Ewen's initials are there given as I. W.

⁴ See Appendix III, p. 150.

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long strips of paper, sewn together at the head and kept in the form of a roll. Hence they are called alternatively 'jurors' rolls'. After 1782, from which date onwards the series is more complete, Turner changed the format of this record, making long, narrow books specially for the purpose from single sheets of folio paper folded lengthwise, with brown paper covers. From 1858 onwards the books were printed.

THE SHERIFF'S CRAVINGS

The final document, printed in Appendix III, provides further details about the administration of justice in the county. These 'cravings' of Richard Baskerville, the sheriff of Wiltshire, for allowance on his account at the Exchequer of the expenses of his office are taken from the Lord Treasurer's Remembrancer, Memoranda Roll for 1736, preserved amongst the records of the Exchequer in the Public Record Office. His expenses include the costs of preparing the court rooms and of the lodgings and entertainment of the Justices of Assize. There are sundry amounts paid for maintaining prisoners in gaol and of removing certain of them under guard—'they being very dangerous persons'—to various Assize towns for their trials. Baskerville also claimed for the wages of the Justices of the Peace and their Clerk for attendance at Quarter Sessions over and above the total of fines imposed by that court; but this further sum was not allowed by the barons of the Exchequer.¹

EDITORIAL

METHOD

The text of this volume is partly a full transcript of the original documents, and partly an abstract in which the material is reorganized and phrases in common form omitted in order to achieve the greatest possible compression. The Minute Books of this time are, as was pointed out above, merely the notebooks of the clerk, and thus are not susceptible of much abbreviation. These entries have therefore been fully transcribed. The portions given in italics are those which, from the handwriting employed, were judged to have been entries prepared before sessions; while the remainder in Roman type was assumed to have been taken down during proceedings. The numbers placed by the clerk against the names of those whose traverses were tried are the numbers which were allotted to the original indictments filed on the Roll of the sessions indicated in the heading. In the Minute Book, as elsewhere in those parts of the text which are full transcripts, words and phrases in square brackets are editorial insertions. Where, in such parts, three dots are marked, they are intended to indicate that a phrase considered unimportant has been omitted.

The Order Book contains many routine orders in a set form, besides a few which are peculiar to the occasion. The former only on their first

¹ The daily wages of 4s. for a justice of the peace and 2s. for the clerk of the peace remained unchanged from 1388. The names and attendances of the Wiltshire justices in the eighteenth century are not set out in detail in the Pipe Rolls as they are for some other counties at this time.

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appearance, and the latter in every case, are fully transcribed and appear in quotation marks. Otherwise they are abstracts.

The draft Estreats of Fines are similarly a mixture of abstract and transcript, and quotation marks are inserted to distinguish one from the other.

The Wiltshire portions of the Gaol Book and the Process Book for the Assizes have, with one exception, been printed in full, for these documents offer little scope for abridgement. The exception is that when the same defendant is charged with more than one offence in successive entries, these have been grouped together—as in the very first entry for the Gaol Book for the Lent Assizes. A full text is given of the Transportation Order of the Lent Assizes: the similar order in the Summer Assizes has been abstracted. The Estreats for both Assizes have been abstracted. All marginal notes have been printed in italics. The spelling of place names and surnames in the original records has been retained. Appendix I contains all the names given in the original, but these have been rearranged and the spellings of Christian names and titles of peers modernized. Some names occur twice in the original (indicated by a footnote); probably this was not often due to a mistake on the part of the clerk, since there were at that time a number of cases where two justices bore the same name. An asterisk has been placed against the names of those justices who appear from the preceding text to have been in some way active in the administration of justice in Wiltshire in 1736. Appendix II is a full transcript, except that the words [*all*] or [*both*] have been used instead of repeating identical places of residence or additions after a consecutive series of names. The names of parishes and tithings have been rearranged alphabetically. Appendix III is an abstract of the sheriff's cravings.

The Process Book of Indictments, though essential to this work, was not easy to fit into its scheme because, as we have seen, it was not compiled sessions by sessions, nor year by year. It was therefore necessary to work through the whole book of 188 pages and to extract from it all those entries which referred in any way to the four sessions of the year 1736. Each relevant entry is, however, fully transcribed, and so includes notes referring to that case made both before and after the historical year 1736. The names and words italicized are underlined in the original text. It was intended by the clerk to indicate that the case had been determined: it was not always consistently applied. The details following the names in the text are, in the original, written over them, and do not appear in chronological order: this order has necessarily been imposed on the transcript. The clerk sometimes used the abbreviations Eas., Trin., Mich., and Hil. (or Hill.) for the names of the sessions, and sometimes he wrote them out in full. These have been reduced to E, T, M and H, except in the date headings, which in the original are in the margin. The letters 'pr.' stand for the word process, and were a reminder to the clerk to issue one of these documents.

The Great Rolls, containing, as they do, documents of various different types, have perforce been treated in various ways. But, with the exception of a selected document of each type, they are given in the most

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compressed form possible. Where odd phrases are fully transcribed they have been given between quotation marks. A further exception is perhaps represented by the examinations and informations which, not being in common form, could not be given in précis without loss. The conventions employed in abstracting have been few, and most are readily ascertainable by comparing a fully transcribed document with an abridgement. Attention must be drawn to the asterisks and the marks '(ex)' which appear in jury lists. The asterisk represents the point placed by the clerk against the name of a juror to indicate that he had answered his name when it was called. Occasionally the same man was called as often as three times during a single sessions, and thus received more than one point against his name. In every case the juror was sworn in as many times as he was called, and on each occasion the clerk also wrote 'sw' or 'sworn' against the name to indicate this. The mark 'ex' was placed against the names of those who were able to account for their absence, and stands for 'excused'. The convention by which grand jurors were always described as gentlemen has been ignored. Concerning recognizances it should be noted that, unless otherwise stated, it is only the first person named who is bound thereby to appear in court; any other names mentioned before the first semicolon are those of his bails. The numbers in brackets at the end of each recognizance to answer and at the end of each indictment found, are those borne by the original documents. The place and date given in indictments are not those of the making of the document, but relate to the occasion of the crime. The place is not mentioned a second time when it has already been made clear, as for example, Ramsbury in paragraph 41. Indictments found are endorsed 'true bill'; indictments not found are variously marked 'no bill', 'we are ignorant' or 'we know nothing'. All witnesses' names are endorsed on indictments and are noted 'sworn in court—Hawkes'.

ACKNOWLEDGMENTS

I would like to express my personal debt to the former general editor, now chairman of this Branch, Mr. R. B. Pugh, who provided not only the initial inspiration for this work some years ago, but has given constant help, encouragement and useful criticism throughout its somewhat protracted gestation. I am also indebted to the present general editor, Mr. N. J. Williams, for similar services in recent months, when final preparation puts a heavier strain on the due performance of his office; and more especially for his substantial contributions represented by the Records of the Assizes and the last appendix. He has also contributed the relevant notes in this introduction and the entries in the index.

Naturally it has long been platitudinous to conclude with an expression of gratitude to one's wife; but my wife has done not only a good deal of the drudgery involved in typing and indexing, but much of the transcription from the original documents. I cannot, therefore, even if I would, omit my thanks to her.

Bratton.

April, 1954.

J.P.M.F.

WILTSHIRE PROCEEDINGS IN QUARTER SESSIONS, 1736

HILARY SESSIONS—GREAT ROLL

Justices' precept to the sheriff to proclaim the Quarter Sessions.

1. ' Wilts ss. John Phipps and Thomas Phipps Esqrs. two Justices of our Lord the King assigned to keep the peace of our said Lord the King in the county of Wilts aforesaid and to hear and determine divers felonies, trespasses and other misdemeanours done in the said county, to the sheriff of the county aforesaid, greeting : we command you that you do not omit for any liberty in your said county but that you cause proclamation to be made throughout your baylywick of the General Quarter Sessions of the Peace of our said Lord the King to be held at New Sarum in your county on Wensday the fourteenth day of January next and that you cause to come before the Justices of the said King assigned to keep the peace of the said King in your county and also to hear and determine divers felonies, trespasses and other misdemeanours done in the said county, at the sessions aforesaid, as well twenty four good and lawfull men of your county as twenty four other good and lawfull men of the severall hundreds following (that is to say) Alderbury, Amesbury, Branch and Dole, Cawden and Cadworth, Chalke, Damerham South, Downton, Frustfield and Underditch in your county, and the constables of the same hundreds to enquire and do those things which on the part of the said King shall be enjoined them, and also twelve other good and lawfull men out of the severall neighbourhoods of Corsham, Marlborough and Westbury in your county for the tryall of the issues joined to be tryed at the said sessions, each of which jurors to have at least ten pounds of lands, tenements or rents by the year ; we command also that you immediately make known to all justices and coroners of your county and also to the constables and bayliffs of the hundreds aforesaid the day and place of the sessions aforesaid and that they and you be then and there to do those things which belong to your and their office ; and that you have there the names of the jurors, constables and bayliffs together with this precept : dated under our seals this tenth day of December in the ninth year of the reign of our sovereign Lord George the second by the Grace of God of Great Britain, France and Ireland King, Defender of the Faith etc., and in the year of our Lord 1735.

John Phipps Tho. Phipps

[Endorsed] The execution of this precept appears in a certain schedule to this annexed.

William Vilett Esqr., sheriff '

WILTSHIRE PROCEEDINGS IN SESSIONS

2. ' Wilts. ss.² The names of the jurors to enquire as well as for our sovereign Lord the King as for the body of the said county at the General Quarter Sessions of the Peace of our said Lord the King held at New Sarum . . . '

Ralph Button (ex) of Wilton ; Tristram Biggs (ex) of Hanging Langford ; Stephen Maton (ex), William Sellwood*, both of Waddon and West Grimstead ; John Cook* of Pitton and Farley ; Nicholas Shackle*, William Willis (ex), both of Plaitford ; Robert Freemantle* of Boscomb ; Christopher Lewis*, Edward Harding, William Harrison*, all of Amesbury ; Henry Gilbert* of Newton Toney ; John Reeves* of Durrington ; Charles Rose Salph* of Stapleford ; Edward Andrews*, Oliver Hayhurst (ex), both of Wilton ; Robert Gilesbury (ex) of Shrewton ; William Gilbert (ex) of Maddington ; Samuel Mitchel* of Homington ; William Croome*, John Hibbert (ex), both of West Harnham ; Robert Grayly* of Netherhampton ; John Goold of Bower Chalk ; John Bennett* of Tollard Royal ; Charles Good (ex), Henry Good, both of Broad Chalk ; George Budden (ex) of Damerham South ; Henry Noyes (ex) of Charlton ; John Button* of Bishopston ; William Cooper of North Tidworth ; Robert Moody (ex) of Landford ; Henry Biggs the younger* of Great Woodford ; Robert Bowles (ex) of Little Woodford ; John Blake* of Milford ; William Burrough* of Stratford Castle ; John Swain (ex) of Little Langford.

Signature of William Vilett Esqr., sheriff.

Defaulters fined 5s. each.²

Bailiffs of the hundreds :

Alderbury—William Mills*

Amesbury—George Truman*

Branch and Dole—Richard Harrison*

Cawden and Cadworth—Thomas Bungy*

Chalk—William Huff*

Damerham South—Bartholomew Prince*

Downton—Charles Cook the younger*

Frustfield—Charles Cooke the elder*

Underditch—Thomas Bungy*

Signature of William Vilett Esqr., sheriff.

3. ' Wilts ss.³ The names of the jurors to try as well the issues of the several traverses as the prisoners at the barr at the General Quarter Sessions of the Peace . . . '

James Coomes,⁴ John Alexander*, John Austen*, Thomas Carpenter*, all of South Newton ; Robert Ward* of Wilton ; John Mattingly*, Thomas Baker*, both of Bemerton ; James Hebbard*, John Quinton*, Edward Stevens, all of West Harnham ; Henry Dyer*, John Barter*, John Harwood*, all of Fovant ; James Burrow**, William Blake**, Robert Self**, all of Great Woodford ; John Swain**, Stephen

¹ Schedule filed to the above.

² Note in the clerk's hand.

³ Schedule filed to the above

⁴ Struck out.

HILARY QUARTER SESSIONS

Brownjohn**, William Webb**, all of Milford ; Henry Beard** of West Dean and East Grimstead ; Christopher Lewis**, Edward Spragg**, both of Alderbury ; Charles Bowles** of Winterborn Gunner ; John Brook**, Samuel Reeves**, both of West Dean and East Grimstead.
Signature of William Vilett Esqr., sheriff.

Recognizances to appear and answer.

4. ' Wiltshire to witt. Be it remembered that on the sixteenth day of October in the ninth year of the reign of our sovereign Lord George the second by the Grace of God King of Great Britain . . . and so forth, and in the year of our Lord 1735, Richard Hawkins of the parish of Bremhill in the county of Wilts, weaver, James Crew of the same parish, blacksmith, and George Gingell of Christian Malford in the county aforesaid, thatcher, came before me Walter Hungerford Esqr., one of the Justices of our said Lord the King appointed to keep the peace in the said county of Wilts, and acknowledged themselves to [be] indebted to our said Lord the King in the manner following (that is to say) the aforesaid Richard Hawkins in forty pounds, the aforesaid James Crew and George Gingell in twenty pounds each of good and lawful money of Great Britain to be levied on their goods and chattles, lands and tenements for the use of our said Lord the King his heirs and successors if the said Richard Hawkins shall make default in the condition under written :

The condition of this recognizance is such that if the above bounden Richard Hawkins shall make his personal appearance before his Majestyes Justices of the Peace at the next Quarter Sessions of the Peace to be holden at New Sarum in and for the said county of Wilts then and there to answer unto such matters as on his Majestyes behalf shall be objected against him by Rachell Golding in breach of his Majestyes peace, and shall also stand to and abide such further orders as the court shall award therein, and not depart without leave of the court, that then and from thenceforth this present recognizance shall be void, or else to remaine in full force and virtue. Taken and acknowledged the day and year aforesaid before me W. Hungerford. Solvit. (1)'

5. 18 Dec. Humphrey Seager, grocer, and Walter Flay the younger, carpenter, both of Calne ; Thomas Fry of Laycock, chairmaker (now in Devizes gaol), to appear and answer Charles Baker of Laycock, chairmaker, his master, concerning his assaulting and threatening to kill him ; before Walter Hungerford. (2)

6. 13 Dec. Thomas Stagg of Easton, yeoman, and John Doe ; for trespasses. (3)¹

7. 7 Nov. Robert Davis of Corsham, labourer ; for assaulting Richard Hancock ; before James Montagu. (4)

¹ This recognizance made in the form of a bond to pay the sheriff signed by Stagg and witnessed by the clerk. It is on an engraved form of bond.

WILTSHIRE PROCEEDINGS IN SESSIONS

- 8.** 14 Nov. Rachell Golden of Foxham in Bremhill, spinster, Thomas Phillips of Devizes, yeoman, and William Fry of Foxham, yeoman ; for illegally entering the orchard of Robert Coules and taking apples ; before James Montagu. (5)
- 9.** 7 Nov. Thomas Holligg of Swindon, day-labourer ; for ' threatening to be revenged on the body of Thomas Golding . . . of Swindon . . . by beating him ' ; before Ralph Freke. Non solvit. (6)
- 10.** 9 Dec. John Fowles of Wyly, labourer, and Jacob Dawkins of New Sarum, cooper ; for departing from Edmund Pitts without his consent, having signed a covenant to serve him ; before Richard Payne. Paid. (7)
- 11.** 6 Nov. Joseph Davis, tanner, John Hooker, maltster, and Joseph Nicholas, carpenter, all of Downton ; for assaulting Joan his wife ; before Matthew Pitts. Paid. (8)
- 12.** 14 Oct. William Snow and Elias Powell both of Berwick St. James, yeomen, and Robert Powell of Stapleford, yeoman ; for detaining £7 due to George Street for wages ; before Matthew Pitts. Paid. (9)
- 13.** 27 Nov. Thomas Gilbert *als.* Scudd of Compton Chamberlain, labourer, John Corke, weaver, and Stephen Andrews, labourer, both of New Sarum ; for stealing a pail from Henry Penny ; before Matthew Pitts. Paid. (10)
- 14.** 11 Nov. Thomas Pittman, labourer, and George Tounsand, yeoman, both of Kingstone Deverhill ; for begetting a bastard child on Mary Phillips of the same place, spinster ; before Edward Seymour. (11)
- 15.** 20 Oct. James Franklyn, yeoman, Robert Franklyn, tailor, and Gabriel Robbins, blacksmith, all of Wootton Bassett ; for stealing from the shop of Nicholas Vilett of Highworth, brazier, 3 pewter dishes, a brass boiler and a copper saucepan ; before William Heath, mayor, and Charles Hollister, alderman. Not paid. (12)
- 16.** 13 Jan. George Dark of Melksham, ' scrubler ', Thomas House and Walter Foard both of Calne, ' scrublers ' ; for assaulting Betty, wife of Daniel Jones (she being pregnant) and Henry Smith of Melksham ' on the Lord's Day in time of Divine Service ' ; before William Beach. Not paid. (13)
- 17.** 1 Nov. Thomas Goodall, baker, Phillip Moor and John Eccutt, all of Uphaven ; indicted by Thomas Castleman for stealing a furnace belonging to Roger Jarvis of Uphaven ; before Edward Clerke. (14)

HILARY QUARTER SESSIONS

18. 10 Dec. Richard Papps, maltster, Nicholas Green, clothier, both of Trowbridge, and James Thomas of Hilperton, cooper ; for assaulting William Street of Holt, shoemaker ; before John Cooper. (15)

19. 19 Nov. James Hunt, cooper, William Adlam, fellmonger, both of Westbury ; for various misdemeanours ; before Thomas Phipps. Not paid. (16)

20. 12 Jan. Edith Hinton, spinster, Nicholas White, tailor, and Thomas Barnes, all of Sutton Vene ; for assaulting Sarah, wife of John Muselwhite of Sutton Vene, yeoman ; before Thomas Phipps. (17)

21. 26 Nov. Dorothy Bowden, singlewoman, Thomas Bowden, carpenter, both of Madington, and Robert Read of Westbury, labourer ; for what shall be objected against her by John Phipps Esqr. of Westbury ; before Thomas Phipps. (18)

22. 14 Jan. William Edwards, barber, Nicholas Reeves, victualler, and Benjamin Bull, labourer, all of Westbury ; for assaulting James Hunt of Westbury, cooper ; before John and Thomas Phipps.

Recognizances to appear and give evidence.

23. 10 Dec. Charles Baker of Laycock, yeoman ; against Thomas Fry for assaulting him ; before James Montagu.

24. 9 Dec. Edmund Pitts of South Burcombe, Esqr. ; against John Fowles for breaking a covenant to serve him ; before Richard Payne.

25. 6 Jan. Thomas Newman of Downton, labourer ; he and William Jennings the younger, labourer, and Mary Jennings, spinster, both of Downton ; against John Jennings for stealing pickaxes and spades belonging to William Jennings and Thomas Newman ; before Matthew Pitts.

26. 28 Dec. Henry Penny, yeoman, and Robert Fox, labourer, both of Broad Chalk ; against Thomas Gilbert *als.* Scudd for stealing his pail ; before Matthew Pitts.

27. 23 Oct. Nicholas Vilett of Highworth, brazier ; against James Franklyn for stealing out of his shop at Wootton Bassett ' three pewter dishes, one brass boyler and one copper saucepan . . . to the value of twenty three shillings and upwards ' ; before William Heath, mayor, and Charles Hollister, alderman. Not paid.

28. 12 Jan. Jeremy Jones of Melksham, clothworker ; against George Dark of Melksham for beating and abusing Betty, wife of Daniel Jones of Melksham ; before William Beach. Not paid.

WILTSHIRE PROCEEDINGS IN SESSIONS

29. 12 Jan. Henry Smith of Melksham, clothworker ; against George Dark of Melksham for assaulting and wounding him and other misdemeanours ; before William Beach. Not paid.

30. 12 Jan. Daniel Jones of Melksham, clothworker ; against George Dark for assaulting his wife Betty Jones ; before William Beach. Not paid.

31. 27 Dec. Thomas Hurn of North Bradley, yeoman ; against Joseph Harper of North Bradley for ' assaulting him (being tythingman) in the execution of his office ' ; before William Beach. Not paid.

32. [Not dated] Roger Jervice, a Justice of the Peace, and Thomas Castleman, labourer ; against Thomas Goodall of Uphaven for unlawfully taking a furnace belonging to Roger Jervice ; before Edward Clerke.

33. 10 Dec. William Street of Holt ; against Richard Papps of Trowbridge, maltster, for assault ; before John Cooper. Estreats.

34. 2 Dec. John Mashman of Melksham, labourer ; against Betty Griffin, late of Melksham, wife of Joseph Griffin of Wootten (Glos.), weaver, for felony ; before Thomas Methuen.

35. 12 Jan. John Muselwhite of Sutton Vene, yeoman ; against Edith Hinton of Sutton Vene, spinster, for assaulting his wife Sarah ; before Thomas Phipps.

36. 12 Jan. Richard Collier of Sutton Vene, bailiff ; concerning an assault on Sarah, wife of John Muselwhite ; before Thomas Phipps.

Presentments of highways by Justices on their own view.

37. ' Wilts to wit. I Richard Willoughby Esqr., one Justice of our Lord the King that now is, assigned to keep the peace of our said Lord the King in the county aforesaid, upon my own proper knowledge and view, do present that there is and from the time whereof the memory of man is not to the contrary there hath been, a common highway leading from Amesbury in the county aforesaid in, by and through Wyly in the county of Wilts aforesaid to Hindon in the county aforesaid, for all persons, their horses, cattle, carts and carriages ; and that the third day of January in the ninth year of the reign of our Sovereign Lord George the Second . . . and continually afterwards to this time, part of the said way (that is to say) from the Bull Inn in Wyly aforesaid to the top of the hill in the said parish of Wyly leading to Hindon aforesaid was and yet is in great decay and not passable without great difficulty and danger to the great damage and common nuisance of the liege people of the said Lord the King, and that the inhabitants of Wyly ought to repair that part of the said way.
Rd. Willoughby.

Fine 30*l.* (1)'

HILARY QUARTER SESSIONS

38. By Edward Young and Richard Willoughby ; highway from Hindon to Amesbury through Deptford, ' from the smith's shop at the north end of Wyly Water to the foot of Yarnbury Hill in the parish of Wyly ' ; 1 Aug. Fine £30. (2)

Indictments found.

39. Elizabeth, wife of Joseph Grevis *als.* Workman late of Melksham, broadweaver, for stealing five caps, a ' camblett ' cloak and an apron, worth 5s. from John Marshman ; Melkesham, 1 Dec. Witness, John Marshman. (3)

40. Edith Hinton of Sutton Veny, spinster, for assaulting Sarah, wife of John Musselwhite ; Sutton Veny, 7 Jan. Witnesses, Sarah Musselwhite and Richard Collier. (4)

41. Thomas Evans of Ramsbury, labourer, and John Stockbridge of Winchester (Hants.), labourer, for keeping ' one flew chimney made of wood and plaister . . . to the great terror and common nuisance of the inhabitants of the town of Ramsbury ' ; 1 Apr. Witness, Thomas Moss. (5)

42. Thomas Gilbert *als.* Skudd of Compton Chamberlain, labourer, for stealing a pail and a reaphook worth 2s. from Henry Penny ; Compton Chamberlain, 27 Dec. Witnesses, Henry Penny and Robert Fox. (6)

43. John Jennings of Downton, labourer, for stealing a pickaxe worth 2s. 6*d.* and a ' grubax ' worth 2s. from Thomas Newman ; Downton, 10 Dec. Witnesses, William and Mary Jennings. (7)

44. The same Jennings for stealing a spade worth 4*d.* and a pickaxe worth 2s. from William Jennings ; etc. as above. (8)

45. John Fowles late of Normington in Great Durnford, labourer, for breaking a contract entered into by him with Edmund Pitts of Burcomb, Esqr., to serve him in husbandry from 25 Nov. 9 Geo. II to the following Michaelmas for £4 ' over and besides 4s. a week for every week in the time aforesaid ' ; Salisbury, 25 Nov. Witnesses, Edmund Pitts and Hayward Winkworth. (9)

46. Thomas Hayward the elder of Westbury, labourer, for assaulting John Phipps ; Westbury, 16 Jan. Witness, John Phipps [?] (10)

47. John Sartain of Whaddon Pitts in Hilperton, yeoman, for assaulting Mary, wife of Isaac Wiltshire with intent to rape ; Whaddon, 20 Nov. Witness, Mary Wiltshire. (11)

Indictments not found.

48. ' Wilts to wit. The jurors for our Lord the King upon their oath do present that William Edwards of Westbury in the county of Wilts afore-

WILTSHIRE PROCEEDINGS IN SESSIONS

said, barber, the tenth day of January in the ninth year of the reign of our Sovereign Lord George the Second . . . with force and arms, etc. at Westbury aforesaid in the county aforesaid, in and upon James Hunt did make an assault and him the said James Hunt did then and there beat, wound and evill entreat and other enormities to him did to his great damage and against the peace of our said King, his crown and dignity etc. Hawkes.

[Endorsed] Witnesses, James Hunt, John Cottle—sworn in court, Hawkes. No bill.'

49. James Franklyn of the borough of Wootton Bassett, tailor, for stealing a brass boiler, three pewter dishes and a copper saucepan worth £1 3s. from Nicholas Vylett ; Wootton Bassett, 6 Jan. Witness, Nicholas Vylett.

50. John Self of Bradford, butcher, and Edmund Sly of Trowbridge, barber, for assaulting Jonathan Bartlett ; Holt, 15 Oct. Witnesses, Jonathan Bartlett and William Johnson.

51. George Dark of Melksham, scribbler, for assaulting Elizabeth, wife of Daniel Jones ; Melksham, 11 Jan. Witnesses, Daniel Jones and Henry Smith.

52. George Dark as above, for assaulting Henry Smith ; etc. as above.

53. Sarah, wife of John Musselwhite of Sutton Veny, labourer, for assaulting Edith Hinton ; Sutton Veny, 5 Jan. Witness, Edith Hinton.

54. Anthony Bayly of Milford, innholder, for suffering a hedge (which he ought to repair) standing between a certain close now in the possession of himself and a close in the possession of William Harris, Esqr., called the Paddock, to be broken down ' by reason whereof the cattle of him the said Anthony Bayly out of the close of him the said Anthony Bayly into the close of him the said William Harris . . . did go and pass and the grass and herbage . . . eat ' ; Milford, 12 Jan. Witness, William Waters.

Informations and examinations.

55. Thomas Newman and William Jennings, both of Downton, labourers, taken before Matthew Pitts, 30 Dec. : ' First the said informant Thomas Newman on his oath severally saith that about a year and a half since there were stollen from him a pickax, grubax and four spades ; and that he has reason to believe and therefore suspects that John Jennings of Downton, labourer, did committ the said fact ; and the said informant William Jennings on his oath severally saith that about two years and a half since there was stollen from his father William Jennings the elder a pickax and two spades, and that he has reason to believe and therefore suspects that the said John Jennings did committ the fact, for that about half a week since he saw the said pickax so stollen from this informant's

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said father as also one of his said spades and a pickax belonging to Thomas Newman aforesaid in the possession of the said John Jennings at Downton aforesaid.' Marks of Newman and William Jennings.

56. Mary Jennings of Downton, spinster¹ : ' This informant on her oath saith that she was present about a week since with her brother William Jennings abovesaid at the house of the above named John Jennings and saw there the two pickaxes and spade above mentioned.' Mark of Mary Jennings. [Noted] '6th. January, 1735 : taken and acknowledged before me, M. Pitts. Thomas Newman in 10*l.* for the appearance of himself, Wm. Jennings and Mary Jennings at the next sessions.'

57. George Street of Stapleford, labourer, taken before Giles Eyre, Matthew Pitts and Richard Payne, 14 Oct : ' This informant on his oath saith that about three days since Michaelmas last was twelve months he agreed with William Snow of Berwick St. James . . . yeoman, to serve him from that time to the Michaelmas following for seven pounds wages ; and that he performed the said service in the best manner he could ; and that his said master does as yet withhold the wages from this informant.' Signature of Street. Note of the recognizances taken.

58. Joan, wife of Joseph Davis of Downton, tanner, taken before Matthew Pitts, 4 Nov., ' who on her oath saith that on this present day her said husband assaulted, beat and very much abused her, and has before severall times threatned and abused her in such manner that she is afraid he will take his opportunity to take away her life or do her some further bodily harm or mischeife'. Signature of Joan Davis. Note of recognizances taken.

59. Henry Penny of Broad Chalk, yeoman, taken before Matthew Pitts, 27 Dec. : ' This informant on his oath saith that within about five weeks since there was stollen from him at Broad Chalk aforesaid a pail ; and that about six or seven months before that time there were stollen from him at Hurcott in the parish of Baverstock . . . a spade, billhook and other goods ; and that he has reason to beleive and therefore suspects that Thomas Gilbert otherwise Scud of Compton Chamberlain . . . labourer, William Angood of Broad Chalk aforesaid, labourer, Mary King of the same, widow, and Deborah Rolfe of the same, singlewoman, some or one of them, did committ the said fact.' Signature of Penny.

60. Robert Fox of Broad Chalk, labourer, taken before Matthew Pitts, 28 Dec. : ' This informant on his oath saith that he did yesterday assist Thomas Bayly, yeoman, tythingman of Compton Chamberlain . . . in the searching the house of Thomas Gilbert of Compton Chamberlain aforesaid ; and that there they found the abovementioned pail which this informant saith is the proper goods of the said Henry Penny.' Signature of Fox. Note of the recognizances taken.

¹ This information is on the same sheet as the above.

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61. Nicholas Vilett of Highworth, brazier, taken before William Heath, mayor of Wootton Bassett and Charles Hollister, alderman, 21 Oct. : ' The said informant on his oath sayth that James Franklyn of the said borough did lately feloniously steale out of the shop of this informant in Wootton Bassett . . . three pewter dishes, one brass boyler and one copper saucepan, the proper goods of this informant, to the value of twenty three shillings and upwards ; and he the said James Franklyn did upon examination by us the said one and twentieth day of October acknowledge that he had in his possession the said three pewter dishes and that he bought the same some time ago of the said Nicholas Vilett, and that he had in his possession the said brass boyler and that he sold the same to Richard Holmes of the said borough of Wootton Bassett, cooper, for thirteen shillings ; and further saith not.' Signatures of Vilett and Franklyn.

' Note that the said James Franklyn was not sworn on his examination.'

62. Daniel Jones of Melksham, taken before William Beach, 12 Jan., who ' on his oath saith that yesterday being Sunday in the time of Divine Service he saw George Dark in the Bear alehouse in Melksham aforesaid tipling and drinking ; and that he the said George Dark abused this deponent's wife, and that his wife's face was swelled with the blow ; she said the said George Dark struck her with a pint pot ; and that this deponent's wife is great with child and dangerously ill by the abuse.' Signature of Jones.

63. Jeremy Jones of Melksham,² taken before William Beach, 12 Jan., who ' on his oath saith that his sister in law Betty Jones sent for him this day and desired him to make haste to Keevil and fetch home her husband Daniel Jones ; and that several women told him, this deponent, that she the said Betty Jones was likely to miscarry by the abuse she received from George Dark ; and farther saith not.' Mark of Jeremy Jones.

64. Henry Smith of Melksham, taken before William Beach, 12 Jan., who ' on his oath deposes and saith that yesterday being Sunday George Darke of Melksham aforesaid went to the sign of the Bear in Melksham aforesaid and carried into the house a pair of billows, a handkerchief and a gown, which said gown did belong to this deponent's mother ; and that it was in the time of Divine Service ; and that this deponent, his mother and sister, Betty the wife of Daniel Jones of Melksham aforesaid ran into the said alehouse and demanded the said gown ; and that the said George Darke did strike his said sister Betty Jones in her face with a pint pot ; and that he did also strike and wound this deponent with a pint pot in his face also ; and farther saith not.' Signature of Smith.

65. Betty *als.* Elizabeth Griffin late of Melksham, wife of Joseph Griffin of Wootten (Glos.), broadweaver, taken before Thomas Methuen, 2 Dec. :

¹ Note in the clerk's hand.

² This information is on the same sheet as the above.

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' This examinant saith that on Saturday morning the first day of this instant December she took out of the house of John Mashman in Melksham aforesaid, labourer, where she lodged, three linnen capps or mobbs, one linnen check'd apron, one short camblet cloak, part of a great coat which was tore off, but not by her, a piece of an old blanket and a piece of a coarse sheet ; and that she carried the same goods to Bradford the same day and gave them to the said John Mashman again this day as soon as he ask'd her for them ; and further saith that after she had taken away the goods as aforesaid her conscience accus'd her and she resolved to return them again to him the said John Mashman.' Mark of Betty Griffin.

Presentment of the Grand Jury.

66. ' We present the constable of the hundred of Downton for not bringing in his presentment, and we have nothing else presentable . . . '

William Selwood, John Cook, Nicholas Shackle, Robert Freemantle, Christopher Lewis, William Harrison, Hinery Gilbert, John Reeves, Charles Rose Saph, Edward Andrewes, Samuel Mitchell, William Croome, John Bennett, John Button, Henry Biggs, John Blake, William Burrough.
(14)

Presentments of the juries for the hundreds.

67. ' Damerham South. 14th. of January, 1735.

A presentment made by the Jury that is summoned to sarve for the hundred of Damerham South at the Gennerall Quarter Sessions of the Peace held in New Sarrum for the county of Wilts ;

Item we present all things well within our hundred to the best of our knowleg.

George Harris, Henry Prince, James Parker, Robert Randell, George Wellsteed, Cristouer Randell, James Thomas, John Elkins, William Lush, George Wellsteed the younger, John Prence, William Sanger, Roger Starr, William Langley, Thomas Thaine, Adam Leaver, Thomas Hurler.'

68. Arderby [Alderbury] : ' Likwies wee present euery thing in good repayer to the best of ower knoleg akording to the sesen of the year ' : Henry Beard*, Christopher Lewis*, Edward Sparg*, William Arther, John Filder, Joseph Whitlock, John Elcok, William Jones, John Shakel, Giles Bunday, William Reeues, George Thornton, William Reeves, Robert Henbest, John Haines, Charles Bowles*, John Brooke*, Samuel Reeves*.

69. Underditch : all well : William Burnett, James Burrowgh, Francis Roberts, John Brownjohn, Charles Carter, John Perry, William Geatly, John Whitehorne, Tymothy Whitehorne, William Munday, Mathew Davis, Thomas Foster, John Lane, Thomas Goodbee, John Hayward, Henry Brown, William Blak, John Day, Robart Selfe, John Pill, John Rosewell, Stephen Brownjohn, John Swain, William Webb.

70. Frustfield : all well : Charles Moody, John Tucker, Henery Hood, William Short, Ambros Hombly, Henry Shurgold, Henry Barter, Richard

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White, Edward Ingram, Richard Elsbury, Andrew Jeriash, John Whitlock, William Hiscocks, Gearg Jacob, Robert Dennis, John Haslett.

71. Chalk : ' We . . . having considered the nature of the oath we have taken, we know nothing amiss that concerns us in that point, so we present all things well ' : John Browne, Roger Scammell, William Harwood, John Bracher, Sammuell West, John Kenny, John Lawes, John Lawes, Thomas Day, Edward Hardiman, William Bensch, Richard Burrows, John Targett, William Bennet, William Cox, William Monk, Esau Lush, William Lampard, Elias Sibly, Thomas Lodge.

72. Cawden and Cadworth : ' We present the inhabitants of the parishes of Bemerton, Quidhampton and Neterhampton for turning the water out of its ancient course whereby it flows over the Church Way, being a common highway belonging to the parish of West Harnham . . . ' :¹ James Hibbard, Robert Crouch, Henry Lawes, John Quenten, John Harwood, William Eastman, John Hazard, Edward Snow, Edward Stevens, John Sturges, Nicholas Crouch, Henry Dyer, Thomas Moore, John Barter, Robert Walker, Thomas Gear.

73. Branch and Dole : all well : James Coombe, Thomas Carpenter, John Alexander, Thomas Baker, Geills Richards, Alexander Rowden, John Tring, John Young, Thomas Gilbert, Robert Ward, George Kellow, Richard Rowden, Stephen Francas, James Hayter, Robert Prankers, James Weston, Thomas Collins, John Matt, Richard Godwin, Thomas Butcher, John Austin.

74. Downton : ' We present the parish of East Knoyle for not repaireing the high wayes being very much out of repair. We present the lord of the manner for not repairing the pound in East Knoyle ' :² Christopher Chisman, John Coles, James Sanders, Young Mist, John King, Leonard Snow, Abraham Heighmore, William Hayter, James Whiler, Thomas Coffen, Ephraim DAVIS, John Coles, John Roberts, William Osborne, Timothy Lodge, John Scaplen. (12)

75. Amesbury : ' Wee present that there are two elm trees (the property of John Baker of New Sarum)³ which were blown down about a year since and now remain in the common road or highway in the parish of Allington in the said hundred and are an obstruction to the said highway and ought to be removed by (the said)³ Mr. John Baker of Salisbury. Also wee present Uriah Dyke of Durrington in the said hundred for selling ale without a licence and keeping a disorderly house. Wee present that there is a common highway (in a river)⁴ leading from Brigmiston towards

¹ The entry as given here contains emendations by the clerk.

² Second sentence struck out. This is manorial business

³ Interlined in the clerk's hand.

⁴ Sic. Interlined.

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Lavington belonging to the parish of Durrington out of repair, and ought to be repaired by the inhabitants of the said parish of Durrington': Thomas Lawrence, John Cooper, Thomas Pollern, Roger Hutchens, William Childs, Timothy Goddard, William Maton, Daniel Jones, John Smith, George Aldridge, Henry Hopkins, Edward Batt, Thomas Hayden, John Grist, John Chandler. (13)

Presentments of the constables for the hundreds.

76. Cawden and Cadworth: 'We know nothing presentable therein': Samuel Mitchell and Edmund Randell.

77. Frustfield: all well: Richard Elliott and John Barns.

78. Branch and Dole: all well: John Briant and James Cooper.

79. Underditch: all well: Joseph Maton and William Whithorne.

80. Damerham South: all well: Robert Randell and William Snook.¹

81. Chalke: all well: Henry Good, jun. and Henry Foot, jun.

82. Amesbury: 'Wee present that there is an highway leading from Amesbury to Netherhaven . . . which is out of repair, and which ought to be repaired by the inhabitants of the parish of Durrington . . .': John Batch and Henry Cooper. (15)

83. Alderbury: 'Wee present that all matters and things within the said hundred are well . . . except that there is a common highway leading from Salisbury to Farley² called Lucey Lane which is out of repair, and ought to be repaired by the inhabitants of the parish of Pitton aforesaid': William Matthews and Thomas Webb Dyke. (16)

Bailiffs' returns of jurors and constables to serve for the hundreds.

84. Branch and Dole: James Coombes*, John Alexander**, John Austens**, Thomas Carpenter**, all of South Newton; John Whitmarsh (ex), Robert Ward**, Robert Pranker*, John Young*, James Hayter*, Alexander Rowden*, all of Wilton; John Mattingly**, Thomas Baker**, Thomas Butcher*, all of Bemerton; James Weston*, Thomas Collins*, both of Stapleford; George Kellow*, Giles Richardson*, Thomas Gilbert*, all of Winterborne Stoke; William Woodroffe (ex), Richard Godwin*, both of Maddington; John Thring*, Richard Rowden*, Stephen Francis*, all of Hanginglangford. John Bryant*, James³ Cooper*, constables.

¹ This sessions is here described as *the first genrall sessions of the peace . . .*: i.e. the first in the year.

² Word (?Pitton) struck out and *Farley* written over.

³ *Joseph* first written: struck out and altered by the clerk.

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85. Cawden and Cadworth : James Hebbard**, Edward Snow*, John Quinton**, Edward Stevens**, William Easman*, all of West Harnham ; John Bacon (ex), Edmund Randell*, Benjamin Pasmore*, all of Netherhampton ; Robert Crouch*, William Smith (ex), Nicholas Crouch*, John Hazzard*, all of Barford St. Martin ; Robert Walker* of South Burcombe ; Henry Laws*, Thomas Moore*, John Sturges*, Tristram Carpenter*, Thomas Gear*, Henry Dyer*, William Goodfellow (ex), John Barter**, John Harwood, all of Fovant. Samuel Mitchell*, Edmund Randell*, constables.

86. Alderbury : Henry Beard* of West Dean and East Grimstead ; Robert Henbest*, Henry Hyde, John Shackle, all of Plaitford ; James Rogers, Giles Bundy*, both of Winterslow ; Robert Moody, Edward Spragg*, John Dennis,¹ Christopher Lewis*, all of Alderbury ; William Jones*, Joseph Whitlock*, both of Pitton and Farley ; Charles Bowles*, William Reeves*, John Haines*, all of Winterbourne Gunner ; William Reeves*, William Arthur*, both of Idmiston ; Richard Dennis (ex), John Elcock the elder*, George Thornton*, all of Whaddon and West Grimstead ; Samuel Reeves*, John Fielder*, John Brooks*, Lionel Wimbleton (ex), all of West Dean and East Grimstead. Signature of William Mills, bailiff.

87. Constables for Alderbury : Thomas Webb Dyke*, William Mathues*.

88. Chalke : John Brown*, Samuel West*, John Bracher*, Roger Scamel*, Silas Gerrard (ex), William Harwood*, all of Semley ; David Smith (ex), Thomas Lodge*, John Lawes*, John Kenny*, all of Broad Chalke ; Richard Burrow*, Edward Hardyman*, John Target*, Thomas Day*, all of Bower Chalke ; William Bench*, Elias Sibly*, both of Toleard Royall ; William Bennet*, Esau Lush*, William Cox*, Thomas Bright (ex), Richard Barrett (ex), William Munk*, all of Barwick St. John ; John Laws*, William Lampard*, both of Ebbesbrone Wake. Henry Foot*, Henry Good*, constables. Signature of William Huff, bailiff.

89. Damerham South : George Harres*, James Parker*, Henery Prince*, Thomas Thaine*, John Prince*, all of Marten ; Robert Randell*, John Stocks (ex), Rutchet Peney, George Wellsteed sen.*, George Wellsteed jun.*, William Lush*, Christopher Randel*, James Thomas*, all of Damerham South ; John Elkince* of Compton Chamberlain ; William Sanger*, Edmund Taner, Roger Starr*, William Langley*, Adam Leaver*, Thomas Hurdler*, all of Longbridg Deverill. Robert Randell*, William Snook*, constables. By Bartholomew Prince, bailiff.

90. Underditch : James Burrow**, William Blake**, Robert Self**,² John Whitehorne*, Mathew Davis*, Timothy Whitehorne*, John Lane*, all of Great Woodford ; William Munday*, Henry Brown*, John Pyle*,

¹ Marked *dead* by the clerk.

² MS. has *Slef*.

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Francis Roberts*, Thomas Foster*, all of Woodford ; John Day* of Wilsford ; William Geatly*, Charles Carter*, John Rousall*, John Perry*, John Brownjohn*, all of Stratford ; Thomas Goodbee*, John Hayward, William Burnett*, John Swain**, Stephen Brownjohn**, William Webb**, all of Milford. William Whitehorne*, Joseph Meatton*, constables.

91. Frustfield : Charles Moody* of Broxmore ; Robert Dennise*, Richard Elsbury*, George Jacobe*, John Emory (ex), Henry Hoode*, William Shorte*, Ambrose Humbly*, John Tucker*, Andrew Irish*, Henry Barter*, all of Lanford ; William Case (ex) of Cousfield ; Richard White*, John Whitelock*, Aaron Renolds*, Henry Shirgold*, John Haslett*, Roger Rose*, William Hiscocks*, Edward Ingrome*, all of Whiteparish. John Barnes*, Richard Elliott*, constables. Signature of Charles Cook, bailiff.

92. Amesbury : Thomas Lawrence*, John Grist*, both of Bulford ; Timothy Goddard, George Aldridge*, both of West Wellow ; John Cooper*, William Childs*, both of Newtontony ; Edward Batt* of Allington ; Daniel Jones* of Boscombe ; Roger Heutchins* of Lurgeshall ; John Chandler*, Thomas Haydon*, both of Amesbury ; John Smith*, James Tingham (ex), both of Great Durnford ; Robert Ryall*, Robert Hurle*, George Townsend*, all of Kingston Deueril ; Henry Hopkins*, William Meaton*, both of Brigmiston ; Nicholas Cough (ex), Thomas Poller*, both of Figheldean ; John Batch* (constable), Thomas Gilbert*, both of Durrington ; Henry Cooper* of Newtontoney (constable). Signature of George Trueman, bailiff.

93. Downton : Christopher Cheesman*, William Obourne*, both of East Noyle ; James Whillier* of Newton and Bodnam ; Timothy Lodge*, Abraham Heighmore*, John Roberts*, John King*, John Seapland*, all of Bishopston ; William Haytor* of Week and Newcourt ; John Bowles (ex) of Hindon ; William Baker, John Coles*, both of Bishops Funthill ; Thomas Coffin*, Young Mist*, Ephraim Davis*, Leonard Snow*, John Coles*, James Saunders*, all of East Downton. Richard Parker, constable.

Certificates of taking the sacrament.

94. ' We, John Arnald, minister of the parish and parish church of Great Bedwin in the county of Wilts and []¹ churchwardens of the same parish, do hereby certifie that Thomas Hill of the same place on Sunday the eleventh day of January immediately after Divine Service and sermon did, in the parish church aforesaid, receive the sacrament of the Lord's Supper according to the custom of the Church of England. In witness whereof we have hereunto set our hands the eleventh day of January in the year of our Lord 1735 :

John Arnald, minister.

John Savage, John Bushell, churchwardens.

¹ MS. blank.

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Alexander Newman and Abraham Shephard do severally make oath that they know Thomas Hill in the above written certificate named and who now present hath delivered the same into this court ; that they did see the said Thomas Hill receive the sacrament of the Lord's Supper in the parish church of Great Bedwin aforesaid and upon the day and at the time in the said certificate mencioned ; that they did see the above written subscribed by the minister and churchwardens above named ; and farther say that all things in the said certificate mencioned are true and this they verily believe.

Alex. Newman Abrm. Shephard.'

95. Mr. Ralph Button, mayor of Wilton, at Wilton, 11 Jan. George Conway, minister ; John Whitmarsh, churchwarden ; Edward Andrews and Robert Symons, witnesses.

96. Mr. Richard Barford, at St. Edmond's, New Sarum, 21 Dec. Samuel Rolleston, minister ; John Lambe, churchwarden ; Samuel Smith and Thomas Biddlecomb, witnesses.

97. Charles Bruneval, 28 Dec. ; etc. as above.

98. Mr. Daniel Floyde ; etc. as in 96 above.

99. Mr. John Baker ; etc. as in 96 above.

100. Mr. Thomas Light, 23 Dec. ; etc. as in 96 above.

101. Henery Biggs, Esqr., mayor ; etc. as in 96 above.

102. Benjamin Shaw, gent., collector of excise, 14 Dec. ; etc. as in 96 above.

103. Patrick Blayer, gent., surgeon in Colonel Cope's regiment, 14 Dec. ; etc. as in 96 above.

104. John Withers, mayor, at Westbury, 11 Jan. William Wroughton, minister ; William Mansell, churchwarden ; John Phipps and John Withers, jun., witnesses.

Orders of removal.

105. ' Wiltshire to wit. Whereas by the churchwardens and overseers of the poor of the parish of Tisbury in the county of Wilts complaint hath been made unto us Henry Coker and Richard Willoughby Esquires, two of his Majestyes Justices of the Peace for the said county (one whereof is of the quorum) that Thomas Simons and Anne his wife and his two children Martha, aged 14 and upwards, and Anne, aged 5 and upwards, are unlawfully come into the said parish of Tisbury to settle there, not being inhabitants thereof nor having acquired any settlement there, and

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that they are likely to become chargeable to the said parish, having actually demanded relief of them, and that the place of their last legall settlement is in the parish of Swallowcliffe in the said county of Wilts : and whereas on due examination of the premises on oath it appeareth unto us the said justices and we do adjudge the said complaint to be true, and that the said Thomas Simons with his said wife and children are likely to become chargeable to the said parish of Tisbury and that the place of their last legall settlement is in the parish of Swallowcliffe aforesaid : therefore we the said justices do in his Majesty's name require the said churchwardens and overseers of the poor of Tisbury aforesaid forthwith to remove and convey them the said Thomas Simons with his said wife and two children above mentioned from their said parish of Tisbury and them to deliver to the churchwardens and overseers of the poor of the said parish of Swallowcliffe, or to some or one of them, who are hereby commanded to receive them into the said parish of Swallowcliffe as inhabitants thereof and to provide for them accordingly. Given under our hands and seals the 31st. day of October in the year of our Lord 1735.'

Signatures and seals of Coker and Willoughby.

' To the churchwardens and overseers of the poor of the parish of Tisbury in the county of Wilts, to convey.

To the churchwardens and overseers of the poor of the parish of Swallowcliffe in the said county, or to any or either of them, to receive of them.'

106. Elizabeth Robbins *als.* Robertson, widow, and Alexander her son aged about 13 months, from St. Edmund's, Salisbury, to Orcheston St. George. Order by Daniel Floyd, mayor, and William Naish, 25 Oct.

107. Martha Wells, widow of John Wells, and her children Anne aged about 14, Sarah aged about 10, Martha aged 8, and William and Thomas both under the age of 7, from Hungerford to Cheively (Berks.). Order by Richard Jones and Thomas Earle, 19 Dec.

108. Mary Pew aged about 50 and Anne her daughter aged 10, from Lydiard Treygooz to Wootten Bassett. Order by John Hippisley and Ralph Freke, 12 Nov.

109. Ann Edwards, singlewoman, from North Bradley to Roade (Som.). Order by John and Thomas Phipps, 3 Nov.

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110. *Wilts ss. The Generall Quarter Sessions of the Peace of our Lord the King held at New Sarum in and for the said county on Wednesday the fourteenth day of January in the ninth year of the reign of our sovereign Lord George the second by the Grace of God of Great Britain, France and Ireland King, Defender of the Faith, etc., before Giles Eyre, Richard Payne, Mathew Pitts, Edward Young, James Harris, Richard Willoughby.*

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Traverses, Mich. 9 Geo. 2

- 111.** 1. *Stephen Oriell of Corsham*—not guilty.
- 112.** 17. *Edward Hall of Chapmanslade in the parish of Westbury*—not guilty.
- 113.** *Sarah his wife*—not guilty.
- 114.** 4. *James Best of Corsham*—guilty of the assault on Betty Chanter.
- 115.** *The same James Best*—guilty of the assault on Mary Davis. [The above two entries bracketed under] travers not paid—judgement that he stand committed till next Quarter Sessions and then give sufficient security to keep the peace and be of good behaviour before he is discharged.
- 116.** 10. *William Barnard of Marlborough*—not guilty.
- 117.** *Thomas Shortlands of the same*—not guilty.
- 118.** 23. *Richard Pool of Melksham*—not guilty of the assault on George Needle.
- 119.** *The same Richard Pool*—not guilty of the assault on Henry Draper. [The above two entries bracketed under] travers not paid.
- 120.** *Thomas Stagg of Easton*—pleads guilty, fined 6*d.*, paid sherriffe and discharged.

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Felons.

- 121.** Roger Marks—not guilty.
- 122.** The same Roger—not guilty.
- 123.** Francis Hawkins—not guilty. [The above three entries bracketed under] Easter 1736, the estreat respited—the prosecutor's recognizance to be estreated for not appearing to prosecute—the recognizances are of Michaelmas sessions last.
- 124.** John Jennings of Downton for stealing a spade value 4*d.* and a pickax value 2*s.* the goods of John Jennings¹—guilty to the value of 6*d.*—to be whipt publickly.
- 125.** The same John for stealing a pickax value 2*s.* 6*d.* and one grubb ax value 2*s.* the goods of Thomas Newman—guilty to the value of 6*d.*—to be whipt.

¹ Recte William.

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Recognizances of last sessions taken in court

126. 1. *Ambrose Hunt of Laycock*—himself in 4*oli.*, Wm. Read of Pottern in 2*oli.*, George Brathwaite of Devizes in 2*oli.* to appear at next and answer to begetting a child on the body of Eliz. Colborn, singlewoman, which when born will be a bastard and chargeable to Lacock unless etc.—received 7*s.*

127. 2. *Henry Barker of Westbury*—his recognizance respited to next—received 3*s.* 4*d.*

Recognizances delivered into court by the justices

128. 1. *Richard Hawkins of Bremhill, labourer*—appeared and discharged—received 4*s.* 6*d.*

129. 2. *Thomas Fry of the parish of Laycock, chairmaker*—appeared and discharged—received 5*s.* 6*d.*

130. 3. *Thomas Stagg of Easton, yeoman*—appeared, guilty, fined 6*d.* and discharged—received.

131. 4. *Robert Davis of Corsham, labourer*—appeared and discharged—received 4*s.* 6*d.*

132. 5. *Rachell Golding of Foxham, spinster*—appeared and discharged—received 4*s.* 6*d.*

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133. 6. *Thomas Hollidd of the parish of Swindon, labourer*—appeared and discharged—received 7*s.*

134. 7. *John Fowles of Wyly, labourer*—indicted at this, pleads guilty, fined 6*d.*, paid sherriffe.

135. 8. *Joseph Davis of Downton, tanner*—appeared and discharged—received 5*s.* 6*d.*

136. 9. *William Snow of Barwick St. James, yeoman*—appeared and discharged—received 4*s.* 6*d.*

137. 10. *Thomas Gilbert otherwise Skudd of Compton Chamberlain, labourer*—his recognizance ordered to be estreated.

138. 11. *Thomas Pitman of Kingston Deverill, labourer*—himself in 4*oli.*, George Townsend of the same in 2*oli.*, Michael Pitman of the same in 2*oli.*—to appear at next and answer touching his begetting a bastard child on the body of Mary Philips which when born will be chargeable to Kingston Deverill unless etc.

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139. 12. James Franklyn of Wootton Bassett, yeoman—appeared and discharged—received 7s. 6d.

140. 13. George Dark of Melksham, scribbler—Easter 1736, appeared and discharged—received.

141. 14. Thomas Goodall of Uphaven, baker—appeared and discharged—received 7s.

142. 15. *James Hunt of Westbury indicted*—himself in 20*li.*, John Phipps of Westbury Leigh in 10*li.*—to travers to next—received fees.

143. 16. Edith Hinton of Sutton Veny, spinster, indicted at this—herself in 20*li.*, Nicholas White of the same in 10*li.*, Thomas Barnes of the same in 10*li.*—to travers to next—received 13s. 4d.

144. 17. Dorothy Blowden of Madington—appeared and discharged—received 4s. 6d.

145. 15. Richard Papps of Trowbridge—prosecutor's recognizance to be estreated for not prosecuting—Easter 1736, prosecutor's recognizance respited and not to be estreated—appeared and discharged—received 4s. 6d.

146. 18. Wm. Edwards of Westbury—appeared and discharged—received 4s. 6d.

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147. Wilton, 3d. in the pound.

148. Melksham poor rate—on appeal of Sir Philip Parker Long to said rate that tis unequall—the same referred to Mr. Mountague, Mr. Eyles, Mr. Cooper, Mr. John and Thomas Phipps or any three to examine and make their report next sessions.

149. Melksham, 6d. in the pound, highway.

150. Orcheston St. George, appellants, and St. Edmond's in Sarum, respondents—order quasht and 20s. allowed appellants for expences.

151. Swallowcliffe, appellants, and Tisbury, respondents—order quasht being no defence and 20s. expences and 20s. for costs. Mr. John King received the notice of appeal.

152. Nicholas Shackle of Plaitford, gent., sworn of the Grand Jury but not attending on the Jury—fined 20s. afterwards discharged.

HILARY QUARTER SESSIONS

153. Tisbury, 6*d.* in the pound, highways.

154. Order that the Clerk of the Peace do at the county charge prosecute by all legall methods Wm. Turton of Bristoll, merchant, for suffering 3 convicts sentenced to transportation to escape out of his custody contrary to his contract and bond.

155. Wootton Bassett, appellants, and Liddiard Tregoze, respondents—order confirmed.

156. Chievely in the county of Berks., appellants, and Hungerford, respondents—order confirmed.

157. Roade in the county of Somerset, appellants, and North Bradley, respondents—order confirmed and 20*s.* costs.

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158. Wm. Blake the elder of Wootton Bassett—the estreat of his son's recognizance, at last, respited and he continued on his own recognizance for his son's appearance at next sessions to answer in bastardy—received 7*s.*

159. Mr. Holdaway, order on Treasurers to pay him 20*li.* by him paid for transportation of 3 convicts and 12 for his expences in carriage.

HILARY SESSIONS—ORDER BOOK

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160. ' Wilts to wit. The Generall Quarter Sessions of the Peace . . . held at New Sarum . . . on Wednesday the fourteenth day of January . . . before Giles Eyre, Mathew Pitts, James Harris Esqrs., and others their fellows, justices of the said King assigned to keep the peace of the said King in the county aforesaid and also to hear and determine divers felonies trespasses and other misdemeanours done and committed in the said county.'

161. ' **Melkesham poor rate referred.**

On hearing the appeal of John Bissy, Hannah Pinnock, John Kington and others, inhabitants and occupiers of lands lying in the parish of Melksham in this county, held by them under Sir Philip Parker Long, Barronett, against the poor rate of the said parish of Melksham for this present year, complaining that the same is unequall : this court doth referr the said rate to the examinacion of James Mountague, John Eyles, John Cooper, John Phipps and Thomas Phipps Esqrs., five of his Majestie's Justices of the Peace for this county, or any three or more of them, and the said Justices, or any three or more of them, are desired to make their report thereof to such of his Majestie's Justices of the Peace for this county as shall be assembled at the next Generall Quarter Sessions of the Peace to be

WILTSHIRE PROCEEDINGS IN SESSIONS

held in and for this county and the parties concerned are to attend the said five Justices or the major part of them, and to produce before them the said rate and other books and papers that are proper for the settling the same.'

162. 'Orcheston St. George against St. Edmund's in Sarum.

On hearing the appeal of the inhabitants of the parish of Orcheston St. George in this county against an order under the hands and seals of Daniel Floyd, mayor, and William Naish, two of his Majestie's Justices of the Peace for the city of New Sarum (one being of the quorum), bearing date the twenty fifth day of October last past for the removall of Elizabeth Robins otherwise Robertson, widow, with Alexander Robins otherwise Robertson, her son, from the parish of St. Edmund's in New Sarum afore-said to the said parish of Orcheston St. George, and on hearing councell on both sides, this court doth quash the said order.'

163. 'The same against the same.

This court doth order the churchwardens and overseers of the poor of the parish of St. Edmund's in the city of New Sarum, or one of them, on sight hereof to pay unto the churchwardens and overseers of the poor of the parish of Orcheston St. George in this county, the sum of twenty shillings for the expences the said parish of Orcheston St. George hath been at in maintaining Elizabeth Robins otherwise Robertson and her son Alexander pending an appeal to an order of removall of them from the said parish of St. Edmund's to the said parish of Orcheston St. George.'

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164. Swallowclift against Tisbury.

Appeal against order of Henry Coker and Richard Willoughby, 31 Oct., for removal of Thomas Simmons, Anne his wife and his children Martha and Anne from Tisbury to Swallowclift. Order quashed.

165. Same against same.

Order in the above case for payment of 20s., expenses in maintaining Simmons and his family, and 20s. costs to appellants.

166. 'John Wiltshire's order of discharge.

On motion made to this court for discharging John Wiltshire of Chilton Foliatt in this county out of custody, he having been committed by order of the Generall Quarter Sessions of the Peace for this county held at Devizes on Tuesday the fifteenth day of July last for refusing to find sureties for his obeying an order made by the said court for his maintaining a female bastard child born of the body of Elizabeth Baggs, singlewoman, and chargeable to the parish of Hungerford in the county of Berks, of which child he was adjudged the putative father; and it now appearing to this court that the said John Wiltshire hath now given sufficient security to the said parish for obeying the said order according to the true purport thereof; this court doth therefore order the said John Wiltshire to be discharged out of custody.'

HILARY QUARTER SESSIONS

167. Road against North Bradley.

Appeal against order of John and Thomas Phipps, 3 Nov., for removal of Anne Edwards, singlewoman, from North Bradley to Road. Order confirmed.

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168. Same against same.

Order in the above case for payment of 20s. costs to respondents.

169. Cheevely against Hungerford.

Appeal against order of Richard Jones and Thomas Earl, 19 Dec., for removal of Martha Wells, widow, and her children from Hungerford to Chievely. Order confirmed.

170. 'Thos. Pearce's order.

On motion made to this court on behalf of Thomas Pearce of the parish of Calne who stands presented for not mending the highway leading from Dippotts Gate to Linchester's Brook lying in the parish of Calne and tything of Stockly, that he may be discharged from the said presentment ; and it appearing to this court from records of this court now produced that the said Thomas Pearce is not obliged to repair the said way so presented ; this court doth accordingly discharge him from the said presentment.¹

171. ' This court doth order the treasurer of this county on sight hereof to pay unto Mr. Edward Holdaway, keeper of His Majestie's gaol at Fisherton Anger in this county, the sum of twenty pounds, being money he paid on a contract for the transportation of four persons convicted of felony (that is to say) Christopher Bendall, John Spender, Charles Ayliff and Sarah Brown, and also the further sum of twelve pounds for his expences in the conveyance of the said convicts from the said gaol at Fisherton Anger to the city of Bristoll in order for their transportation.'

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172. Constables.

Orders for the appointment of the following constables for the hundreds: Cawden and Cadworth : Edward Andrews the younger of Bramshaw, yeoman, and Henry Crime of Foffant, butcher.

Branch and Dole : Henry Lock of Wyly, yeoman, and James Weston of Stapleford, yeoman.

Frustfield : John Tucker and John Batten.

Underditch : John Day of Wilsford and John Hibberd of Milford.

Amesbury : George Batt of Newton Toney, yeoman, and Robert Ryall of Kingston Deverill, yeoman.

¹ Pearce was presented for not repairing the same lane at the Summer Assizes. See below p. 125.

WILTSHIRE PROCEEDINGS IN SESSIONS

Alderbury : Thomas King of Alderbury, yeoman, and John Wristbridge of Idmiston, yeoman.

HILARY SESSIONS—ESTREATS OF FINES¹

173. ' Wilts ss. Estreats indented of all and singular fines, amerciaments, recognizances etc. at the Generall Quarter Sessions of the Peace . . . held . . . on Wednesday, Thursday and Fryday the 14th., 15th. and 16th. days of January . . . '

Fines imposed at this sessions.

174. On Thomas Stagg of Easton, yeoman, for an assault—paid sheriff in court o o 6

175. On John Fowles of Wily, labourer, for a trespass—paid sheriff in court o o 6

176. ' On Edward Harding of Amesbury . . . gent. for that he did not appear at this court when he was called in order to be sworn to inquire for our said Lord the King and the body of this county as he was summoned to do ' o 5 o

177. On John Gould of Bower Chalk, gent., for the like o 5 o

178. On Henry Good of Broad Chalk, gent., for the like o 5 o

179. On William Cooper of North Tidworth, gent., for the like o 5 o

Recognizances forfeited at this sessions.

180. ' Thomas Gilbert otherwise Skudd of Compton Chamberlain . . . labourer, for that he did not appear at this court when he was called, altho' he undertook to do so by recognizance taken before Mathew Pitts Esqr., one justice etc.' 10 o o

181. ' John Cork of New Sarum, weaver, one surety of the said Thomas Gilbert, for that he had not him here as above ' 5 o o

182. ' Stephen Andrews of the same, labourer, the other surety of the said Thomas Gilbert, for tne like ' 5 o o

¹ The indented copy of Estreats for Hilary, Easter and Trinity sessions, 1736, sent into the Exchequer by the clerk of the peace, will be found in the Public Record Office, Exchequer, Queen's Remembrancer, Estreats [E.137] bundle 47 no. 13 m. 2. A further copy is among Public Record Office, Exchequer, Lord Treasurer's Remembrancer, Rolls of Estreats [E.362] file 65 no. 46. The Queen's Remembrancer Estreats for Wiltshire for 10 Geo. II, for the four sessions beginning Mich. 1736, are missing, but the Lord Treasurer's Remembrancer's copy survives [E.362 file 66 no. 44], and bears this endorsement: ' delivered by the hand and upon the oath of William Wake, gentleman, 20 January, 1737, before James Reynolds.'

EASTER QUARTER SESSIONS

EASTER SESSIONS—GREAT ROLL

Justices' precept to the sheriff to proclaim the Quarter Sessions.

183. General Quarter Sessions of the Peace to be held on Tuesday the fourth of May at Devizes ; officers and jurors to be summoned from the hundreds of Bradford, Calne, Chippenham, Damerham North, Malmesbury, Melksham and Potterne and Cannings and petty jurors from the neighbourhoods of []¹. Dated 9 March, 9 George II, 1735. Signed by Matthew Pitts and Richard Payne.

184. Schedule ; return of Grand Jurors.

Anthony Druce* and Mathew Smith (ex) both of Bradford ; Moses Cottle* of Winsley ; Richard Grant* of Leigh and Wooley ; Anthony Brooke (ex) of Hedington ; William Smith* of Blackland ; John Bishop* of Eastmead Street ; John Blagden (ex) of Kingswood ; John Wilds (ex) and Isaac Beams* both of Yeaton Keynell ; William Arnold*, Thomas Bayly*, William Stump, all of Corsham ; Jonathan Power (ex) of Kington St. Michael ; John Taylor of Kington Langley ; John Soper of Little Somerford ; William Waite of Dauntsey ; Anthony Guy* of Chippenham ; Roger Gauntlett (ex) of Lea and Cleaverton ; John Grant* of the liberty of Trowbridge ; David Alexander* of Rodborn ; Francis Mitchell* of Seend Down ; Richard Baker* of Winsley ; Richard Mershman (ex) of Whitley and Shaw ; Francis Wheeler* of Bremhill ; William Sloper* of Bourton and Easton ; John Gaisford* of Worton ; Richard Amor of Marston. Signature of Richard Baskerville, sheriff.

' Defaulters fined 4s. 2d. each, mitigated to 2s.'

185. Schedule ; return of bailiffs of the hundreds.

Bradford—John Self*

Calne—Stephen Wootton*

Chippenham—Francis Tibball*

Damerham North—Daniell Humphrys*

Malmesbury—Robert Hunt*

Melkesham—James Taylor*

Pottern and Cannings—William Read*

186. Return of jurors 'for the tryall of prisoners and traverses'² : John Jordan** and John Cooksey³ both of Potterne ; William Ruddle** of Coate ; Richard Lavington** of Potterne ; Thomas Dows** of Marston ; John Shall** of Rowd ; John Boyle and William Cox** both of Bishops Cannings ; Edward Rudman** of Chittoe ; John Moore of Worton ; William Powell** of Week ; William Read** of Pottern ; Thomas Wilshire** of Benacre ; Thomas Emmett, John Franklyn** and James Taylor** all of Melksham ; William Biggs* and William Trimnell* both

¹ MS. blank.

² This should have been a schedule filed to 183, but was not so found.

³ This name not pointed but marked *sworn*.

WILTSHIRE PROCEEDINGS IN SESSIONS

of Polshot ; Thomas Hillier* of Seen ; James Wheeler* of Earlstoke ; Robert West* of Trowbridge ; Jeffery Hicks* of Seend Row ; Michael Naish* of Woodrew ; John Flower* of Seend. Signature of Richard Baskerville, sheriff.

Recognizances to appear and answer.

187. 30 Mar. Jonathan Tyler, dyer, William Tyler, blacksmith, and William Sadler, gardener, all of Calne ; accused by Thomas Smith of a rescue on 31 Jan. ; before Walter Hungerford. (1)

188. 19 Jan. Richard Povey, butcher, William Jeffries, ' woolsoarter ', and Anne Webb, victualler and butcher, all of Calne ; for assaulting Robert Pocock of Calne, surgeon ; before George Hungerford. (2)

189. 28 Mar. Edward Scutt, labourer, William Scutt, brazier (father of Edward), and Thomas Lambourn, clothworker, all of Calne ; for assaulting Thomas Smith of Marlborough, maltster ; before Walter Hungerford. (3)

190. 30 Mar. William Wheeler, tailor, and William Tyler, blacksmith, both of Calne ; Elianor Alexander *als.* Batnage of Calne, scribbler, to appear and answer John Lawrence concerning an assault ; before Walter Hungerford. (4)

191. 17 Jan. William Bryant of Overton, yeoman, and George Webb of Kennett, blacksmith ; for refusing to pay William, son of John Hillman of Fifield, labourer, his ' weekly wages don in husbandry ' ; before George Hungerford. (5)

192. 5 Feb. Thomas Smith and Thomas Edwards both of Overton, yeomen ; Joseph Cowper of Overton, labourer, to appear and answer Thomas Sterry, labourer, and Anne Allin, spinster, both of Overton concerning Cowper's theft from Sterry of a greatcoat and a pair of ' yarning stockings ' ; before George Hungerford. (6)

193. 27. Jan. Benjamin Norrington the younger, weaver, Richard Burgess, tucker, and Richard Burgess, scribbler ; for stealing 2 cocks and 3 hens from Edward Bush of Calne, carpenter ; before George Hungerford. (7)

194. 27 Jan. William Little of Quemerford, weaver, William Chivers of Calne, ' sewerger ', and William Hallings of Strowd, clothworker ; for theft as above ; before George Hungerford. Not paid for. (8)

195. 6 Apr. William Coleman, wheelwright, and Robert Lambourne, shearman, both of Calne ; William Smith of Calne, maltster, to answer concerning a rescue ; before George Hungerford. Paid for. (9)

EASTER QUARTER SESSIONS

196. 20 Apr. Anthony Hale of Calne, drugget maker ; Nicholas Hale of Calne, yeoman, to answer ' concerning a certain process bearing date the 15th day of July last past ' ; before George Hungerford. Paid for. (10)

197. 29 Apr. Stephen Gaiesford, constable of Westbury hundred ; for failing to obey a verbal order of Thomas Phipps, J.P., ' for the apprehending Thomas Hayward of Westbury, victualler, on a Sessions process ' ; before John Cooper and John Eyles. Unpaid. (11)

198. 29 Apr. Henry Blatch, constable of Westbury ; etc. as above. Unpaid. (12)

199. 29 Apr. James Cockle, constable of Westbury ; for permitting Thomas Hayward ' to escape out of his hands, being apprehended by virtue of a Sessions process ' ; before John Cooper and John Eyles. Unpaid. (13)

200. 26 Apr. William Bush of Bradford, clothier ; for trespasses and misdemeanours ; before John Cooper. (14)

201. 26 Apr. Jonathan Browne of Bradford, mason ; for trespasses ; before John Cooper. (15)

202. 26 Apr. Robert Harvey of Great Troll, yeoman ; for ' what shall be charged against him ' ; before Thomas Methuen and John Cooper. (16)

203. 27 Jan. Edward Andrews the younger and Edward Andrews the elder, both of Bramshawe, yeomen ; for neglecting to make out and deliver jury lists to the constable of Cawden and Cadworth hundred, he being tithingman of Bramshawe ; before Matthew Pitts. Paid. (17)

204. 27 Jan. The same Edward Andrews the younger ; for refusing to serve the office of constable of Cawden and Cadworth hundred, he being duly elected ; before Matthew Pitts. Paid. (18)

205. 20 Jan. David Chalk, and Thomas Newman,¹ labourer, both of Downton, and Nicholas Newman of Boddenham, victualler ; for assaulting Jane his wife ; before Matthew Pitts. Paid. (19)

206. 31 Mar. Thomas Andrews of Collingbourne Kingston, yeoman ; before Edward Clarke. Not paid. (20)

207. 20 Feb. Charles Cozens, tailor, and Thomas Cripps, both of Milton Lilborne ; before Edward Clarke. Not paid. (21)²

¹ MS. has *Newan*.

² This and the next two recognizances were renumbered by the clerk, being first made 22, 23, and 24 respectively.

WILTSHIRE PROCEEDINGS IN SESSIONS

208. 9 Mar. William Mills, labourer, James Mills, labourer, and Thomas Saye, weaver, all of South Wraxall ; Judith the wife of William Mills, Judith and Susan his daughters, Jane the wife of Thomas Saye and Mary Attwood of South Wraxall, singlewoman ; for stealing clothing from Samuel Eyles of Attworth, yeoman ; before Thomas Methuen. (22)

209. 8 Mar. Anne Attwood, widow, Samuel Eyles and Hope Eyles, yeomen, all of South Wraxall ; for stealing as above ; before Thomas Methuen. (23)

210. 8 Mar. Samuel Ricketts of Ditteridge, fellmonger, George Ricketts of Collern, wheelwright, and Robert Yells of Box, fellmonger ; with Catherine his wife, for assaulting John Clement of Ditteridge, yeoman, and Thomas his son ; before Thomas Methuen. (25)

211. 21 Apr. William Gingell, blacksmith, William Clarke, tailor, and Caleb Chamberlain, carpenter, all of Westport in Malmesbury ; for stealing hay from Thomas Hill of Malmesbury, butcher ; before Henry Reeves and Israel May. (26)

212. 28 Feb. John Hill, labourer, and Robert Hill, yeoman, both of Bremhill ; for assaulting Swithin Gibbons of Marlborough ; before Richard Burgess. (27)

213. 15 Mar. Joseph North, labourer, and John Tucker, yeoman, both of Highway ; for assaulting and kicking Anne Dickox ; before Nathaniel Houlton. (28)

214. 24 Apr. Daniel Cox, Edward Cox, Thomas Norris and Thomas Tayler, all of Trowbridge, broadweavers ; for stealing a pair of worsted stockings worth 1s. from James Pinnock of Seend ; before William Beach. (29)

215. 13 Feb. Joseph Harper, Richard Harper and Peter Butcher, all of North Bradly, broadweavers ; for assaulting Thomas Hurn, tithingman of North Bradly in the execution of his office ; before William Beach. (30)

216. 6 Feb. William Tyler, blacksmith, and Joseph Tyler, dyer, both of Calne ; Ruth, wife of Jonathan Tyler of Calne, dyer, to answer for assaulting William Gibbens, a sheriff's officer, and rescuing certain goods in his possession by virtue of a sheriff's warrant ; before Richard Burgess. (31)

217. 6 Feb. William Tyler, blacksmith, and Robert Lawrence the younger, glazier, both of Calne ; Eleanor, wife of Richard Badnage *als.* Alexander of Calne, scribbler, to answer as above ; before Richard Burgess. (32)

EASTER QUARTER SESSIONS

- 218.** 5 Apr. Henry Hyet, carpenter, Richard Hyet and Robert Hodson, yeomen, all of Chippenham ; for insulting James Montagu, J.P., threatening to bring an action against him if he executed a warrant to distrain his goods for a fine of 20s. imposed for brewing ale without licence, and for intimidating Thomas Still, constable of Chippenham ; before James Montagu and John Eyles. (33)
- 219.** 15 Apr. Daniel Jenkins, labourer, John Edmunds and James Humphreys, yeomen, all of Laycock ; for assaulting Edward Bouchier ; before James Montagu. (34)
- 220.** 3 May. Thomas Spicer, labourer, Francis Smith and John Smith, yeomen, all of Allington in Chippenham ; for assaulting Edward Bryant when he was assisting Thomas Taylor, tithingman of Allington, to execute a warrant under the hand of Rogers Holland, J.P., upon Francis Smith ; before Rogers Holland. Not paid. (35)
- 221.** 3 May. Francis Smith of Allington and Samuel Workman of Biddeston, both yeomen ; to receive the order of the court ; before Rogers Holland. Not paid. (36)
- 222.** Hilperton, 21 Apr. Alice Fricker, widow, and John Baily, scribbler, both of Trowbridge ; before John Eyles. (37)
- 223.** Hilperton, 21 Apr. John Lewis and Joseph Lewis, both of Trowbridge, cordwainers ; before John Eyles. (38)
- 224.** Hilperton, 21 Apr. Hester Thompson, widow, and Roger Bird, carrier, both of Trowbridge ; before John Eyles. (39)
- 225.** Hilperton, 20 Feb. John Sartin of Waddon, yeoman, William Richmond *als.* Smith, blacksmith, and William Hornick, broadweaver, both of Hilperton ; before John Eyles. (40)
- 226.** 12 Mar. Peter Munday and Anthony Munday, both of Ludgershall, carpenters ; to answer the churchwardens and overseers of Ludgershall for turning his wife Martha out of his house and refusing to pay maintenance ; before Thomas Beach.
- 227.** 7 Feb. Hugh Mead of Markett Lavington, saddler, Stephen Mead of Calne, fuller, and Roger Lye of Potterne, yeoman ; for receiving goods of John Sainsbury of Markett Lavington, apothecary, stolen by Peter Batten, Sainsbury's apprentice ; before John Wadman and James Townserid.
- 228.** 6 Mar. Benjamin Bull, clothworker, Jonathan Bull and John Hill, labourers, all of Westbury ; putative father of a bastard child by Catherine Murfett ; before Thomas Phipps.

WILTSHIRE PROCEEDINGS IN SESSIONS

229. 28 Jan. Roger Lye of Hurst in Potterne ; Jane, wife of Hugh Mead of Markett Lavington, saddler, for receiving as in 227 ; before John Wadman and James Townsend.

Recognizances to appear and give evidence.

230. 5 Feb. Anne Allen of Overton, spinster ; against Joseph Cowper of Overton, labourer, for stealing a great coat and a pair of ' yarning stockings ' ; before George Hungerford.

231. 5 Feb. Thomas Sterry of Overton, labourer ; against Joseph Cowper as above ; before George Hungerford.

232. 5 Apr. Cornelius Smith of Calne, weaver ; against William Smith of Calne, maltster, for a rescue ; before George Hungerford.

233. 27 Jan. Edward Bush of Blackland in Calne, carpenter ; against Benjamin Norrington and William Little, both of Quemerford, for stealing 2 cocks and 3 hens from him ; before George Hungerford.

234. 2 Apr. Sarah Rimmond of Woodburrough, spinster ; against Edeth Stratton of Manningford Bohunne, for stealing a cock belonging to Millicent Rimmond ; before Edward Clerke.¹

235. 20 Feb. Henry Martin of Milton Lilborne, labourer ; against Charles Cozens, for assaulting his (Martin's) wife and Elizabeth Newman the elder ; before Edward Clerke.

236. 15 Mar. John Pearce of South Wraxall, yeoman ; he and Joan his wife against Hannah Carrington, for stealing clothing belonging to Joan ; before Thomas Methuen.

237. 4 Feb. Benjamin Horton of Limply Stoke, broadweaver ; against John Britton, his apprentice, ' for throwing the door of John Bull . . . out of the hooks ' , entering his house at night and stealing some bread, cheese, butter and a knife ; before Thomas Methuen.

238. 4 Feb. John Bull of Limply Stoke, broadweaver ; against John Britton, as above.

239. 8 Mar. Samuel Eyles of South Wraxall, yeoman ; against Judith, wife of William Mills, labourer, Susanna and Judith Mills, singlewomen, Joan, wife of Thomas Saye, weaver, Anne Attwood, widow, and Mary Attwood, singlewoman, all of South Wraxall, for stealing clothing from Samuel Eyles and Mary his wife ; before Thomas Methuen.

240. 23 Feb. John Clement of Ditteridge in Box, yeoman ; against Samuel Rickets of Ditteridge, fellmonger, and Catherine his wife, for assault ; before Thomas Methuen.

¹ On a form used for recognizances to appear at Assizes.

EASTER QUARTER SESSIONS

- 241.** 12 Apr. Richard Tuckey, churchwarden, and Joseph Baily, overseer of the poor, of Liddiard Millicent ; against Joseph Franklin, sawyer, ' for intruding himself and family into your said parish of Liddiard Millicent and refusing to give an account upon oath of his last legall place of settlement ' ; before Ralph Freke.
- 242.** 21 Apr. Richard Munden of Malmesbury Abby, labourer ; against William Gingell of Westport, blacksmith, for stealing property of Thomas Hill of Malmesbury, butcher ; before Israel May.
- 243.** 21 Apr. Thomas Hill of Malmesbury, butcher ; against William Gingell, as above.
- 244.** 28 Feb. Isaac Rose of Calne and Isaac White of Chippenham, labourers ; against John Hill of Bremhill, labourer, for assaulting Swithing Gibbons of Marlborough ; before Richard Burgess.
- 245.** 15 Mar. Anne Dickox of Highway ; against Joseph North of Highway, labourer, for assaulting and kicking her ; before Nathaniel Houlton.
- 246.** 24 Apr. James Pinnock of Seend, broadweaver ; against Daniel Cox of Trowbridge, for stealing a pair of worsted stockings from him ; before William Beach.
- 247.** 6 Feb. William Gibbens of Marlborough, yeoman ; against Ruth, wife of Jonathan Tyler, and Elianor, wife of Richard Alexander *als.* Badnage, for assault ; before Richard Burgess.
- 248.** 15 Apr. Edmund Boucher of Bromham, labourer ; against Daniel Jenkins, for assault ; before James Mountagu.
- 249.** 18 Apr. James Buckley of Roud, yeoman ; against Benjamin Winter, now in custody, for stealing a cock and 2 hens from him ; before James Mountagu.
- 250.** 10 Mar. Peter Emerton, John Shippway and John Bradbury, all of Chippenham, yeomen ; all against Thomas Hort for stealing a bushel of wheat from a person unknown ; before James Mountagu.
- 251.** 1 Mar. Peter Woodman of Lacock, labourer ; against Anthony Gale, now in custody, for stealing faggots by night from Woodman's woodpile ; before James Mountagu.
- 252.** 3 May. Edward Bryant of Cockleborough in Chippenham, labourer, and Thomas Taylor of Chippenham, yeoman ; Bryant to prosecute and Taylor to give evidence against Thomas Spicer of Allington in Chippenham, for assaulting Bryant as he was assisting Taylor, a tithingman, to execute a warrant of Rogers Holland ; before Rogers Holland. Not paid.

WILTSHIRE PROCEEDINGS IN SESSIONS

253. 23 Apr. Anthony Reeves the younger of Christian Malford, cloth-worker ; against William Gough, now a prisoner in the House of Correction at Devizes, for drawing a knife and threatening to stab him and Alice his mother ; before Richard Burgess.

254. 26 Jan. John Sainsbury of Markett Lavington, apothecary ; against Hugh Mead of Markett Lavington, saddler, and Jane his wife, for receiving goods stolen by Peter Batten, Sainsbury's apprentice ; before James Townsend.

Presentments of highways by justices on their own view.

255. By John Eyles ; highway from Trowbridge to Devizes through Keevill, half a mile long and 18 feet broad ; 3 May. Fine £50.

256. By John Eyles ; highway from Trowbridge to Devizes through Keevill, 2 furlongs in length and 18 feet in breadth, ' leading by Boldham Mill to Seend highway', to be repaired by John Sherrill of Boldham Mill and Henry Burbage of Keevill, by reason of their adjacent property ; 3 May. Fine £25.

257. By Richard Willoughby ; highway from Hindon to Sarum through Semly, $\frac{1}{2}$ mile long and 20 feet broad, ' lying in a certain lane called Bridzer Lane between a bridge called Savage Bridge and Bridzor Bridge in Semly ' ; 30 Apr. Fine £20.

258. By Richard Willoughby ; highway from Hindon to Dunhead through Semly, $\frac{1}{2}$ mile long and 20 feet broad, ' from a bridge there called Savage Bridge through Hook Lane in Semly to the gate leading to Dunhead ' ; 30 Apr. Fine £30.

259. By Nathaniel Houlton ; highway from Cricklade to Marshfield (Glos.) through Sutton Benger, 2 furlongs in length and 12 feet in breadth, in Sutton Benger in a lane called Oakhill Lane ; 3 May. Fine £30. ' Trin. 1736, fine ordered to be estreated.'

260. By John Eyles ; highway from Trowbridge to Melksham through the tithing of Hilperton and Whaddon, $\frac{1}{2}$ mile long and 10 feet broad, ' to wit, so much thereof as lies between a place called Whaddon Elm and a gate called Sir Philip Parkers Gate ' ; 1 May. Fine £10.

261. By John Cooper ; highway from Bradford to Trowbridge through a certain lane called Poulton Lane, 300 feet long and 12 feet broad, to be repaired by William Ford of Bradford, yeoman ; 29 Apr.

Indictments found.

262. Jonathan Tyler of Calne, dyer, and Ruth his wife, John Hill of Hilmarton, labourer, Richard Alexander *als.* Badnidge of Calne, labourer,

EASTER QUARTER SESSIONS

and Eleanor his wife, William Hobbs of Bishops Cannings, butcher, John Angell the elder, John Angell the younger, George Dicks, Thomas Tugwell, Gudge Long, William Smith and Mary his wife, Robert Sargeant, all labourers, Jane Chivers, widow, Sarah Chivers and Alice Angell, spinsters, Edward Scutt, Moses Cue, Nicholas Hale, all labourers, and Robert Lawrence, glazier, all of Calne, for riotous assembly, assault and rescue, inasmuch as they assaulted William Gibbons, sheriff's bailiff, as he was taking off the goods of William Smith of Calne, maltster, which had been distrained for a debt of £140 recovered against him by Thomas Smith in the royal courts at Westminster with 50s. damages, and inasmuch as they rescued the said goods, i.e. 12 qrs. of barley, a chest of drawers, a bed, a table board, 50 qrs. of malt, etc., worth £90 ; Calne, 31 Jan. Witnesses, William Gibbons, John Lawrence, Isaac Rose, Thomas Smith, Cornelius Smith, Abigail Bollen, Eleanor Lawrence and Humphry Hicks.¹

263. John Freeman and Walter Brind, both of Liddington, yeomen, for assaulting William Neale, one of the overseers of the poor for Liddington, and stealing from him ' one paper book of accounts of payments and disbursements of him the said William Neale in and about his said office of overseer ' ; Liddington, 27 Apr. Witness, William Neale.

264. Hannah Carrington, late of Corsham, spinster, for stealing a shift worth 5s. from John Pearce ; South Wraxall, 15 Mar. Witnesses, John Pearce, Joan Pearce and Mary Eyles.

265. Thomas Hurlbatt and Hugh Hurlbatt, both of Marlborough, carpenters, for assaulting Richard Handcock ; Marlborough, 27 Apr. Witnesses, Richard Handcock, Robert Scaplehorn and George Brathwaite.

266. William Guingell of Westport, blacksmith, for stealing $\frac{1}{2}$ cwt. of hay, worth 9d. from Thomas Hill ; Westport, 21 Apr. Witnesses, Richard Munden and Thomas Hill.

¹ This case was removed to Queen's Bench by writ of certiorari (see paras. 885 *et seq.*): The relevant entry is the only one which has been found in the records of that court : (Public Record Office, Queen's Bench (Crown Side), Rule or Order Books [K.B.21], vol. 34, *sub* Tuesday next after 15 days from Trinity, 10 Geo. II). It reads : ' Wiltshire. It is ordered that there be a writt of certiorari directed to the Keepers of the Peace and Justices of our Sovereign Lord the King assigned to keep the peace of our said Lord the King within the said county, for all and singular indictments of whatsoever trespasses contempts, riots, routs, unlawfull assemblies, assaults and misdemeanours whereof Jonathan Tyler, Ruth his wife, John Hill, Richard Alexander otherwise Badnidge, Eleanor his wife, William Hobbs, John Angell the elder, John Angell the younger, George Dicks, Thomas Tugwell, Gudge Long, William Smith, Mary his wife, Robert Sargeant, Jane Chivers, Sarah Chivers, Alice Angell, Edward Scutt, Moses Cue, Nicholas Hall and Robert Lawrence are indicted before them. On the motion of Mr. Way.

(By the court).'

There seems to have been no further proceeding in the matter. There is no further reference to the case in the Rule or Order books of the Court of Queen's Bench, which usually contain orders for the filing of returned writs of certiorari ; and the returned writ is not to be found in the files of Queen's Bench, Records of Orders and Writs Returned, 1736-7 [K.B.16/11].

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267. Thomas Heath late of Vernham, labourer, for breaking the house of Mary Green with intent to steal a game cock worth 6*d.* ; Fosbury, 19 Apr. Witnesses, John Pettypher and William Ching.¹

268. Catherine, wife of Samuel Ricketts of Diteridge, leatherdresser, for assaulting Thomas Clement ; Diteridge, 19 Feb. Witness, Thomas Clement.

269. Benjamin Norrington and William Little both of Cummerford, weavers, for stealing 2 cocks and 3 hens from Edward Bush ; Blackland, 25 Jan. Witness, Edward Bush.

270. Henry Humphreys of Calne, labourer, for assaulting Abigail Bollen ; Calne, 3 May. Witnesses, Abigail Bollen and Rebecca Granger.

271. James Alexander of Great Chiverell, labourer, for assaulting Susannah Newbury *als.* Coles ; Great Chiverell, 26 Mar. Witnesses, Susannah Newbury *als.* Coles and Elizabeth Newbury *als.* Coles.

272. Judith, wife of William Mills of South Wraxall, labourer, Susannah Mills of the same, spinster, Jane, wife of Thomas Say of Bradford, weaver, Anne Attwood, widow, and Mary Attwood, spinster, both of South Wraxall, for stealing 2 caps and 2 clouts worth 4*d.* from Samuel Eyles ; South Wraxall, 6 Mar. Witnesses, Mary Eyles and Samuel Eyles.

273. Eleanor, wife of Richard Badnidge of Calne, scribbler, for assaulting John Lawrence ; Calne, 29 Mar. Witness, John Lawrence.

274. John Curr, bellfounder, Edward Newth the younger, yeoman, and John Sly, baker, all of Alborn, for assaulting Thomas Haynes ; Alborn, 20 Nov. Witness, Thomas Haynes.

275. James Ellis of Marston in Potterne, tailor, for breaking the pound at Marston and leading away his grey mare which had been impounded for damage done by it in the clover field of Marston ; 28 Apr. Witnesses, Jeffry Salter and William Coleman.

276. Benjamin Winter late of Devizes, weaver, for stealing 2 hens and a cock worth 2*s.* 6*d.* from James Buckley ; Rowd, 18 Apr. Witness, James Buckley.

Indictments not found.

277. Grace, wife of Ralph Coleman, labourer, Elizabeth, wife of Richard White, labourer, Mary Coleman and Grace Coleman, spinsters, and John Coleman, labourer, all of Wilton, for a rescue, they having taken from Daniel Gibbons, sheriff's bailiff, an iron box, a skimmer and a pair of pothooks worth 2*s.* removed by him on a warrant to distrain issued to

¹ *Ching* struck out.

EASTER QUARTER SESSIONS

Daniel Gibbons, Swithin Betteridge and William Pyke ; Wilton, 23 Mar. Witnesses, Daniel Gibbons and Timothy Gibbons.

278. Jeremiah Chivers, James Chivers and Robert Chivers, all of Calne, labourers, for digging a pit 8 feet long, 6 feet broad and 10 feet deep in the highway from Calne through Cherhill common to Swindon ; Cherhill, 20 Apr.¹

279. Peter Batten of Markett Lavington, labourer, for stealing 4 bottles of strong beer from John Sainsbury ; and of Hugh Mead and Jane his wife for receiving the same ; Lavington, 26 Jan. Witness, John Saintesbury.

280. Anthony Gale of Laycock, shearman, for stealing 6 faggots worth 6*d.* from Peter Woodman ; Laycock, 1 Mar. Witnesses, Peter Woodman and Richard Moore.

281. Joseph North of Highway, labourer, for assaulting Anne Dickox ; Highway, 1 Feb. Witness, Anne Dickox.

282. William Adams, shoemaker, William Jenkins, labourer, and []² Simpkins, labourer, all late of Calne, for pulling down a stone wall belonging to William Handcock ; Corsham, 26 Apr. Witnesses, William Handcock and John Lovegrove.

283. Thomas Hart of Chippenham, labourer, for stealing $\frac{1}{2}$ bushel of wheat worth 2*s.* ; Chippenham, 10 Mar. Witness, John Shipway.

284. Thomas Spicer late of Allington in Chippenham, labourer, for assaulting Edward Bryant ' then assisting Thomas Taylor, tythingman of Allington aforesaid in the execution of his [office] ' ; Allington, 30 Apr. Witnesses, Edward Bryant and Thomas Taylor.

285. William Gough of Sutton Benger, labourer, for assaulting Anthony Reeves ; Sutton Benger, 23 Apr. Witness, Anthony Reeves.

286. Thomas Hart of Chippenham, labourer, for stealing 5*s.* from John Shipway ; Chippenham, 4 Mar. Witness, John Shipway.

287. John Brittain of Limpley Stoke, weaver, for breaking into the house of John Bull and stealing 5 lbs. of bread and 1 lb. of cheese worth 6*d.* ; Limpley Stoke in Bradford, 3 Feb. Witnesses, John Bull and Benjamin Gorton.

288. Edith Strotten of Manningford Bohun, spinster, for stealing a linen cap worth 11*d.* from Millicent Rimond ; Woodburrow, 8 Mar. Witness, Millicent Rimond.

¹ Dorse of document rubbed, witnesses illegible.

² MS. blank.

WILTSHIRE PROCEEDINGS IN SESSIONS

289. William Handcock of Corsham, weaver, for assaulting John Jenkins ; Corsham, 30 Apr. Witnesses, John Jenkins and []¹ Gould.

290. Joseph Cooper of Overton, labourer, for stealing a great coat and a pair of yarn stockings worth 5s. from Thomas Terry ; Overton, 5 Feb. Witness, Anne Allen.

291. Daniel Cox of Trowbridge, weaver, for stealing a pair of worsted stockings from James Pinnock ; Seend, 19 Apr. Witness, James Pinnock.

Informations and examinations.

292. Cornelius Smith of Calne, weaver, taken before George Hungerford, 13 Mar. ; ' this examinant doth on his oath declare that on the thirty first day of January last he was at William Smiths house, malster, in Calne at the time (some part of)² the said William Smiths goods and barley were conveyed off and from the premises, which had been and was properly in the custody of the bailys and this informant declares he see the said Wm. Smith deliver barley and other goods into the hands of several persons and ordred them to carrie it away ; some of the barley (was carried)² to Humphreys Hixs, husbandman, in the said parish of Calne, and some to Sollaman Humphries, weaver, in the said parish.' Mark of Cornelius Smith.

293. Thomas Sterry of Overton, labourer, taken before George Hungerford, 5 Feb. ; ' this informant upon his oath doth declare that he left a great coat and a pair of stockings in Thomas Smith's wagon, the said informants master, in a cart house in the said informants masters yard, and last night this informant says he suspects Joseph Cowper of Overton aforesaid to have stole the said coat and stockings ; this informant declares his mistress Anne Allen told him she heard somebody make a noyse at the gate and the said Anne Allen got up to the window and called to know who was there, and she heard the voice of the said Joseph Cowper about two oclock this morning, but he did not tell her what busness he came about.' Mark of Thomas Sterry.

294. Ann Allen of Overton, spinster, taken before George Hungerford, 5 Feb. ; ' this informant doth on her oath declare that about two oclock in the morning of this present instant February she heard a man, as she verily believes, shutting the gate of the backside belonging to the house of Thomas Smith of the parish of Overton, yeoman, upon which the said informant call'd out of [the] window, Sterry is it you, and immediately Joseph Cowper of the said parish, labourer, made answer, mistress are you not up yet ; the said informant ask'd the said Joseph Cowper what made him up so early and the said Joseph Cowper went away without giving the said informant any farther answer.' Mark of Ann Allen.

¹ MS. blank.

² Interlined.

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295. John Lawrence of Calne, labourer, taken before Walter Hungerford, 30 Mar. ; ' this informant upon his oath doth declare that on Saturday night last, between seven and eight of the clock, he was asked by Elianor Alexander otherwise Badnadge (wife of Richard Alexander otherwise Badnadge of Calne, scribbler) to come into her house, and assoon as he came into her house he asked of one Smith, a carrier, how he did, and he being at supper, said much good might do him, and while he was speaking these words the said Elianor threw the boyling liquor which was there in the pot over the fire upon him, by which he have received very great wounds in his leg.' Mark of John Lawrence.
Note of recognizances taken.

296. Robert Pocock of Calne, apothecary, taken before George Hungerford, 20 Feb. ; ' this informant doth on his oath declare that on the 19th. of January last some words arise between him, the said informant, and Richard Povey of the said parish, apprentice, at the house of Ann Webb of the said parish, victualler, upon which the said Richard Povey took the said informant by the collar of his coat in the said house, and when the said informant went out into the shop of the said house, the said Richard Povey collar'd him the said informant again ; the said informant farther says the said Richard Povey follow'd the said informant into the street and took the said informant by the collar again, threw the said informant down and put out the shoulder of the said informant.' Signature of Robert Pocock.

297. William Hillman, son of John Hillman of Fyefield, labourer, taken before George Hungerford, 16 Feb. ; ' this examinant doth on his oath declare that he was hired as a currant servant by the week att the rate of four shillings and six pence a week to William Bryant of the parish of Overton . . . yeoman ; the said examinant says the said William Bryant owes him, the said examinant, for three weeks and one days work which he refused to pay the said examinant.' Mark of William Hillman.

298. Isaac White of Calne, hostler, taken before Walter Hungerford, 30 Mar. ; ' this informant upon his oath doth declare that on Saturday night, the same night the baylieffs were in the house of William Smith of Calne, maltster, and as he was informed, had taken the goods of the said Smith in execution, he saw Jonathan Tyler (son of William Tyler) in the house of the said Smith, and that he did go down from the said Smiths house with a horse which was loaden with goods out of the said house into his uncles stable at the bottom of Patford, and that the said Jonathan Tyler did help unload the horse.' Mark of Isaac White.
Note of recognizances taken.

299. John Britton, apprentice to Benjamin Horton of Limply Stoke in Bradford, weaver, taken before Thomas Methuen, 4 Feb. ; ' who saith that on Monday night last, being the second day of this instant February, at about two or three of the clock the next morning, (having run away

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from his said master the said Monday morning), was very hungry and broke open the door of John Bulls house in Limply Stoke aforesaid with a mop stick, and went into the said house and staid there about two hours, and eat some of the said John Bulls bread and chees, and then took enough of the said John Bulls bread and chees and a little piece of butter to serve him all the week, as he thought, and carried the same away to the stables of John Butler in Stoke aforesaid, where he designed to stay all the week ; and this examinant further saith that he hath run away from his masters service several times within three or four months last past, being persuaden the first time by James Finch the younger (son of James Finch the elder of Limply Stoke aforesaid, broadweaver), a boy of about fifteen years of age ; and further saith that he never wanted for victuals nor drink when he was in his masters service, and that he was never ill used by his said master nor by his wife nor by any other person in his masters house.' Mark of John Britton.

Endorsed : ' Exam' of John Britton, sent to the gaol at Devizes.'

300. Hannah Carrington of Corsham, singlewoman, taken before Thomas Methuen, 15 Mar. ; ' This examinant saith that on Wednesday the tenth day of this instant month, she went with her mistress leave to New Town by Out Marsh in the parish of Melksham . . . to her sister Mary Carrington there for a pair of stockings and a shift of her own which she left with her said sister about nine or ten months ago ; and that the shift which was this day taken out of her box by John Pearce is the same shift which she brought home from Melksham aforesaid on Friday night last the twelfth day of March aforesaid ; and it is not the shift of Joane Pearce of South Wraxall . . . but it is her own shift, and was bought by her of Mary Phelps of Holt . . . widow, about fifteen months ago.' Signature of Hannah Carrington.

301. James Pinnock of Seend, taken before William Beach, 24 Apr. ; who ' saith that on Monday last the 18th. day of this instant April Daniel Cox of Trowbridge . . . came into this informants house and tarried there about a quarter of an hour ; and that a pair of grey worsted stockings of this deponents, value two shillings, lay in a chair in his dwelling house when the said Daniel Cox came in ; and when the said Cox went away this deponent went out of his loom into his dwelling house and missed the stockings and ran after the said Daniel Cox above a mile, but could not overtake him ; and that no person whatsoever came into his house at the time his stockings were stole but the said Daniel Cox.' Mark of James Pinnock.

302. William Gibbens, one of the sheriff's officers, taken before Richard Burgess at Christian Malford, 6 Feb. ; ' this examinant on his oath deposed that on the thirty first day of January last, he, this deponent, together with Swithin Gibbens his brother, was by virtue of a warrant under the seale of the office of the sheriffe of Wilts, directed to this deponant and Daniel Gibbens, in possession of the goods and chattles of

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William Smith for the satisfaction of one hundred and forty two pounds, which Thomas Smith had recovered in the court of common bench against the said William Smith, and also fifty shillings adjudged for his damages ; and that they the said William Gibbens and Swithin being soe in possession, that John Angell the elder of Calne and John Tyler with many others not only assaulted and beat them, the said William Gibbens and Swithin and mortally wounded them, but also forced the said William and Swithin Gibbens out of such their possession, and that Elianor Allexander otherwise Badnage (wife of Richard Allexander otherwise Badnage) and Ruth Tyler (wife of Jonathan Tyler) were both aiding and assisting in forcing them the said William and Swithin Gibbens out of such their possession.' Signature of William Gibbens.

Note of recognizances taken.

303. Hugh Mede of Markett Lavington and Jane his wife, taken before James Townsend, 26 Jan. ; ' these examinants and each of them for themselves severally say that the severall bottles of beer charged on them to have been stolen, together with other liquors, the property of Mr. John Sainsbury of Markett Lavington aforesaid, apothecary, they and each of them know nothing off ; and further saith not.' Signature of Hugh Mead and mark of Jane Mede.

304. Thomas Taylor, tithingman of Allington, taken before Rogers Holland, 3 May ; ' the said informant on his oath saith that on Friday last, about six of the clock in the afternoon, he went to the house of Francis Smith of Allington aforesaid, yeoman, with a warrant or summons under the hand and seal of Rogers Holland, esquire, one of his majesties justices of the peace for the said county, dated the thirtieth day of April last past, whereby the said Francis Smith was summoned personally to appear before the said Rogers Holland to answer the complaint of Elizabeth Bryant, spinster, touching his refusing to pay the said Elizabeth Bryant her wages. When this informant came to the said Francis Smiths house, the said Francis Smith said he would not obey the said summons, for the said Taylor was no officer, and that he would not go before 'squire Holland, for 'squire Holland is no justice of quorum. And this informant said that one Edward Bryant went along with him and whilst they were talking to the said Francis Smith one Thomas Spicer, a servant of the said Francis Smith, came out of his masters house and seized the said Bryant by the collar, and shook him and twice pushed or threw him down upon the ground.' Signature of Thomas Taylor.

305. Edward Bush of Blackland in Calne, carpenter, taken before George Hungerford, 26 Jan. ; ' this informant upon his oath doth declare that upon Saturday night last about ten of the clock in the evening, he saw three men come into a ground near his dwelling house in the tything of Blackland aforesaid, and presently after he heard some of his fowles which were at roost near his house cry out, upon which he followed the said three men untill he came to the house of Benjamin Norrington of

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Quemerford in the parish of Calne aforesaid, weaver, where he believed they went in and locked the door after them ; and this informant looking thro' the window of the said Norringtons house saw the said Benjamin Norrington and two other men picking the said fowles, as he believes ; and this informant further saith that William Little of the parish of Calne aforesaid, weaver, and the said Benjamin Norrington confessed to this informant this present that they []¹ and one James Hodges, weaver, stole the said fowles and eat them at the said Benjamin Norringtons house on the said Saturday night.' Mark of Edward Bush.

306. Edward Bryant of Cockleborough in Chippenham, taken before Rogers Holland, 1 May ; deposition substantially the same as that of Thomas Taylor in 304 above. Bryant, after mentioning that he is a relative of Elizabeth Bryant, concludes his statement thus : ' Thomas Spicer . . . did then and there affront, insult and ill use this informant by very abusive language, and severall times caught him by the collar, and pulled and pushed him downe, tho' this informant neither gave the said Spicer any ill language or offered to lift up his hand against him ; and the said Spicer, not content with this ill treatment to this informant, followed this informant into the street of Allington aforesaid, and again insulted him and pushed him downe and put this informant into fear that the said Spicer intended to doe him some bodily hurt.' Signature of Edward Bryant.

Presentment of the Grand Jury.

307. The Grand Jury presents all well : Anthony Druce, Moses Cottle, Richard Grant, William Smith, John Bishop, Isaac Beames, William Arnold, Thomas Baily, Anthony Guy, David Alexander, Francis Michell, Richard Baker, Francis Wheeller, William Sloper, John Gaisford.

Presentments of the juries for the hundreds.

308. Melksham : ' We present the foot bridge caled Mountain Bridge being in the footway leading from Melksham to Holt to be out of repair.' Thomas Wilsheir, William Biggs, Michael Naish, Thomas Hillier, William Trimmell, Jeffery Hicks, John Frankling, John Flower, Thomas Axford, William Gibbs, Thomas Emeate, Charles Strabridge, Robert West, Thomas Nash, James Wheeller, John Burt, Hugh Tilly, James Tayler.

309. Potterne and Cannings : ' We present John Shaull of Rowd . . . for not attending with us, the other jurymen . . . he being one of the jurymen, in order with us to present.' John Jorden, John Cooksey, William Powell, Samuel Webb, John Noris, Thomas Newman, William Read, William Ruddle, John Anstie, John Brown, Richard Harpar, Richard Lavington, Edward Rudman, Thomas Dowse, William Cox, John Moore, John Baily, William Gaby, Richard Read, constable.

¹ Word missing, MS. torn.

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310. Damerham North : ' wee . . . have considered within our selves and do find nothing presentable within our said hundred . . . ' Isaac Sargent, Thomas Brown, Jeffery Deek, Phillip Sothernwood, Edward Ponting, William Belcher, Robart Lewis, Elias Perris, Philip Beaker, John Deek, Thomas Godwin, Thomas Rich, Matthew Hopkins, Thomas Peacock.

311. Bradford : ' Wee present the high way leading from Bowden Gatte over Brooden¹ (Broughton Gifford)² maish, the high way to Milksam, to bee out of repaier (and that the same ought to be repaired by the inhabitants of Broughton Gifford aforesaid).² Wee present the rooad way leading from Winfield (in the county of Wilts)² to ward Rooad³ Frome (in the county of Somerset)² called the Slaitt to be out of repaier (and that the same ought to be repaired by Thomas Stephens)² . . . ' Thomas Baily, Harry Lyddyard, Samuel Reynolds, John Silby, John Baily, John Palmer, John Coles, Thomas Tayler, Robert Deverall, John Pinshen, John Chapman, Jeremiah Cottle, William Baily, John Biggs.

312. Malmesbury : ' Wee present the ditch leading from Strang bridge (in the parish of Brokenborough)⁴ to a ground called Rades, (being a common highway leading from Malmesbury to Tetbury, to be a common nuisance, and that the same ought to be amended)⁴ by Thomas Hill, occupyer of the estate belonging to the abbey orchard, to be amended by the 10th. day of June next ensuing.⁵

Also wee present the casway leading along by the said ditch in the parish of Brokenborough to be out of repayr (and that the same ought to be repaired by the inhabitants of Brokenborough).⁴ Richard Rosseter, William Adye, Jonas Allaway, John Smith, William Briant, Jeremiah Clifford, Samuel Clifford, Henry Pyke, William Knapp, Ayliffe Kayns, Robert Stratton, John Cattel, Humphrey Beak, William Beak.

313. Chippenham : ' Item, we present Kight Lane belonging to the parrish of Langly Burrel from Stean Bruck Hill to Mariel Botam, being a publick rode (to be out of repair, and that the same ought to be repaired by the parish of Langley Burrell aforesaid).⁴ Item, we present William Pinchen and Thomas Iles, being to of ower jury men, for not attending.' Anthony Drewett, John Tanner, Richard Bennett, Richard Parker, John Gardiner, Edward Mansell, Richard Greene, Edward Gale, Richard Beaker, John Browning, George Knight, Nathaniell Webb, John Jones, Francis Greenway.

Presentments of the constables for the hundreds.

314. Bradford : all well : Anthony Kington and Richard Broad.

¹ *Brooden* struck out.

² Bracketed portions are additions interlined in the clerk's hand.

³ *Road* struck out.

⁴ Bracketed portions are additions interlined in the clerk's hand.

⁵ *To be amended . . . ensuing* struck out.

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315. Melksham : ' We continue a former presentment made against Monckton Bridge, the same not being in good repair ' : James Tayler and John Lucas.

316. Chippenham : all well : Richard Parker and John Tanner.

Bailiffs' returns of jurors and constables to serve for the hundreds.

317. Bradford : Thomas Bayly** of Trowl Magna ; Richard Dyke of Limplly Stoke ; Richard Clement, John Bayly**, both of Winfeild ; Henry Lyddiard**, Thomas Taylor**, John Silby**, all of Lyon Wooly ; John Chapman, William Bayly**, both of Holt ; Jeremy Cottle** of Monten Farley ; John Pinchen**, Robert Deverell, both of South Wraxall ; Thomas Alliff**, John Biggs**, both of Attford ; John Coles** of Trowl Magna ; Richard Barker (ex), John Sartain, both of Winsley ; James Wheeler (ex), Samuel Reynolds**, John Palmer**, all of Bradford. Richard Broad, Anthony Kington, constables. Signature of John Selfe, bailiff.

318. Calne : Joseph Hiscock**, Richard Frankling**, both of Stockly ; Jeremiah Hiscock (ex), Richard Allin**, both of Calston ; Thomas Orrill, John Dolman (ex), John Mortimer**, Joseph Reeves (ex), John Orrill**, Mr. George Forman (ex), all of Calne ; John Pearse** of Blackland ; Segen Orrill** of Quemerford ; Israel Noyse (ex), Aarthor Forman (ex), both of Studly ; John Neate (ex), Robert Bullock**, both of Yatsbury ; John Robens (ex) of Elmetstreet ; Roger Hale**, John Bukling**, John Morse**, all of Cherhill ; Thomas White**, Nicholas Hammond**, Robert Tomkins**, Peter Waile**, all of Comtonbasitt. Nicholas Hammond, John Hicke*, constables. By Stephen Wootten, bailiff.

319. Chippenham : Anthony Drewett* of Cullern ; William Pinchin* of Box ; George Knight (ex) of Kelloway ; Richard Bennett* of West Kington ; Francis Wheeler*, Edward Mansell*, both of Bremhill ; Richard Green*, John Browning*, both of Lydallimore ; John Jones*, Francis Greenway*, both of Cullern ; Nathaniel Webb, Thomas Iles*, both of Box ; John Pain of Tytherton Kelloway ; Charles Gale, Thomas Lewis, both of Kingswood ; Richard Baker*, Richard Parker**, both of North Wraxall ; Edward Gale, John Tanner**, both of Stanley ; Anthony Guy* of Chippenham ; John Gardner* of Tytherton Lucas. John Tanner*, Richard Parker*, constables. Signature of Francis Tibbal, bailiff. ' All jurors that made default on second call and not dotted twice fined 10s. for not staying in court after they were sworn to hear the charge.'¹

320. Damerham North : Isaac Sargent*, Thomas Brown*, Daniel Smart (ex), all of Keynton St. Michael ; Thomas Godwin*, Jeffery Dyke*,

¹ Note in the clerk's hand.

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Edward Ponten*, John Dyke*, all of Keynton Longly ; Walter Wiltshire (ex), Thomas Brockenbrow, both of Grittelton ; Thomas Rich*, Thomas Peacock*, Robert Lewas*, Elias Perres*, Matthew Hopkins*, John Smith, William Belshire*, all of Christian Malford ; Philip Sondrenwood*, Philip Baker*, William Lane (ex), Nicholas Baker*, Isaac Bristow (ex), Abraham Hugance, all of Nettleton ; John Pulen of Christen Malford.¹ Thomas Peacock*, constable. By Daniel Humphreys, bailiff.²

321. Malmesbury : Richard Rociter*, Thomas Lawrence, both of Draycot Cern ; Jonas Alloway* of Little Somerford ; John Bullock (ex) of Hullavington ; Richard Shewring, William Beak*, both of Norton ; John Cottle*, Humphrey Beak*, both of Stanton Quinton ; John Smith* of Daunsey ; Samuel Clifford* of Cleverton ; Ayliffe Kaines*, David Alexander (ex), both of Rodborne ; Henry Pyke*, William Knap*, both of Great Somerford ; William Bryant*, William Adye*, both of Seagry ; Jeremy Clifford*, of Brinkworth ; John Sparrow (ex) of Corston ; Robert Stratton*, Robert Messiter, both of Sutton Benger. Richard Rociter, John Mills*, constables. Signature of Robert Hunt, bailiff.

322. Melksham : Thomas Wilshire* of Beanacre ; Thomas Emmett*, John Franklin*, James Taylor*, all of Melkesham ; William Biggs*, William Trimnell*, John Burt*, all of Polshott ; Thomas Nash*, William Gibbs*, Charles Strawbridge*, all of Bulkington ; Hugh Tilly*, Thomas Axford*, James Wheeler*, all of Earlstoke ; Robert³ West, Thomas Burges, both of Trowbridge ; Thomas Sumner (ex), Daniel Sumner*, Jeffery Hicks*, John Lucas (ex), all of Seend Rew ; Michael Nash* of Woodrew ; John Flower*, Thomas Hillier*, both of Seend. John Lucas*, James Taylor*, constables. Signature of James Taylor, bailiff.

323. Potterne and Cannings : ' Warned to serve on the Grand Jury ' ; William Sloper of Bourton and Easton, John Gaisford of Worton, Richard Amor of Marston. ' Warned to serve on the hundred jury ' ; John Jordan*, John Cooksey*, both of Potterne ; William Ruddle* of Coate ; Richard Lavington*, Edward Bristow, both of Potterne ; Thomas Dows* of Marston ; John Shall*, Richard Harper*, Daniel Jennings (ex), all of Rowd ; Samuel Webb*, John Anstey*, both of Broomham ; William Gaby* of Roundway ; John Brown* of Bedborough ; John Norris*, Thomas Newman*, both of Bishops Lavington ; Richard Chapman of Marston ; John Bayley*, William Cox*, both of Bishops Cannings ; Edward Rudman* of Chittoe ; John Brown (ex) of Bupton and Highway ; Roger Lye (ex), John Moor*, both of Worton ; William Powell* of Week ; William Read* of Pottern. William Paradice, Richard Read*, constables. By William Read, bailiff.

¹ Last two names added in another less literate hand.

² Added in the clerk's hand.

³ *Thomas* first written and changed by the clerk.

WILTSHIRE PROCEEDINGS IN SESSIONS

Appointments of constables.

324. For Damerham North hundred: Thomas Godwin*, Edward Ponting, both of Kington Langley, yeomen, William Baily of Kington St. Michael, butcher. Signature of Thomas Peacock, constable.

325. For Avebury parish (tithingman): Hugh Potter*, Robert Rose, William Caswell, 'in the room of Peter Griffin'.

Certificates of taking the sacrament.

326. James Hall of Chippenham, gent., at Chippenham, 28 Apr. John Lloyd, minister; Anthony Guy, churchwarden; Thomas Figgins, clothier, and John Potter, cordwainer, both of Chippenham, witnesses.

327. William Jay of New Sarum, gent., at Barwick Bassett, 2 May. Thomas Thorold, minister; William Summers, churchwarden; Charles Summers of Barwick Bassett and Thomas Ferris of Winterborn Bassett, witnesses.

328. Richard Baskerville of Barwick Bassett, esquire; etc. as above.

329. Edmund Pitman of New Sarum, esquire, at St. Thomas', Salisbury, 25 Apr. Humphrey Wishaw, minister; William Stone and Randolf Hillman, churchwardens; Edward Holdaway and Arthur Crabb, witnesses.¹

EASTER SESSIONS—MINUTE BOOK

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330. *The generall Quarter Sessions of the peace of our lord the king held at Devizes in and for the said county on Tuesday the fourth day of May in the ninth year of the reign of our Sovereign Lord George the second . . . before John Cooper, Walter Hungerford, John Eyles and others, their fellows, Justices of the Peace . . .*

Traverses.

331. 1. *James Hunt of Westbury*—not guilty, received.

332. 2. *Edith Hinton of Sutton Veny*—pleads guilty, fined 1s., paid sherriffe in court.

333. 3. *John Mills of Newnton*—not guilty, received.

Felons.

334. Benjamin Norrington of Cummerford—pleads not guilty, jury not guilty.

¹ *Sworn* in the clerk's hand against witnesses' names.

EASTER QUARTER SESSIONS

335. William Little of the same—pleads not guilty, jury not guilty.

336. Hannah Carrington of Corsham, spinster, for stealing one shift value 5s., the goods of John Pearce—pleads not guilty, jury guilty, whipt and imprisoned for 3 months.

337. Benjamin Winter of Devizes, weaver, stealing 2 hens and a cock value 2s. 6 of the goods of James Buckley—pleads not guilty, jury guilty, whipt and 3 months imprisonment.

338. William Gingell of Westport— $\frac{1}{2}$ hundred of hay value 9d. the goods of Thomas Hill—pleads not guilty, jury not guilty.

339. Thomas Heath of Vernham, labourer—pleads not guilty, stands committed to next sessions, afterwards comes and pleads guilty, committed to the house of correction for 6 months to be kept to hard labour.

340. Judith the wife of William Mills of South Wraxall—pleads not guilty, jury find her guilty, to be whipt.

341. Anne Attwood of the same, widow—pleads not guilty, find her guilty, to be whipt.

342. Mary Attwood of the same, spinster—pleads not guilty, find her guilty, to be whipt.

343. Jane the wife of Thomas Say of the same—pleads not guilty, find her guilty, to be whipt.

344. Susannah Mills of the same, spinster—pleads not guilty, find her guilty, to be whipt.

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Recognizances of last sessions taken in court.

345. 1. *Ambrose Hunt of Laycock*—appeared and discharged, received 4s. 6d.

346. 2. *Henry Barker of Westbury*—dead and discharged.

347. 3. *Thomas Pitman of Kingstone Deverill, labourer*—himself in 40l., George Townsend of the same 20l., Michael Pitman of the same 20l., on the like condition as last sessions in bastardy, unless etc., received 7s.

348. 4. *William Blake the elder of Wootton Bassett*—in 10l., Richard Blake of Wootton Bassett, labourer, himself in 20l., on condition that said Richard appear at next sessions and answer to his begetting Elizabeth May otherwise Carter with child, which when born will be a bastard and chargeable to Ogborn St. Andrew, unless etc., received 7s.

WILTSHIRE PROCEEDINGS IN SESSIONS

Recognizances delivered in court by the justices.

349. 1. *Jonathan Tyler of Calne*—sureties William Tyler of the same, blacksmith, William Savage of the same, yeoman, to travers to next, received 13s. 4d.

350. 2. *Richard Tovey of the same*—appeared and discharged, received 4s. 6d.

351. 3. *Edward Scutt of the same*—sureties William Scutt of the same, tinker, Thomas Lamborn of the same, currier, to travers to next, received 13s. 4d.

352. 4. *Eleanor Alexander otherwise Batnidge of the same*—William Tyler in 40l.,¹ she ordered into custody for want of sureties to prosecute her travers.

353. 5. *William Bryant of Overton*—appeared and discharged, received 4s. 6d., and for justice's clerk.

354. 6. *Joseph Cooper of the same*—appeared and discharged, received 4s. 6d.

355. 7. *Benjamin Norrington of Calne*—appeared and discharged, received 4s. 6d.

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356. 8. *William Little of Quemmerford*—appeared but did not pay any fees.

357. 9. *William Smith of Calne*²—in custody for want of suerties to prosecute his travers.

358. 10. *Nicholas Hall of the same*—appeared and discharged, received, but indicted for a rescue so send out process.

359. 11. *Stephen Gaisford of Westbury, constable of the hundred of Westbury*—respite recognizance to next, but did not receive any fees.

360. 12. *Henry Blatch, constable of the same*—respite and as above.

361. 13. *James Cockle of the same*—respite and as above.

362. 14. *William Bush of Bradford*—appeared and discharged, received.

363. 15. *Jonathan Brown of the same*—appeared and discharged.

¹ Followed by an illegible entry, struck out.

² Sureties William Cole of the same, wheelwright, and Robert Lamborn, yeoman struck out.

EASTER QUARTER SESSIONS

- 364.** 16. *Robert Harvey of Great Trowle*—appeared and discharged.
- 365.** 17. *Edward Andrews of Bramshaw*—appeared and discharged.
- 366.** 18. *The same Edward Andrews*—appeared and discharged.
- 367.** 19. *David Chalk of Downton*—appeared and discharged.
- 368.** 20. *Thomas Andrews of Collingborne Kingstone*—appeared and discharged, received, and for justice's clerk.
- 369.** 21. *Charles Cozens of Milton Lilborne*—appeared and discharged, received 7s. 6d.
- 370.** 22. *Judith the wife of William Mills of South Wraxall*—appeared and discharged.
- 371.** *Judith Mills the younger*—appeared and discharged.
- 372.** *Susan Mills*—appeared and discharged.
- 373.** *Jane the wife of Thomas Say*—appeared and discharged.
- 374.** *Mary Atwood*—appeared and discharged.
- 375.** 23. *Anne Atwood of South Wraxhall, widow*—appeared and discharged.
- 376.** 24. *Samuel Ricketts and Catherine¹ his wife, of Box*—herself in 20² that she travers to next, received 13s. 4d.
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- 377.** 25. *William Gingell of Westport*—appeared, received 5s.
- 378.** 26. *John Hill of Bremhill*—himself in 40l., Robert Hill of the same, yeoman, 20l.
- 379.** 27. *Joseph North of Highway*—appeared and discharged, received 4s. 6d.
- 380.** 28. *Daniel Cox of Trowbridge*—appeared and discharged, received 4s. 6d.
- 381.** 29. *Joseph Harper of North Bradley*—appeared and discharged, received 4s. 6d.

¹ *Anne* first written and altered.

² *Sureties George Ricketts and Robert Eyles of the same* first written and struck out.

WILTSHIRE PROCEEDINGS IN SESSIONS

382. 30. *Ruth the wife of Jonathan Tyler of Calne*—sureties Jonathan Tyler and William Tyler of the same, to travers to next, received 13s. 4d.

383. 31. *Eleanor the wife of Richard Badnidge of the same*—indicted at this.

384. 32. *Henry Hyatt of Chippenham*—himself in 20l. only, to appear at next sessions, in the meantime to be of the good behaviour, nothing else, received 7s., and for justice's clerk ; Trin. 1737, appeared, received 4s. 6d. and discharged.

385. 33. *Daniel Jenkins of Laycock*—appeared and discharged, received 4s. 6d.

386. 34. *Thomas Spicer of Allington*—appeared and discharged, received, and for justice's clerk, paid him.

387. 35. *Francis Smith of the same*—appeared and discharged, received, and for justice's clerk, paid him.

388. 36. *Alice Fricker of Trowbridge, widow*—appeared and discharged, received 15s., see the process book.¹

389. 37. *John Lewis of the same*—appeared and discharged.

390. 38. *Hester Thompson of the same*—appeared and discharged, received.

391. 39. *John Sartain of Whaddon*—sureties William Richman of Hilper-ton, blacksmith, and William Horlegg of the same, weaver, to travers to next, received the fees.

392. 40. *Peter Munday of Lurgershall*—appeared and discharged, received 7s.

393. 41. *Hugh Mead of Markett Lavington*—appeared and discharged, received 4s. 6d.

394. 42. *Benjamin Bull of Westbury*—sureties Samuel Bigwood of Westbury, William Brown of Westbury, to appear at next and answer to his begetting Catherine Murfett with child, which when born will be a bastard and chargeable to Westbury, unless etc., received 7s.

395. 43. *Jane the wife of Hugh Mead of Markett Lavington*—appeared and discharged, received 4s. 6d.

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396. Ashton Keynes, 6d. in the pound, highways.

¹ Cf. 992.

EASTER QUARTER SESSIONS

397. *Odiham in the county of Southampton, appellants, against the parish of Hatchbury, respondents*—appeal received and entred, order quasht and for maintenance 16s. 6d. and 20s. costs, and received for 2 orders 8s. 8d.

398. *Deglingworth in the county of Gloucester, appellants, against the parish of Poulton, respondents*—appeal received and entred, but adjourned to next sessions for default of six clear days of notice of appeal, exclusive of the day of notice and the first day of sessions.

399. Winsome in the county of Somerset, appellants, against Hindon in Wilts, respondents—appeal received and entred, order quasht as to Martha the wife of John Speake and confirmed as to him.

400. Mr. Holdaway, order on treasurers, to pay him 56*l.* 13*s.* 4*d.* as usual.

401. Robert Haskins of Castlecombe, the order of Mr. Mountague and Mr. Eyles for the churchwardens etc. of Castlecombe to receive the annuall rents of his estate till they are reimbursed their charges about maintaining his family, confirmed.

402. Kington St. Michael, 6*d.* in the pound, highways.

403. Devizes turnpike treasurers and collectors accounts allowed, and the same officers continued for the ensuing year only. Joseph Gyr is appointed collector at Neckmill Gate in the room of Bryan Gyr, deceased.

404. Caln turnpike treasurers and collectors accounts allowed, and the same officers continued for the ensuing year.

405. Treasurers accounts for this county allowed for last year, and Mr. John Phipps continued treasurer for next year.

406. Trowbridge, 6*d.* in the pound, highways.

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407. Martin, appellants, and Bishopston, respondents—appeal received and entred, order confirmed.

408. Clerk of the peace, his bill for purchasing the statutes for the use of this county, and for other things and business done by order of Quarter Sessions, amounting in the whole to the sum of thirty two pounds twelve shillings and tenpence, allowed him, and treasurers ordered to pay it him accordingly.

409. Ordered that for the future the sherriffs of this county do pay the charge of the leases from the 5 trustees to the sherriffe of the late Mr. Thorpes dwelling house at Fisherton Anger.

410. Warminster highways, respited to next, and 3*d.* in the pound for highways.

WILTSHIRE PROCEEDINGS IN SESSIONS

- 411.** Tything of Leigh and Wooley, 6*d.* in the pound, highways.
- 412.** John Dole of Sutton Veny, in custody for running away and leaving his children and family on the parish, ordered to be discharged out of his custody on his giving a bond of 50*l.* penalty to discharge the parish.
- 413.** Matthew Biddle of Luckington in the county of Wilts, cordwainer, and John Ware of the same, baker, 20*l.* each, on condition that Mary the wife of Edward King of the same do appear at next assizes and give evidence against Margaret Hodges of the same, singlewoman, touching her feloniously stealing 6*l.* 9*s.* 0*d.*, the goods of Francis Billing, and not depart etc., received 7*s.*¹
- 414.** Rowd, 6*d.* in the pound, highways.
- 415.** Order for rates of carriage the same as last year.
- 416.** Order for labourers wages the same.
- 417.** One gaol and Marshalsea and one vagrant rate for the ensuing year.
- 418.** Every grandjury man not appearing and not excused fined 20*s.* and the fine of 42*s.* discharged, and defaulters in hundred juries fined 6*s.* 8*d.* who did not appear, and other fines upon any who did appear but afterwards made default discharged.
- 419.** Isaac Edwards, bridewellkeeper of Devizes bridewell, order on treasurers to pay him 15*l.* for his bill of charges for carriage of prisoners and for breadmoney for poor felons, and 10*l.* for his salary for last year.

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420. William Brewer of Trowbridge, order on the treasurers to pay him forty two shillings by way of augmentation of the money allowed for providing seven carriages for his majestys service from Trowbridge to Marshfield in the county of Gloucester agreeable to the powers in the mutiny act.

421. Adjourned to² the Kingshead at Woottenbasset the eighteenth instant.

EASTER SESSIONS—ORDER BOOK

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422. The General Quarter Sessions of the Peace . . . held at Devizes . . . the fourth day of May . . . before John Cooper, Walter Hungerford, John Eyles, Esqrs. and others . . .

¹ See below, p. 123.

² Marlborough first written and struck out.

EASTER QUARTER SESSIONS

423. Winsome against Hindon.

Appeal against order of Thomas Phipps and Richard Willoughby, 24 Mar., for removal of John Speake and Martha his wife from the borough of Hindon to Winsome. ' This court doth quash the said order as far as relates to the said Martha and confirm the same as far as it relates to the said John Speake.'

424. Odiham against Hatchbury.

Appeal against order of John Wadman and James Townsend, 14 Jan., for removal of Mary Milton, widow, from Hatchbury to Odiham. Order quashed.

Further order for payment by Hatchbury to Odiham of 16s. 6d. for maintaining Mary Milton pending appeal, and 20s. costs.

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425. Deglingworth against Poulton.

Appeal against order of John Hippisly and Raufe Freke, 10 Apr., for removal of James Cook and Anne his wife from Poulton to Deglingworth ' coming on to be heard and it appearing to this court that there was not six clear days notice of such appeal exclusive of the day of such notice and the day of this sessions, this court doth therefore adjourn the further hearing of the said appeal to the next general quarter sessions.'

426. Devizes Bridewellkeeper.

' This court doth order the treasurer of this county on sight of this order to pay unto Isaac Edwards, keeper of his majestys Bridewell at Devizes in this county, the sum of ten pounds for his salary as Bridewellkeeper of the said Bridewell for one year ending at Lady day last.'

427. The same.

Order as above, payment of £15 for charges ' in conveying of prisoners and for bread money for poor prisoners in this county.'

428. Mr. Brewer.

' This court, pursuant to the act of parliament for that purpose, doth order the treasurer of this county on sight hereof to pay unto William Brewer now, or late, constable of the liberty of Trowbridge in this county the sum of forty two shillings for the extraordinary charge and expence he hath been at in providing seven carriages for his Majesties service to go from Trowbridge aforesaid to Marshfield in the county of Gloucester.'

429. Gaoler's order.

Order against treasurer for payment of £50 to Edward Holdaway, keeper of Fisherton Anger gaol, ' for his usual allowance for bread money for poor prisoners', and £6. 13. 4, his salary.

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430. Castlecombe.

' Whereas by an order or warrant under the hands and seals of James Mountague and John Eyles Esqrs., two of his majesties justices of the

WILTSHIRE PROCEEDINGS IN SESSIONS

peace for this county (one being of the quorum) bearing date the fifth day of April last past, directed to the churchwardens and overseers of the poor of the parish of Castlecombe in this county and reciting that, upon complaint made by the said overseers unto the said justices, it appeared that Robert Haskins of the said parish of Castlecombe, blacksmith, was run away from his family and had left a wife and six children behind him, then and now chargeable to the said parish, and the said justices did thereupon charge them the said churchwardens and overseers or some of them to take and seize so much of the goods and chattles and receive so much of the annuall rents and profitts of the lands and tenements of the said Robert Haskins as should be sufficient to discharge the said parish for the bringing up and providing for his said wife and six children, according to the form of the statute in such case made and provided ; now upon motion made to this court to confirm the aforesaid order, this court doth accordingly confirm the same.'

431. Estreats.

' Wilts ss. Estreats indented of fines of the general quarter sessions . . . held at Devizes . . . on Tuesday the fourth day of May . . . on the inhabitants of the parish of Semly in the county aforesaid for a fine imposed upon them at the said sessions by the justices aforesaid for not repairing the common highway in a certain lane called Bridzor Lane between Savage Bridge and Bridzor Bridge lying in the parish of Semly aforesaid in the hundred of Chalk in the said county and leading from Hindon in the said county to Sarum in the said county, whereof they are convicted—ten pounds.

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On the same inhabitants . . . for not repairing the common highway lying in a place called Hook Lane in the parish of Semly aforesaid leading from Hindon in the county aforesaid to Blandford in the county of Dorset, whereof they are convicted—fine 10*l*.

This court doth order the bayliff and high constable of the hundred of Chalk in the county of Wilts that without delay they, or one of them, do levy by distress of the inhabitants of the parish of Semly within the said hundred, the respective fines of ten pounds abovementioned, and that as soon as maybe they make a true account and payment of the respective sums of ten pounds to the surveyors of the highways of the said parish of Semly, to be laid out in the repair of the abovementioned lanes called Bridzor Lane and Hook Lane. Dated under the seal of office at the said sessions.'

432. Smith *et alii*: order of committment.

' Whereas a bill of indictment is found at this present sessions against William Smith late of Calne in this county, malster, Eleanor the wife of Richard Alexander otherwise Badnidge of the same place, and others, for a rescue, riot and assault, and the said William Smith and Eleanor having

EASTER QUARTER SESSIONS

severally appeared and pleaded at this sessions that they are not guilty of the offences charged on them respectively in the said bill of indictment ; and whereas each of them the said William Smith and Eleanor, being required by this court upon such their respective plea to find sufficient sureties to be bound with and for each of them for their respective personal appearances at the next general quarter sessions of the peace to be held in and for this county, then and there to prosecute their respective traverse with effect to the said bill of indictment and to abide the order and judgement of the court therein, have contemptuously refused to do so ; this court doth therefore order the keeper of his majesties gaol at Fisherton Anger in this county to take and receive into his custody the bodies of the said William Smith and Eleanor Alexander otherwise Badnidge, and them and each of them safely to keep untill they or either of them be discharged by due course of law.'

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433. Constables.

' Hugh Potter of Avebury is now by this court elected tythingman of the tything of Avebury for the ensuing year. Thomas Godwin of Kingston Langley, yeoman, is now by this court elected constable of the hundred of Damerham North for the year ensuing.'

434. Clerk of Peace's Order.

' This court doth order the treasurer of this county on sight hereof to pay unto William Hawkes, deputy clerk of the peace for this county, the sum of thirty two pounds twelve shillings and ten pence, being money he laid out by order of this court for the statutes at large for the use of this county, and for making out and delivering to the constables of the several hundreds in this county orders for raising of money for passing of vagrants and maintenance of poor prisoners of the gaol and Marshallsea, and for returns of jurors for the last year, and for other business done by order of this court.'

435. Calne Turnpike.

' Whereas the accounts of the treasurers and collectors of the toll of Calne turnpike have by order of this court been inspected and perused by a committee of justices appointed for that purpose at this sessions, who have certified to this court that the same are just ; this court doth therefore allow the said accounts and order that the same treasurers, surveyors and collectors do continue in their respective offices for the year ensuing.'

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436. Treasurer appointed.

' This court doth constitute and appoint Mr. John Phipps of Westbury Leigh in this county, innholder, to be treasurer of the publick stock of this county for the year ensuing, and his accounts as treasurer for the last year are by this court allowed.'

WILTSHIRE PROCEEDINGS IN SESSIONS

437. Carriage of goods.

' This court doth rate and assess the price of land carriage of goods and merchandize to be brought into any place or places within this county by any common waggoner or carrier as follows (that is to say) for carriage of every hundred weight of goods, after the rate of five score and twelve pounds for each hundred, for every twenty miles, one shilling and no more ; and after that rate for every greater or lesser quantity being of or exceeding the weight of fourteen pounds and for every weight under fourteen pounds and above seven pounds, two pence for every twenty miles ; and for every weight of or under seven pounds, three pence for every twenty miles ; and after that rate for every greater or lesser quantity of goods or number of miles : and this court doth direct that the computation of the said miles shall be according to the common computation of them in the country and not post miles ; and also order that if two or more parcell of goods belong to one and the same person all the parcell shall be weighed and computed together and paid for accordingly and not distinct.'

EASTER SESSIONS—ESTREATS OF FINES

438. ' Wilts ss. Estreats indented at sessions held at Devizes on Tuesday, Wednesday and Thursday the 4, 5 and 6 May 1736, before John Cooper, Walter Hungerford, John Eyles, William Northey, Thomas Phipps, John Phipps, William Phipps, Edward Seymour, George Hungerford, Richard Burgess, Edward Clerk, Thomas Earl and John Smith Esqrs., and others.'

Fines imposed at this sessions.

439. On Edith Hinton of Sutton Veny, spinster, for an assault whereof she is convicted—paid sherriffe in court	o 1 0
440. On William Stump of Corsham, gent., for not appearing on the grand jury	1 0 0
441. On John Taylor of Kington Langley, gent., for the like	1 0 0
442. On John Soper of Little Somerford, gent., for the like	1 0 0
443. On William Waite of Dauntsey, gent., for the like	1 0 0
444. On Richard Amor of Marston, gent., for the like	1 0 0
445. ' On Edward Bristow of Pottern in this county for that he did not appear at this court when he was called to be sworn on the jury for the hundred of Pottern and Cannings as he was summoned to do'	6 8
446. On Richard Chapman of Marston for the like	6 8

EASTER QUARTER SESSIONS

447. On Thomas Burgess of Trowbridge for not appearing on the jury for Melkesham hundred	6 8
448. On Daniel Somner of Seend Row for the like	6 8
449. On Thomas Lawrence of Draycott Cerne for not appearing on the jury for Malmesbury hundred	6 8
450. On Richard Shewring of Norton for the like	6 8
451. On Robert Meciter of Sutton Benger for the like	6 8
452. On Thomas Brokenborough of Grittleton for not appearing on the jury for Damerham North hundred	6 8
453. On John Smith of Christian Malford for the like	6 8
454. On John Pullen of the same for the like	6 8
455. On Abraham Hugance of Nettleton for the like	6 8
456. On John Pain of Tytherton Kelloways for not appearing on the jury for Chippenham hundred	6 8
457. On Charles Gale of Kingswood for the like	6 8
458. On Thomas Lewis of the same for the like	6 8
459. On Thomas Orrill of Caln for not appearing on the jury for Caln hundred	6 8
460. On Peter Waile of Compton Bassett for the like	6 8
461. On Richard Dyke of Limply Stoke for not appearing on the jury for Bradford hundred	6 8
462. On Richard Clement of Wingfield for the like	6 8
463. On John Chapman of Holt for the like	6 8
464. On John Sartain of Winsley for the like	6 8

Recognizance forfeited at this sessions.¹

465. ' James Cockle constable of the burrough of Westbury for that he did not appear at this court when he was called although he undertook so to do by recognizance taken before John Cooper and John Eyles Esqrs., two justices etc.' 10 0 0

¹ No recognizances forfeited at this sessions first written by the clerk. Later he added a note *vide infra*, and the entry placed here is found at the foot of the draft for Trinity Sessions.

WILTSHIRE PROCEEDINGS IN SESSIONS

TRINITY SESSIONS—GREAT ROLL

Justices' precept to the sheriff to proclaim the Quarter Sessions.

466. General Quarter Sessions of the Peace to be held on Tuesday the thirteenth of July at Warminster ; officers and jurors to be summoned from the hundreds of Dunworth, Hatchbury, Meer, Warminster, Westbury and Whorlesdown and petty jurors from the neighbourhoods of Calne, Box and Hilperton. Dated 26 May, 9 George II, 1736. Signed by Richard Jones and Thomas Earle.

467. Schedule ; return of Grand Jurors.

Henry Wansey*, Benjamin Ludlow*, George Perry*, Thomas Warren*, Timothy Bodman*, Robert Smart*, all of Warminster ; Walter Fitz (ex) of Teffont Magna ; William Elliott*, William Down*, George Carey, all of Great Corsley ; William Bleeke* of Smallbrooke ; John Young* of Little Corsley ; John Jesse of Chilmark ; Edward Bracher* of Wallmead ; John Gray of Tisbury ; Stephen Fry* of Charleton ; John Mitchell* of Haystone ; John Bower (ex) of Coombe ; William Clare*, William Deane*, William White, all of Heytesbury ; Thomas Webb of Hill Deverill ; Thomas Shepherd (ex), Joseph Hayward*, both of Chittern ; William Whitaker* of Westbury Chauntrey ; Nicholas Edwards* of Westbury Priory ; William Turner* of Chapman Slade ; John Gowen* of Westbury Town tithing ; John Adlam* of the borough of Westbury ; John Blatch* of Leigh Bayliffe ; Thomas Gilbert*, James Prior*, both of Keevill ; William Silverthorn*, James Randolph*, both of West Ashton ; William Stillman*, Francis Rogers (ex), both of Steeple Ashton. Signature of Richard Baskerville, sheriff.

468. Schedule ; return of bailiffs of the hundreds.

Dunworth—William Gatrell*
Heytesbury—Richard Collier*
Meer—Thomas Eastment*
Warminster—John Meer*
Westbury—Henry Barker*
Whorlesdown—Stephen Offer*¹

Recognizances to appear and answer.

469. 19 May. Abraham Tucker, James Messiter and John Tanner, all of Bremhill, yeomen ; for stealing a sow from Thomas Caswell ; before Walter Hungerford. (1)

470. 26 June. John Gale, blacksmith, George Kington, cordwainer, and Richard Hyett, clothworker, all of Chippenham ; for insulting Rogers Holland, Esqr., in the execution of his office ; before Walter Hungerford. (2)

¹ Against the names Gatrell, Collier, Eastment and Offer appears the note *fined 10s.* in the clerk's hand.

TRINITY QUARTER SESSIONS

- 471.** 8 May. Richard Alexander, labourer, Thomas Angell, maltster, both of Calne, and John Fowler of Hilmarton, labourer ; Elianor, wife of Richard Alexander, to answer two bills of indictment found against her at the last sessions, the one concerning a rescue, and the other for an assault upon John Lawrence, ' which two severall indictments were traversed and she was committed to prison for want of suretyes ' ; before Walter Hungerford. (3)
- 472.** 28 May. Thomas Hayward the elder, yeoman, Thomas Hayward the younger, victualler, and William Brown, victualler, all of Westbury ; for ' insulting cursing and greatly abusing Thomas Phipps . . . in the execution of his office ' ; before William Beach. ' Not paid, nor for the liberat' neither, in all 5s.' (4)
- 473.** 10 July. Joseph Austin, cooper, John Pearce, millman, and Benjamin Bull, clothdrawer, all of Westbury ; for trespasses and misdemeanours ; before William Phipps. (5)
- 474.** 30 June. Peter Buckland, Roger Cater and John Phipps, all of Westbury ; for stealing goods from John Crosby the elder and John Crosby the younger, both of Westbury ; before William Phipps. Not paid. (6)
- 475.** 30 June. Thomas Hayward the younger of Westbury ; etc. as above. (7)
- 476.** 7 July. James Hunt, William Taylor and Alexander Harper, all of Westbury ; for assaulting and interrupting Thomas Biggs and William Sims, constables of Westbury hundred, in the execution of their office ; before William Phipps. Not paid. (8)
- 477.** 12 June. William Huntley, yeoman, Bryant Edwards and James Cockle, victualler, all of Westbury ; for assaulting Henry Barker of Westbury and taking 4 horses from him as he was going to impound them from off the corn in Westbury common field ; before William Phipps. (9)
- 478.** 6 July. John Grant of Dilton, Isaac Tucker and William Evans, both of Westbury ; for trespasses and misdemeanours ; before William Phipps. Not paid. (10)
- 479.** 10 July. William Bryant of Overton, yeoman ; for refusing to pay his wages to Benjamin James ; before George Hungerford. Paid. (11)
- 480.** 26 June. John Watkins of Highworth, brickmaker, Isaac Carter his servant, Richard Carter of St. Mary's, Marlborough, cooper, and William Pave of St. Peter's, Marlborough, flaxdresser ; John Watkins and Isaac Carter to answer for assaulting Thomas Hopkins of Overton, mason ; before George Hungerford. (12)

WILTSHIRE PROCEEDINGS IN SESSIONS

- 481.** 12 July. James Frowd of Tinhead, gent., and John Do; for trespasses and misdemeanours. (13)¹
- 482.** 28 June. John Freeman and Walter Brynd, both of Lyddington, yeomen; to perform the order of the court; before William Vilett. 'Neither officer nor justice's clerk paid.' (14)
- 483.** 28 June. Walter Brind and John Freeman; etc. as above. (15)
- 484.** 8 June. Roger Rebbeck, yeoman, and Gregory White, husbandman, both of Swallowclift; John Mullins, apprentice to Robert Burleton of Foffont, butcher, to answer to a charge of being a disorderly apprentice; before Richard Payne. Paid. (16)
- 485.** 5 June. Edward Roots, gent., Richard Roots, clerk, and George Heydon, yeoman, all of Bishopston; for begetting with child Elizabeth Cool of Bishopston, singlewoman; before Richard Payne. Paid. (17)
- 486.** 2 May. Henry Deacon, broadweaver, Samuel Cullverhouse, baker, and Edward Mattock, broadweaver, all of North Bradly; for assaulting Elioner Say of North Bradly, singlewoman; before Thomas Phipps. (18)
- 487.** 29 May. James Salter, broadweaver, James Salter, thatcher, both of North Bradly, and Samuel Sweetland of Westbury, glazier; for assaulting Joseph Harford of North Bradly, broadweaver; before Thomas Phipps. (19)
- 488.** 8 June. Francis Yerbury, clothier, Joseph Yerbury, clothier, and William Porch, scribbler, all of Bradford; for assaulting John Self of Winsley, broadweaver; before John Eyles. The justice's clerk not paid. (20)
- 489.** 2 May. Jonathan Richence, carpenter, Mark Richman, broadweaver, both of Hilperton, and Samuel Hall of Bradford, saddler; for what shall be objected against him by William Stovey of Hilperton, yeoman, and meanwhile to keep the peace; before Thomas Methuen. (21)
- 490.** 8 June. William Orchard and William Dowdell, both of Heytesbury, clothworkers; Catherine, wife of William Orchard, to answer for stealing coals from Edward Deans; before Thomas Bennet. (22)
- 491.** 1 July. William Lawrence, apprentice to Thomas Sherwood of Bishops Cannings, 'glovier', William Strong of Littleton Pannell, victualler, and William Taylor of Great Chiverell, butcher; for misbehaving himself towards his master and entering into his house at unreasonable times in the night; before James Townsend. Not paid. (24)

¹ Recognizance in the form of a bond to pay the sheriff, signed by Frowd and witnessed by James Parker.

TRINITY QUARTER SESSIONS

492. 25 May. William Bendee, woolstapler, and Thomas Adams, miller, both of Earle Stoke ; for assaulting Joseph Mortimer of Coulston, woolstapler ; before James Townsend. (25)

493. 12 July. James Hunt, cooper, and Alexander Harper, blacksmith, both of Westbury ; both to appear and bring the body of Michael James, late of Westbury, peruke-maker, who was lately committed to the Bridewell at Devizes for assaulting the constables of the hundred of Westbury in the execution of their office ; before Thomas Phipps. (26)

Recognizances to appear and give evidence.

494. 19 May. Thomas Caswell of Bremhill, yeoman ; against Abraham Tucker of Bremhill, yeoman, for stealing a sow out of Thomas Caswell's barkin ; before Walter Hungerford.

495. 19 May. John Chambers of Bremhill, yeoman ; against Abraham Tucker as above.

496. 12 June. Henry Barker of Westbury, victualler ; against William Huntley of Westbury, for assaulting him and taking from him 4 horses ' when he was having them to pound from off the corn in the common field of Westbury ' ; before William Phipps.

497. 12 June. William Wroughton, clerk, minister of Westbury ; against William Huntley, for assaulting Henry Barker as above.

498. 26 June. Thomas Hopkins of Overton, mason ; against John Watkins of Highworth and Isaac Carter his servant, for assaulting him ; before George Hungerford.¹

499. 8 June. Francis Yerbury and Joseph Baskerville, both of Bradford, clothiers ; against Francis York of Bradford, broadweaver, ' for collecting buying and having found upon him about thirty pounds weight of ends of woollen yarn, broken skains of yarn and other []² in a bag ' ; before Thomas Methuen.

500. 29 May. Joseph Harford of North Bradley, broadweaver ; against James Salter of North Bradley, broadweaver, for assault ; before Thomas Phipps.

501. 8 June. John Self of Winsley, broadweaver ; against Francis Yerbury and Joseph Yerbury, clothiers, and William Porch, scribbler, all of Bradford, for assault ; before John Eyles. The justice's clerk not paid.

502. 2 May. Elioner Say of North Bradley, singlewoman ; against Henry Deacon of North Bradley, broadweaver, for assault ; before Thomas Phipps.

¹ Not signed by the justice.

² Word illegible. MS. rubbed.

WILTSHIRE PROCEEDINGS IN SESSIONS

503. 8 June. Edward Deans the younger of Heytesbury, clothier ; against Catherine, wife of William Orchard of Heytesbury, clothworker, for stealing coal ; before Thomas Bennet.

Presentments of highways by justices on their own view.

504. By Rogers Holland ; highway from Devizes to Chippenham through Pewsham Forest ; a ditch half a mile in length adjoining part of the said highway to be scoured and cleansed by the inhabitants of the forest, who are to repair ' so much thereof as leads from a certain place called the bottom of the Derry Hill near a house now in the possession of one Arthur Amers, to a certain house near the said highway in the possession of Richard Lucas ', $\frac{1}{2}$ mile long and 40 feet broad ; 6 July. Fine £50. (2)

505. By William Northey ; highway from Marlborough to Malmesbury through Yatesbury at Avebury, 200 roods long and 8 feet broad ; 6 July. Fine £10. (3)

506. By William Northey ; highway from Calne to Wootton Bassett through Lyneham, 40 roods long ' in a lane called Even Lane in Lyneham ' ; 6 July. Fine £10. (4)

507. By Rogers Holland ; highway from Melksham to Chippenham through Laycock, 112 yards long and 5 perches broad, in Chippenham, to be repaired by John Pullen, shearman, ' by reason of his inclosure of certain lands lying contiguous to the said way ' ; 6 July. Fine £10. (5)

508. By Rogers Holland ; highway from Devizes to Chippenham through Pewsham Forest, $\frac{3}{4}$ mile long and 40 feet broad, in Pewsham Forest, ' from a place called Whitgear Gate near Loxell Heath¹ to a house called the sign of the Plough ' ; 6 July. Fine £50. (6)

Indictments found.

509. John Bourn, yeoman, Matthew Walters, Michael James, barber, Richard Mattock, victualler, and James Hunt, cooper, all of Westbury, for assaulting William Symes and Thomas Biggs, constables of Westbury, who had arrested Bourn and Walters upon a precept of Quarter Sessions ' under the seal of the said court ' addressed to the sheriff and to all constables etc. ; also indictment of James, Mattock and Hunt for a rescue ; Westbury, 6 July. Witnesses, William Sims, Thomas Biggs, William Edwards, William Ecott and Isaac Tucker. (1)

510. Inhabitants of Woodbrough, for not repairing a highway called Wooders Lane 60 perches long and 10 feet broad, part of the way from Marlborough to Manningford Bohun ; 1 May. Witness, Richard Amor, gent. (7)

¹ MS. has *hearth*.

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- 511.** James Slater of North Bradley, broadweaver, for assaulting Joseph Harper ; North Bradley, 3 May. Witnesses, Joseph Harford, John Piggot and James Lucas. (8)
- 512.** Francis Yerbury and Joseph Yerbury, clothiers, and William Porch, scribbler, for assaulting John Self ; Bradford, 15 April. Witness, John Self. (9)
- 513.** Inhabitants of Ashton Keynes, for not repairing a highway 10 perches long and 3 feet broad, and 3 bridges, part of the way from Cirencester to Wootton Bassett ; 30 June. Witnesses, Francis Evans and James Vincent. (10)
- 514.** John Saulter of Trowbridge, labourer, a sheriff's bailiff, for summoning ' William Tucker to appear at the then next county court to be holden at Devizes in and for the said county of Wilts upon Tuesday the eighteenth day of May then next ensuing to answer John Davison in an action on the case damages thirty nine shillings and eleven pence, there being no action or plaint entered in the county court book of the said sheriff at the suit of the said John Davison at the time of the said summons made by the said John Saulter as aforesaid, to the great damage of the said William Tucker ' ; Trowbridge, 7 May. Witnesses, William Tucker, Jeffery Richman and James Webb. (11)
- 515.** John Saulter, as above, for a similar offence concerning Jeffery Richman ; Hilperton, 7 May. Witnesses, Jeffery Richman, James Webb and William Tucker. (12)
- 516.** John Saulter, as above, for a similar offence concerning Walter Edwards ; Trowbridge, 7 May. Witnesses, Walter Edwards, Jeffery Richman and William Tucker. (13)
- 517.** John Saulter, as above, for a similar offence concerning James Webb ; Trowbridge, 7 May. Witnesses, James Webb, Jeffery Richman and William Tucker. (14)
- 518.** John Saulter, as above, for a similar offence concerning John Rose ; Trowbridge, 7 May. Witnesses, John Rose, Jeffery Richman and William Tucker. (15)
- 519.** John Watkins of Highworth, brickmaker, and Isaac Carter of Marlborough, labourer, for assaulting Thomas Hopkins ; Overton, 12 June. Witnesses, Thomas Hopkins and George Shipway. (16)
- 520.** Thomas Hayward the elder of Westbury, labourer, for assaulting Thomas Phipps, J.P., in the execution of his office ; Westbury, 13 April. Witnesses, Thomas Phipps and James Cockle. (17)

WILTSHIRE PROCEEDINGS IN SESSIONS

521. Henry Deacon of North Bradley, weaver, for assaulting Eleanor Say with intent to rape ; North Bradley, 13 May. Witnesses, Eleanor Say, Alexander Chivers and Elizabeth Wilcox. (18)

522. John Tilly of Earlstoke, woolstapler, for assaulting Joseph Mortimer ; Coulston, 22 May. Witnesses, Joseph Mortimer and Isaac Axford.¹ (19)

523. William Bendee of Earl Stoke, woolstapler, for assaulting Joseph Mortimer ; Eddington, 18 May. Witnesses, Joseph Mortimer and Isaac Axford.¹ (20)

524. William Edwards of Westbury, barber, for assaulting Joseph Sweetland ; Westbury, 25 March. Witnesses, Samuel Sweetland, John Bourne and John Adlam, gent. (21)

Indictments not found.

525. John Cayford of Upton Scudamore, yeoman, for digging a ditch ' in length two perches, in breadth two perches and in depth three feet ' at Upton Scudamore, in the highway leading from Frome Selwood through Upton Scudamore to Salisbury, ' and the same ditch from the said first day of June to this time with force and arms hath continued, by means whereof . . . the way . . . was streightened and obstructed '. Witnesses, Thomas Chivers, John Holloway and Andrew Pearce.

526. Jane the wife of John Kilbury of the Devizes, brazier, and Lucy Kilbury, singlewoman, for assaulting John Hutchins ; Great Chiverell, 6 July. Witnesses, John Hutchins and Elizabeth, wife of John Chiffins.

527. Catherine, wife of William Orchard of Heytsbury, clothworker, for stealing half a peck of coal worth 6*d.* from Edward Dean ; Heytsbury, 18 May. Witness, Edward Dean.

528. John Gale of Chippenham, blacksmith, ' being a person of ill name, fame and reputation ', for speaking ' the following scandalous and opprobrious words of and to . . . Rogers Holland (to wit) I value you (meaning the said Rogers Holland) no more than I (meaning himself the said John Gale) do a jack ass by God, and further said . . . kiss my arse by God, to the evill example of others . . . ' ; Chippenham, 25 June. Witness, Joseph Bally.

529. Jane and Lucy Kilbury, as in 526, for assaulting Elizabeth, wife of John Chiffins ; Great Chiverell, 6 July. Witnesses, Elizabeth Chiffins and John Hutchins.

530. Thomas Gowen of Atworth, broadweaver, for assaulting Thomas Hayward the younger ; Trowbridge, 1 May. Witnesses, Thomas Hayward and Thomas Tanner.

¹ Axford noted as *affirmed* instead of *sworn in court*.

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531. Mary Cottle of Mouncton Farly, widow, for rescuing from the custody of John Baker, hayward, 10 of her sheep impounded for feeding upon the grass of the common field, to the damage of the inhabitants of Mouncton Farly ; 5 April. Witness, John Baker.

532. Mary Cottle as above, for breaking the pound of Mouncton Farleigh and rescuing a mare belonging to Jeremiah Cottle lawfully detained for damage done to her lands ; 12 May. Witness, John Baker.

533. Mary Draper of Hanging Langford, spinster, for stealing a cock and a hen worth 18*d.* from Richard Collier ; Hanging Langford, 10 July. Witness, Thomas Brown.

534. John Brittain, Joseph Hemon, William Cannon the younger, Robert Drew and []¹ his wife, John Southrenwood and Mary his wife, John Cannons the younger, Thomas Cannon, William Cannon² and []¹ his wife, Elizabeth Nutt, singlewoman, Eleanor Marshman, Grace Driscock, all of Melksham, for assaulting William Bishop, sheriff's bailiff, in the execution of his office ; Melksham, 30 June. Witnesses, William Bishop and John Salter.

535. William Kelson, gent, and []¹ the wife of James Cannon, weaver, both of Melksham, for assaulting John Salter, sheriff's bailiff, in the execution of his office ; Melksham, 30 June. Witness, John Salter.

536. Abraham Tucker of Tytherton Kelways, yeoman, for stealing a sow worth 45*s.* from Thomas Caswell ; Tytherton Kelways, 19 May. Witnesses, Thomas Caswell and John Chambers.

537. Thomas Biggs of Hawkeridge, tallow chandler, for an enclosure or encroachment of 10 perches of land of the common ; Hawkeridge, from 25 Mar., 1735 onwards. Witnesses, Alexander Harper, James Hunt and Richard Mattox.

Informations and examinations.

538. John Chambers of Brumhill, farmer, taken before Walter Hungerford, 19 May ; ' this informant doth declare upon his oath that he saw Abraham Tucker of the parish of Bremhill . . . yeoman, come in the barkin of Thomas Caswell of the said parish, yeoman, about five of the clock this mornning, and that he unlawfully took and drove away a sow belonging to the said Thomas Caswell.' Signature of John Chambers.

539. William Wroughton of Westbury, clerk and minister of Westbury, taken before William Phipps, 26 June, who ' on his oath deposeth and saith that on or about the eleventh day of this instant June he, this

¹ MS. blank.

² All men described as labourers.

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deponent, saw William Huntley of Westbury aforesaid strike Joseph Foard of Westbury aforesaid several times with a stick which he the said William Huntley took away from the said Joseph Foard in the street in Westbury aforesaid ; and that he the said William Huntley did strike the said Joseph Foard several times in a violent and outrageous manner ; and that this deponent sent a person¹ to part them ; and that this deponent saw the said Joseph Foard ly on the ground in a mazed condition after the said William Huntley left off beating him ; and farther saith not.' Signature of William Wroughton.

540. Joseph Foard of Westbury, yeoman, taken before William Phipps, 26 June ; ' this informant on his oath saith that on the eleventh day of this instant June he saw William Huntley of Westbury aforesaid take Henry Barker of Westbury aforesaid by the throat and endeavoured to choak him, and that the said Henry Barker and this deponent desired him the said William Huntley to let the said Henry Barker go, but he would not ; and that then the said Joseph Foard and the said William Huntley strove together and struck each other, and then they parted and met again in about a quarter of an hour afterwards in the street in Westbury aforesaid ; and that the said William Huntley said he would kill him, this deponent, and that this deponent stepped to the other side of the way endeavouring to avoid him, but could not, and that the said William Huntley struck him, this deponent, several times on the head and knocked him down and mazed him so that he lay senseless for some time, and that this deponent was wounded in several parts of his head and body, and that he could not stir out for several days by reason of his being very sore and wounded as aforesaid, and farther saith not.' Signature of Joseph Ford.²

541. William Wroughton as in 539 above, taken before William Phipps, 12 June, who ' on his oath deposeth and saith that yesterday the eleventh of this instant June Henry Barker, the bailiff of the hundred of Westbury aforesaid, had some horses in possession going towards the pound with them ; and this deponent further saith that he saw William Huntley of Westbury aforesaid take the said Henry Barker by the throat or thereabouts and strike him several times both with his fist and with a stick³ and took the horses from him, and farther saith not.' Signature of William Wroughton.

542. Thomas Caswell of Bremhill, yeoman, taken before Walter Hungerford, 19 May ; information substantially as in 538 above. Signature of Thomas Caswell.

543. Joseph Bally of Chippenham, cordwainer, taken before Rogers Holland, 26 June ; ' this informant upon his oath doth declare that John Gale of Chippenham . . . blacksmith, for severall offences committed in

¹ Several persons first written.

² On same sheet as 539 above.

³ Both stick struck out.

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breach of his majesty's peace, was on the twenty fifth day of June instant committed to the stocks by Rogers Holland Esqr., one of his majesty's justices of the peace for the county aforesaid, and on his being let out of the said stocks by one John Bull, the constable, swore God damn you, and seeing Mr. Holland standing at the door of one Roger Warne in the markett place of Chippenham aforesaid, came up to the said Mr. Holland (a large company following him) and did then and there direct his discourse to the said Mr. Holland in a sort of jeering and insulting manner ; Mr. Holland with a great deal of good temper and mildness asked him why he swore when he was just let out of the stocks, and gave him good advice and desired him to goe home and behave like an honest sober man ; the said Gale, not regarding Mr. Holland's mild advice, talked and answered very id'ly and in a very little time spoke, to be heard by many of the company, these words (to witt), I value you no more than I do a jack ass, by God, and in a very little time after, turning himself away from the presence of the said Mr. Holland, said kiss my arse by God.' Signature of Joseph Bally.

544. Henry Barker of Westbury, victualler, taken before William Phipps, 12 June, who ' on his oath informeth and saith that yesterday being the eleventh day of this instant June, Joseph Foard of Westbury aforesaid came to him, this deponent, and told him that several horses were then in the field eating his corn and grass and ordered this deponent (he being bailiff of the hundred) to fetch them to the pound, which he, this deponent, did endeavour to do ; and that, as this deponent was having them to the pound, William Huntley of Westbury aforesaid met him on the road and took him by the throat and struck him several times, and took the horses from him, this deponent, and would not suffer this deponent to impound them, and farther saith not '. Signature of Henry Barker.

545. William Sims and Thomas Biggs, constables of the hundred of Westbury, taken before William Phipps, 7 July, who ' on their oaths say that yesterday the sixth day of this instant July they went and served Matthew Waters and John Bourn, both of the parish of Westbury aforesaid, with the sessions process and took them into custody, and were going to have them before William Phipps Esqr., one of His Majesty's justices of the peace for the said county, that they might respectively enter into recognizances with sureties for their appearance before His Majesty's justices of the peace at the next general quarter sessions of the peace to be holden in and for this county, to answer to several trespasses and misdemeanours for which they stand indicted ; and these deponents say that John Bourn aforesaid took Thomas Biggs, one of these deponents, by the collar several times and assaulted him in the execution of his office ; and that Richard Mattock of Westbury aforesaid assaulted and struck the said William Sims in the execution of his office ; and that James Hunt of Westbury held the said Thomas Biggs whilst the said Matthew Waters and John Bourn made their escape ; and these deponents farther say that Michael James, Richard Mattock and James Hunt, all of Westbury afore-

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said, were aiding and assisting to the escape of the said Matthew Waters and John Bourn and assaulted and beat William Edwards and Henry Dyer and Richard Bigwood and several others who these deponents commanded to aid and assist them in bringing the said Matthew Waters and John Bourn to justice as aforesaid, and farther saith not.' Signatures of William Symes and Thomas Biggs.

546. ' William Bryant of Overton, debter to Benjamin James of the said parish

	L.	S.	D.
For a quarters wages for sheep keeping at 2 <i>l.</i> 14 <i>s.</i> per year	0	13	6
Due to my son Arter Janes for husbandry wages	0	6	0
	0 19 6		

Taken and sworn before me
the 10th. of July, 1736.'

Mark of Benjamin James.

Signature of George Hungerford.

547. George Shipway of Overton, 'juner', taken before George Hungerford, 7 July ; ' this informant deposeth that on or about the 12th. of June last he, the said informant, went into the George alehouse in Overton to drink a pint of beer, and see John Watkins, brickmaker, and Isaack Carter his servant, drinking in the said alehouse ; and the said informant heard the said John Watkins abuse Thomas Hopkins of Overton, mason, and call the said Hopkins roge and son of a whore ; and the said John Watkins pulled the said Hopkins by the nose, while the said Isaack Carter throwed a glass of beer in the said Hopkinses fase, without any provocation ; and the said Carter threatned the said Hopkins that if he came near the said brick kill where he worked he, the said Carter, would beat him, the said Hopkins '. Mark of George Shipway.

548. Thomas Hopkins of Overton, taken before George Hungerford, 26 June ; ' this examinant deposeth that on the twelfth of this instant June he was in company at the George alehouse in Overton with John Watkins, brickmaker, and Issack Carter his servant ; that the said John Watkins told him Mr. Hungerford had not done him, the said John Watkins, justice on the warrant the said examinant had lately taken out against him, the said John Watkins ; that after that the said John Watkins ran up to the said examinant and pulld him by the nose, while the said Issack Carter throwd a glass of beer in the said examinants face without any provocation given by the said examinant.' Signature of Thomas Hopkins.

549. Robert Burleton of Foffant, butcher, taken before James Harris and Richard Payne, 8 June, ' who on his oath saith that John Mullins his apprentice by indenture lawfully executed is an idle and disorderly person, and has frequently deserted his masters service without his consent, particularly on the eleventh of Aprill last past, from which time he was

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absent eight weeks and upwards'. Signature of Robert Burlton.
Note of recognizances taken.

Presentment of the Grand Jury.

550. The Grand Jury presents ' that there is a common high way leading from Warminster to Salisbury . . . by in and through Codford St. Mary . . . and that part of the said high way from the west end or side of the bridge in the street of the said parish of Codford St. Mary for the length of five perch and twenty feet in breadth is ruinous and out of repair and dangerous to pass, and the said road ought to be repair'd by the parish of Codford St. Mary.

Item. We present that there is a common high way for all horses and horse carriages leading from Salisbury . . . to Bath . . . by in and through Hilperton . . . and that part of the said road call'd Pascroft Lane in the said parish of Hilperton for the length of twenty five perch and three feet wide is ruinous and out of repair and dangerous to pass, and that the inhabitants of Hilperton ought to repair the same'. Henry Wansey, Benjamin Ludlow, George Perry, Thomas Warren, Timothy Bodman, Stephen Fry, John Mitchell, William Clare, William Dean, Joseph Hayward, James Randolph, William Stileman, William Whitaker, William Turner, John Gawen, Robert Smart, William Bleek, Nicholas Edwards, Thomas Gilbert, William Elliott, John Young, John Adlam, James Prior, William Downe, Edward Bracher, John Blatch, William Silverthorne.

Presentments of the juries for the hundreds.

551. Whorlesdown : all well : Samuel Ferris, Richard Greenhill, William Hill, Richard Bowman, Anthony Bissie, John Brown, John Fryer, Maton Drinkwater, Richard Browne, William Wereatt, Edward Allen, William Mayer, Matthew Burges, Henry Price.

552. Dunworth : all well : John Fitz, Joseph Macy, William Mollens, Thomas Fricker, John Scott, John Tilly, Thomas Sympson, John Parham, Henry Dowle, Henry Burnet, Henry Target, William Helme, Joseph Mould, Henry Larcham, James Cantelloe, Robert Knight, William Barratt, Matthew Bealing, Thomas Gould, Richard Knight.

553. Hatsbury : all well : Thomas Moody, Thomas Crouch, Christopher Ingram, Thomas Gibbs, Richard Scammell, Luke Foorde, Robart Coopar, William Collins, Thomas Mogg, James Lambert, George Tibbs, Francis Eurat, Henry Lacock, Edmund Ember, William White, Joseph Exten, Joseph Collenes, Jordan Sanders, John Turner, Richard Dann.

554. Westbury : all well : Samuel Hales, John Pryor, William Whitaker, John Hooper, George Turner, John Lanfear, Richard Gibbs, Anthony Wilkins, Henry Blatch, John Edwards, John Hayter, John Turner, Richard Parsons, Roger Cater, Charles Hood, James Beere.

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555. Warminster : all well : Thomas Rimell, Oliver Smith, George Lush, John Chambers, John Browne, William Withers, Thomas Exten, Stephen Long, Edward Halliday, John Folatt, George Knight, William Long, John Hinton, Christopher Ingram, Henry Rebek, John Hollway, William Barton junior, Christopher Green, Thomas Chivers, John Sly.

556. Mere : ' our watch and ward duly kept, our stocks in good order, and our highways all in good order and repaire to the best of our knowledge ' : William Gamlyn, Henry Clarke, Andrew Dewdney, John Hill, Harry Fleet, James Down, William Foord, Michael Butt, Giles Jeyre, Edward Butt, Charles Blake, Joseph Jacob, Richard Ford, Giles Forward, Thomas Hurdele, Edmund Wadloe, George Green, Jeremiah Targett.

Presentments of the constables for the hundreds.

557. Hatchbury : all well : John Rabbets and William Meears.

558. Meere : all well : Edmund Wadlow and Thomas Hannam.

559. Warminster : all well : Josias Hinton and William Marven.

560. Dunworth : all well : Josias Bridle and Daniel Jesse.

561. Whorlesdown : all well : William Bartle.

562. Westbury : all well : William Symes and Thomas Biggs.

Bailiffs' returns of jurors and constables to serve for the hundreds.

563. Dunworth : John Fitz*, Joseph Macy*, John Scott*, John Tilly*, all of Chilmark ; Henry Larkham*, Joseph Mould the elder*, both of Teffont Evias ; Matthew Bealing* of Anstey ; Thomas Sympton* of Chicks Grove ; James Cantelo* of Staple ; John Alford of Tisbury ; Richard Knight*, Edward Barrat, Robert Knight*, all of Haystone ; Thomas Gould*, William Barrett*, Edward Gourd, all of Dognell ; William Helme*, Thomas Fricker*, both of Rudge ; Henry Dowle, Henry Burnett*, both of Chicklade ; William Mullens* of Charleton ; John Parham*, Henry Targett*, Henry Lee, all of Hatch. Josias Bridle, Daniel Jesse, constables. Signature of William Gatrell, bailiff.

564. Hatsbury : Thomas Moody*, William White*, Henry Lacoche*, all of Boyton and Corton ; Joseph Collins*, James Lambert*, both of Knoocke ; Edmund Imber*, Thomas Moog*, William Collins*, all of Upton Lovell ; Thomas Strong, Richard Skamell*, John Turner*, all of Bathampton ; Jordan Sanders*, Robert Woods (ex), George Tibbs*, all of Chittern ; Thomas Crouch* of Codford St. Peter ; Christopher Ingre* of Codford St. Mary ; Nikolas Ward (ex) of Orcheston St. George ; Thomas Gibbs* of Imber ; Edmond Moody (ex) of Horningsham ; Joseph Exten*, Francis Everett, both of Tytherington ; Robert

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Cooper*, Luke Foorde*, both of Brickstone Divirell ; Richard Dann* of Hatsbury. John Rabbetts* of Codford, William Mears* of Horningsham, constables.

565. Meere : Chaffin Grove (ex), James Harding (ex), William Gamlin*, Henry Clarke*, Andrew Judney*, John Hill*, Henry Fleet*, James Down*, Martin Toogood (ex), all of Meere Town ; William Ford*, Thomas Aulford, Michael Butt*, Giles Juyre*, Edward Butt*, all of Meere Woodland ; William Hurle, Charles Blake*, both of Kingstone Deuerill ; Joseph Jacob*, Richard Ford*, Giles Forward*, all of Seales ; Thomas Hurle*, Edmund Wadlow*, Henry White, George Green*, Jeremiah Targett*, all of Stourton. Edmund Wadlow, Thomas Hannum, constables. Thomas Eastment, bailiff.

566. Warminster : Grand Jury ; Benjamin Ludlow, Henry Wansey, Thomas Warren, Timothy Bodman, Robert Smart, George Perry, all of Warminster ; Walter Fitz of Foffont Magna ; William Elliot, William Down, George Carey, all of Great Corsley ; William Bleeke of Small Brooke ; John Young of Little Corsley. Hundred jury ; Thomas Rimell* of Great Corsley ; Oliver Smith*, George Lush*, both of Foffont Magna ; Christopher Ingram*, Henry Rebbeck*, both of Fisherton and Bapton ; Stephen Long*, Edward Halliday*, both of Little Sutton ; Josias Hinton (ex) of Great Sutton ; William Long* of Newnham ; John Foliat* of Pertwood ; John Brown* of Great Corsley ; William Warden (dead), John Sly*, John Crew (ex), all of Small Brooke ; Thomas Exten*, John Hinton*, both of Bishopstrow ; John Hooper (ex) of Norridge ; George Knight*, John Chambers*, both of Norton Bavant ; William Withers* of Boreham ; William Barton*, John Holloway*, Thomas Chivers*, Christopher Green*, all of Upton Skudamore. Josiah Hinton, William Marvin, constables. By John Mears, bailiff.

567. Westbury : Samuel Hales*, Charles Hood*, Roger Catter*, all of Westbury Chantry ; John Hayter*, John Lamfear*, both of Westbury Priory ; John Turner* of Short Street ; George Turner*, Thomas Fowles (ex), both of Chapmen Slade ; Edmund Bayley (ex), William Gaisford (ex), both of Westbury Town tithing ; John Withers (ex), John Edwards*, Richard Gibbs*, James Beer*, all of the borough of Westbury ; Anthony Wilkens*, Henry Blatch*, both of Leigh ; Robert Tucker (ex), Richard Parsons*, both of Leigh Bailiffe ; William Whittaker*, John Prior*, John Hooper*, all of Bratton. Thomas Biggs*, William Symes*, constables. By Henry Barker, bailiff.

568. Whorwelsdown : Samuel Ferris*, William Whereat*, Matthew Burges*, all of Keevill ; John Fryer* of Westashton ; William Hill*, William Mayor*, Edward Allen*, all of Hinton ; Henry Price*, William Bartle (ex), both of Tinhead ; Richard Brown*, John Brown*, both of Steepleashton ; Matton Drinkwater*, William Oyles (ex), both of Sirmington ; Richard Greenhill*, Anthony Bissey*, both of Southwick ; Richard

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Bowman*, John Moss (ex), both of Eddington. William Bartle, Robert White,¹ constables. By Stephen Offer, bailiff.

Certificates of taking the sacrament.

569. Stephen Crowch of Tytherington, at Heitsbury, 13 June. Rice Adams, minister ; Matthew Wornell, churchwarden ; William Marsh and James Hawkins, witnesses.

570. Charles Delafaye of Wichbury, Esqr., at Wichbury, 13 June. Thomas Durnford, minister ; Jonathan Carpenter, churchwarden ; Thomas Major, yeoman, and Gilbert Witt, labourer, witnesses.

571. John Withers of Westbury, yeoman and alderman of the corporation of the borough of Westbury, in the chapel of Dilton, 1 August.² William Wroughton, minister of Westbury ; John Hayter, chapel warden ; Henry Blatch and John Phipps, witnesses.

572. Thomas Phipps, Esqr., a justice of the peace and alderman of the corporation of the borough of Westbury ; etc. as above.

TRINITY SESSIONS—MINUTE BOOK

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573. *Wilts ss. The general Quarter Sessions of the peace of our Lord the King held at Warminster in and for the said county on Tuesday the thirteenth day of July in the tenth year of the reign of our Sovereign Lord George the second . . . before Walter Hungerford, Rogers Holland, George Hungerford, William Northey, Edward Ash, Thomas Bennett, William Phipps, Matthew Pitts, Richard Willoughby and others, their fellows, justices . . .*

Traverses.

574. 1. *Jonathan Tyler of Calne*—certiorari read and allowed.

575. 2. *Edward Scutt of the same*—certiorari allowed.

576. 3. *Eleanor Alexander otherwise Badnidge of the same*—certiorari.

577. 4. *William Smith of the same*—certiorari.

578. 5. *Catherine the wife of Samuel Ricketts of Box*—appeared by her husband and pleads guilty, fined 6*d.*, paid sherriffe.

579. 6. *Ruth the wife of Jonathan Tyler of Calne*—certiorari.

580. 7. *John Sartain of Whaddon*—appeared, relinquishes his former plea and pleads guilty, fined 6*d.*, paid sherriffe, received fees.

¹ A note against this name appears to read *fined 2rs.*

² *Sic.* This is after the date of the sessions.

TRINITY QUARTER SESSIONS

MICH. 9th. GEO. 2 : 13

581. 8. John Currant of Studley, pleads guilty for himself and Jane his wife, formerly Jane Goodship, and each of 'em fined 6*d.*, paid sherriffe in court.

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582. *Be it remembered that Michael Foster Esqr., clerk of the peace for this county, by his deed under his hand and seal bearing date the third day of June last past did surrender and yield up into the hands of the right honourable Algernon, Lord Percy, commonly called Earl of Hartford, custos rotulorum of the said county of Wilts, the said office of clerk of the peace of the same county, which deed of surrender hath now been read in open court; and thereupon a new grant of the clerkship of the peace for this county under the hand and seal of the said Earl of Hartford, the custos rotulorum of this county, whereby William Hawkes, gent., is appointed clerk of the peace for this county bearing date the fourth day of June last, was produced in this court and read; and before the said William Hawkes entered upon the execution of the said office of clerk of the peace, he did in open court take the oath directed to be taken by an act of parliament made in the first year of the reign of their late Majesties King William and Queen Mary entituled an act for enabling Lords Commissioners for the Great Seal to execute the office of Lord Chancellor or Lord Keeper, and also take and subscribe the oaths of allegiance and supremacy and abjuration.*

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Recognizances of last sessions taken in court.

583. 1. Thomas Pitman of Kingston Deverill, labourer—appeared and discharged, received 5*s.* 6*d.*

584. 2. William Blake the elder of Wootton Bassett—appeared and discharged, received fees.

585. 3. Henry Hyatt of Chippenham—appeared and discharged, received fees.

586. 4. Benjamin Bull of Westbury—appeared and discharged, received 4*s.* 6*d.*

Recognizances of last sessions respited to this.

587. 1. Stephen Gaisford of Westbury—appeared and discharged, received 4*s.* 6*d.* and 3*s.* 4*d.* respited, but not for justice's clerk.

588. 2. Henry Blach¹—appeared and discharged, received 10*s.* 4*d.* including justice's clerk.

589. 3. James Cockle of the same—appeared and discharged, received 10*s.* 4*d.*

¹ Bracketed with Gaisford above under *constables of the hundred of Westbury.*

WILTSHIRE PROCEEDINGS IN SESSIONS

Recognizances now delivered in court by the justices.

590. 1. *Abraham Tucker of Bremhill*—appeared and discharged, received 4s. 6d.

591. 2. *John Gale of Chippenham, blacksmith ; justice's clerk not paid*—appeared and discharged, received and for justice's clerk, and paid justices clerk, but bound in fresh recognizances to next for his good behaviour ; himself in 20l., received 2s. 6d.

592. 3. *Eleanor the wife of Richard Alexander of Calne*—certiorari.

593. 4. *Thomas Hayward the elder of Westbury ; justice's clerk to be paid 5s.*—indicted at this—appeared, pleads guilty to the indictment of last Hillary Sessions for an assault on John Phipps, received fees and paid justice's clerk ; and also pleads guilty to the indictments found this sessions for abusing Thomas Phipps Esqr., fined 2s. 6d. on each indictment, paid sherriffe.

594. 5. *Joseph Austin of the same*—appeared and discharged, pleads guilty, fined 6d., paid sherriffe.

595. 6. *Peter Buckland of the same ; justice's clerk not paid*—appeared, received 4s. 6d. and for clerk, and paid him.

596. 7. *Thomas Hayward the younger of the same ; justice's clerk not paid*—appeared and discharged, received 4s. 6d.

597. 8. *James Hunt of the same ; justice's clerk not paid*—twice.¹

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598. 9. *William Huntley of the same*—appeared and discharged, received 4s. 6d.

599. 10. *John Grant of Dilton in the parish of Westbury*—himself in 20l. and Henry Barker of Westbury, labourer, in 10l. to travers to next, received the fees.

600. 11. *William Briant of the parish of Overton*—appeared and discharged and ordered to pay 19s. 6d. to his servant and 20s. for costs, received my fees.

601. 12. *John Watkins of Highworth*—Isaac Carter of Marlborough 5, himself 10.

602. 13. *Isaac Carter of the same*—himself in 10, [bracketed with the above entry under] justice's clerk not paid, received but 14s. of both.

¹ Cf. 617.

TRINITY QUARTER SESSIONS

- 603.** 14. *James Froud of Tinhead*—himself in 4*l.*, John Watkins in 5*l.*, to travers in behalf of the parish of Tinhead the special plea by Mr. Pitman that the tything of Eddington ought to repair the highway presented on view by Mr. Seymour, Trin. 9 Geo. 2.
- 604.** 15. *John Freeman of Liddington*—justice's clerk and officer not paid, himself in 2*l.* to travers to next, received the fees.
- 605.** 16. *Walter Brind of the same*—justice's clerk and officer not paid, himself in 2*l.*, John Freeman of the same in 1*l.* to travers to next, received fees.
- 606.** 17. *John Mullins of Foffont*—appeared and discharged, paid 4*s.* 6*d.*
- 607.** 18. *Edward Roots of Bishopston*—estreat the recognizance ; Mich. 1736, respited to next.
- 608.** 19. *Henry Deacon of North Bradley*—himself in 4*l.*, Edward Maddock of the same 2*l.*, Samuel Culverhouse of the same 2*l.*, to travers to next, received 13*s.* 4*d.*
- 609.** 20. *James Salter the elder¹ of the same*—himself in 2*l.*, James Salter² of the same 1*l.*, to travers to next, received 13*s.* 4*d.*
- 610.** 21. *Francis Yerbury of Bradford*—himself in 2*l.*, Joseph Yerbury in 1*l.*, to travers to next and received 13*s.* 4*d.*
- 611.** *William Porch of the same*—himself in 2*l.*, Francis Yerbury in 1*l.*, to travers to next and received 13*s.* 4*d.*
- 612.** *Joseph Yerbury of the same*—himself in 2*l.*, Francis Yerbury in 1*l.*, to travers to next and received 13*s.* 4*d.* ; [the above three entries bracketed under] justice's clerk not paid, received for justice's clerk.
- 613.** 22. *Jonathan Richens of Hilperton*—appeared and discharged, received 4*s.* 6*d.*
- 614.** 23. *William Orchard of Hatchbury*—appeared and discharged, received 4*s.* 6*d.*
- 615.** 24. William Lawrence of Bishops Cannings—appeared and to be discharged from his master's service and both partys to pay their own costs and exchange indentures and master to return 6*l.* 13*s.* 4*d.*
- 616.** 25. William Bondee of Earlstoke—himself in 2*l.*, John Tilly of the same 1*l.*, travers to next, received 13*s.* 4*d.*

¹ Interlined.

² *Samuel Sweetland of Westbury* first written and struck out.

WILTSHIRE PROCEEDINGS IN SESSIONS

617. 26. James Hunt of Westbury.

618. Alexander Harper of the same.

619. John Tilly of Earl Stoke—himself in 20*l.*, William Bondee of the same in 10*l.*, travers to next, received 13*s.* 4*d.*

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620. Tinhead in the parish of Eddington, 6*d.* in the pound, highways.

621. Sembly, 6*d.* in the pound for highways.

622. Sutton Benger, inhabitants fined 30*l.* for their highways being out of repair, make out estreat on Mr. Houltons presentment on view, Easter Sessions 9 Geo. 2 : 6.

623. Calne turnpike, order on treasurers to pay the interest money advanced on the credit of the toll and to lay out the residue in repairing such part of the highways as are certified to be out of repair ; see the certificates.

624. Compton Bassett, appellants, against Hilmarton, respondents—appeal received and entred, order quasht and 12*s.* for charges and 10*s.* for costs.

625. Dunhead St. Andrew, 6*d.* in the pound, highways.

626. George Barns of Hornisham appointed inspector of Hornisham mill for the year ensuing in the room of William Singer, deceased.

627. County bridges, the account of repairs of the same and moneys laid out for that purpose by Matthew Pitts Esqr. and Mr. Stone relating to bridges near Sarum allowed, and 17*l.* 7*s.* 5½*d.*, being the ballance appearing to be due to the said Mr. Pitts and Mr. Stone, and the treasurer ordered to pay the said ballance and 30*l.* more to make good the repairs.

628. Pottern, 6*d.* in the pound, highways.

629. Worton, 6*d.* in the pound, highways.

630. John Wastfield of Chippenham, innholder, scavenger, and he and Thomas Higgens of the same place, clothier, and Richard Singer of the same place, sadler, assessors pursuant to acts of 1 Geo. 1, cap. 52 and 9 Geo. 2, fo. 315, and a rate of 6*d.* in the pound for the year ensuing.

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631. John Gould, shoemaker, appointed constable of the burrough of Chippenham in the room of Thomas Still who is removed out of the borrough, and to continue to next court and untill etc., pursuant to 14 Car. 2nd., cap. 12.

632. Mr. William Turton of Bristoll, merchant, and John Arriel of the same, marriner, on said Turton's confessing, judgment on the action brought against him with stay of execution and paying all the costs and charges the county has been at, and upon his endeavouring to retake the felons convict that are not yet taken, the execution and prosecution to stay ; Isles charges to be included in the costs.

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633. Benjamin Bull of Westbury, clothdrawer, adjudged by this court to be the putative father of a female bastard child late born in the said parish of Westbury on the body of Catherine Murfett of the said parish, singlewoman, and ordered to pay the officers of the said parish 1s. weekly for 7 years, if so long chargeable, and 20s. for lying in etc., and she to pay 1s. also weekly so long as the said child is chargeable and she does not move, and he to pay 5*l.* at 7 years and to put it out apprentice, and he to give security to obey the orders.

634. Amesbury highways, 6*d.* in the pound.

635. John Talbot, Esqr. and Charles Lloyd, their account of money expended on county bridges allowed and treasurers ordered to pay 'em the ballance, being 6*l.* 1s. 11*d.*

636. William Clark, apprentice to Henry Pinnock of Westbury, joyner, discharged from his apprenticeship.

637. Robert Bleeck of Warminster, gent., scavenger, and him and Edward Cockey, merchant, assessors for next year and to make a rate of 6*d.* in the pound for mending Warminster street persuant to late acts.

638. Richard Baker of the tything of Winsley in the parish of Bradford appointed constable of the hundred of Bradford in the room of Joseph Baskerville, a Quaker.

639. John Palmer of Bradford appointed to be the other constable of the said hundred.

640. William Bush of Bradford, clothier, himself in 40*l.* on condition that the inhabitants of Bradford do appear at next and prosecute their plea that the tything of Winsley ought to repair that part the highway mentioned in the indictment that lies in the tything of Turlin and Winsley without that the said parish¹ of Bradford ought to repair ; received 13s. 4*d.*

¹ *Parish* struck through and altered to *borough*, finally changed back again.

WILTSHIRE PROCEEDINGS IN SESSIONS

641. Bradford, *6d.* in the pound, highways.

642. Francis York of Bradford, clothworker, convicted on his own confession of gathering ends of yarn ; ordered to be whipt at Warminster, Westbury and Devizes 3 markt days and the ends taken upon him to be burnt at Bradford.

643. Tything Eddington *6d.* highways.

644. Briant Edwards of Westbury, malster, and John Harris of Westbury Leigh, butcher, both surveyors of the highways of Westbury, fined 40s. each for disobeying the order of sessions about Westbury rate for the highways, and they to produce their accounts what money they collected to Mr. Bennett and Mr. William Phipps who are to make their report next sessions and what money appears to be by said surveyors laid out in the repair of the roads presented to be allowed, and the residue to be paid by them to Mr. Long pursuant to the order ; paid sherriffe in court.

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645. Bayliffes and constables of hundreds, fines on them discharged.

646. Adjourned to the Blew Boar in New Sarum Tuesday the third day of August next.

TRINITY SESSIONS—ORDER BOOK

[p. 537]

647. The Generall Quarter Sessions of the Peace . . . held at Warminster . . . the thirteenth day of July . . . before Walter Hungerford, Edward Ash, Rogers Holland, Esqrs., and others . . .

648. Chippenham scavenger.

' John Wastfield of the parish of Chippenham in the said county, innholder, is by this court nominated and appointed scavenger of the town of Chippenham aforesaid, being a market town, for the space of one year next ensuing ; and it is also ordered by the said court that the said John Wastfield shall from time to time after notice hereof during the time he shall continue in his said office repair and cleanse or cause to be repaired and cleansed all the streets in the said town ; and for defraying the charges thereof this court doth order that the said John Wastfield, also Thomas Figgins of Chippenham aforesaid, clothier, and Richard Singer of the same place, saddler, do forthwith after notice hereof make an equal assessment on every owner and occupier of houses, lands, tenements and hereditaments in the said town, not exceeding six pence in the pound of the yearly value of the houses, lands, tenements and hereditaments to be assessed ; and that before any money be collected the same assessment shall be allowed by two justices of the peace of the division where the said town lies ; and if any person charged by the said assessment to pay any

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money do not pay it within eight days after the demand thereof made by the said John Wastfield, Thomas Figgins and Richard Singer or any of them, shall by warrant under the hands and seals of the same justices levy the same by distress and sale of the goods of such persons not paying the same in manner aforesaid, rendering the overplus of the value of the goods so distrained (if any) to the owner thereof the necessary¹ charges of making, keeping and settling such distress being first deducted.'

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649. Warminster scavenger.

Order as above appointing Robert Bleek of Warminster, gent., to be scavenger of the town of Warminster, and he and Richard Cocky of Warminster, merchant, to make the assessment.

650. William Lawrence and Thomas Sherwood.

'Whereas William Lawrence was lately bound apprentice by indenture to Thomas Sherwood of Week within the parish of Bishops Cannings in the said county, glover and velmonger, for a term yet to come; now it appearing to this court that the said William Lawrence hath often absented himself from his masters service and been guilty of misbehaviour, this court doth therefore discharge the said apprentice from his said apprenticeship, and the said Thomas Sherwood is discharged from his said apprentice; and this court doth further order that the said Thomas Sherwood forthwith after notice hereof pay to William Strong, father in law to the said William Lawrence, six pounds thirteen shillings and four pence, part of the consideration money heretofore paid by the said William Strong to the said Thomas Sherwood as the consideration money for his taking the said apprentice; witness the hands and seals of us justices of the peace present at the said sessions.'

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651. Mr. Talbott and Mr. Lloyd.

Order on the treasurer for payment of £6 1s. 11d. to John Ivory Talbott and Mr. Lloyd, 'the ballance due to them on account now by them delivered into court and by this court examined and allowed relating to their payments and disbursements in and about the repairs of Foot Bridge and Redbridge in the parish of Laycock . . .'

652. Mr. Pitts and Mr. Stone.

Order on the treasurer for payment of £17 7s. 5d. and £30 to Matthew Pitts and Mr. Stone for repairs carried out by them to public bridges in and about Salisbury.

653. Westbury ways.

'This court doth order Briant Edwards of Westbury in this county, maltster, and John Harris of Westbury Leigh in this county, butcher, the present surveyors of the highways of the said parish of Westbury, on

¹ MS. has *necessary*.

WILTSHIRE PROCEEDINGS IN SESSIONS

notice of this order, to produce and shew their accounts of what money they have respectively collected on any rate or rates by them or either of them made for and towards the repair of the highways of the said parish of Westbury, to Thomas Bennett and William Phipps, Esqrs., two of his Majesties justices of the peace for this county, at such time and place as the said two justices shall appoint, who are by this court desired to examine the said account and to make their report thereof to the justices of the peace for this county at the next General Quarter Sessions of the Peace to be held in and for this county ; and this court doth further order that what sums of money shall appear to the said two justices to have been laid out or expended by the said surveyors or either of them in the repair of such part of the said highways as stands presented on the view of the said William Phipps Esqr., shall be allowed to the said surveyors in their said account ; and that the said surveyors do pay the residue of the money by them collected or to be collected on the said rate or rates to [p. 540] James Long of the borrough of Westbury aforesaid, gent., to be by him laid out and applyed towards the repair of such part of the said highways as stands presented as aforesaid pursuant to a former order of the court of Quarter Sessions of this county.'

654. George Barnes, inspector.

' Pursuant to the act made in the thirteenth year of the reign of the late King George intituled an act for the better regulation of the woollen manufacture and for preventing disputes among the persons concerned therein and for limiting a time for the prosecuting for the forfeiture appointed by an act of the twelfth year of his said Majesties reign in case of payment of the workmens wages in other manner than in money ; this court doth chuse and appoint George Barnes the younger of Horningsham in the said county for the year ensuing to inspect all and every mill, mills, shop, shops, outhouse, outhouses and tenter grounds of every clothier, millman and other person concerned in the manufacturing or milling of mixed or medley woollen broadcloth in the parish of Horningsham aforesaid and to execute all and every the powers and directions given by the said act to such inspector.'

655. Bastardy : Bull and Murfett.

' The order and judgement of this court now made touching a female bastard child lately born of the body of Catharine Murfett of the parish of Westbury in this county, singlewoman, which said child is now kept at the charge of the said parish as it appears to this court, as well on the complaint of the churchwardens and overseers of the poor of the said parish of Westbury, as otherwise ; first, this court having on the said complaint examined the said Catharine Murfett on oath and also the cause and circumstances relating to the said child and duly considered thereof, doth adjudge Benjamin Bull of the said parish of Westbury, clothdrawer, to be the putative father of the said bastard child ; and for punishment of the said father and mother of the said bastard child and relief of the said parish, this court doth order that the said Benjamin Bull from the

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fifteenth day of June last past untill the said child shall attain the age of seven years (if the said child shall so long live and be chargeable to the said parish of Westbury) shall pay or cause to be paid unto the churchwardens and overseers of the poor of the said parish of Westbury for the time being, or some or one of them, one shilling a week weekly for and [p. 541] towards the maintenance and support of the said child and also the sum of twenty shillings for the expense the said parish has already been at on account of the lying in of the said Catharine ; and in case the said child be living at the end of the said seven years that then the said Benjamin Bull immediately after the end of the said seven years shall pay to the said churchwardens and overseers of the poor of the said parish of Westbury, or one of them, the sum of five pounds of lawfull money to be by them disposed of in placing the said child an apprentice ; and this court doth further order that untill the said child attains its said age of seven years the said Catharine the mother shall keep and nourish the said child or in default thereof pay to the churchwardens and overseers of the poor of the said parish of Westbury, or some or one of them, weekly and every week during such default one shilling towards the maintenance of the said child ; and lastly this court doth order that the said Benjamin Bull do immediately after notice hereof give such security for performing so much of this order as is orderèd on his part to be done and performed as the churchwardens and overseers of the poor of the said parish of Westbury shall approve, or otherwise that he stand committed to the Bridewell at Devizes in and for this county till he has so done.'

656. Estreats of fines imposed at this Sessions.

' On the inhabitants of the parish of Sutton Benger in the county aforesaid for not repairing the common highway leading from Cricklade in the said county in, by and through the parish of Sutton Benger aforesaid to Marshfield in the county of Gloucester, that is to say two furlongs in length and twelve feet in breadth of the said way lying in Sutton Benger aforesaid in a lane called Oakhill Lane whereof they are convicted : fine 30*l*. This court doth command the bayliff and high constables of the hundred of Malmesbury . . . to levy . . . the abovementioned fine . . . and . . . to make a . . . payment of the said thirty pounds to the surveyors of the highways of the said parish . . . '

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657. Constables.

' Pursuant to an act of parliament made in the fourteenth year of the reign of the late king Charles the second, John Gould of the borrough of Chippenham, shoemaker, is now by this court elected constable of the borrough of Chippenham in the county aforesaid in the room of Thomas Still, who is removed out of the said borrough and parish, and ordered to continue in and serve the said office from henceforth till some other person shall be chosen in his stead ; and that he the said John Gould within one week next after notice hereof do before such justice of the peace for the said county who resides nearest to Chippenham aforesaid take the oath

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for due execution of the said office and if the said John Gould shall not do so, then the same justice is hereby desired to oblige him to enter into a recognizance to appear at the next General Quarter Sessions of the Peace to be holden in and for this county to answer his contempt hereof.

Richard Baker of the tything of Winsley in the parish of Bradford appointed one of the constables of the hundred of Bradford in the room of Joseph Baskerville, a Quaker. John Palmer of Bradford appointed the other constable of the said hundred for the year ensuing.'

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658. Clerk and Pinnock.

'Whereas William Clerk was lately bound apprentice to Henry Pinnock of Westbury in the county aforesaid joiner for a term of years to come; now it appearing to this court that the said Henry Pinnock hath misbehaved himself towards his said apprentice; this court doth therefore discharge the said apprentice from his said apprenticeship, and the said Henry Pinnock is also discharged from his said apprentice; witness the hands and seals of us justices of the peace present at the said sessions.'

659. Treasurers of Calne turnpike.

'This court doth order the treasurers of the toll or profitts arising from the turnpike erected for mending the highways leading from Cherrill through Calne to Studley Bridge in this county to pay thereout in the first place all the interest money that is due to the several persons who have advanced or lent any money on the security of the said toll; and further order that the residue of the money arising from the profitts of the said toll be from time to time laid out and applied towards the repair of such part of the said road (to be repaired by the said turnpike) as the surveyors of the said road have certified to this court to be ruinous and most in need of repair, pursuant to the acts of parliament for that purpose.'

TRINITY SESSIONS—ESTREATS OF FINES

660. 'Wilts ss. Estreats indented at sessions held at Warminster on Tuesday, Wednesday and Thursday the 13, 14, 15 July 1736 before Walter Hungerford, Rogers Holland, William Northey, Edward Ash, Thomas Bennett, William Phipps, Thomas Phipps, Matthew Pitts, Richard Willoughby, George Hungerford, Esqrs. and others.'

Fines imposed at this sessions.

661. On Catherine the wife of Samuel Ricketts of Box for an assault—paid sheriff in court o o 6

662. On John Sartain of Whaddon for the like—paid sheriff in court o o 6

663. On John Currant of Studley for the like—paid sheriff in court o o 6

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664. On Jane the wife of the said John Currant, formerly Jane Goodship, for the like—paid sheriff in court	o o 6
665. On Thomas Hayward the elder of Westbury for the like—paid sheriff in court	o 2 6
666. On the said Thomas Hayward for a trespass—paid sheriff in court	o 2 6

No recognizances forfeited at this sessions.

MICHAELMAS SESSIONS—GREAT ROLL

Justices' precept to the sheriff to proclaim the Quarter Sessions.

667. General Quarter Sessions of the Peace to be held on Tuesday the fifth of October at Marlborough; officers and jurors to be summoned from the hundreds of Elstubb and Everley, Highworth, Cricklade and Staple, Kingsbridge, Kinwardstone, Ramsbury, Selkley and Swanborough and petty jurors from the neighbourhoods of Marlborough, Bradford and Westbury. Dated 11 September, 1736. Signed by Richard Jones and Edward Clerke.

668. Schedule; return of Grand Jurors.

John Buckeridge* of Garesdon; Robert Batt, William Kingstone, both of Savernake Park; John Beake* of East Kennet; Daniel Apleford the younger* of Ogborn St. Andrew; Michael Cook* of West Overton; Robert Spackman (ex) of Bushton; Robert Stoales (ex), Stephen Barley (ex), both of Wroughton; John Wells (ex) of Fifield; William Batt* of Collingborn Ducis; John Gale* of Everley; Robert Moulden, Robert Carter*, John Jewell*, all of Purton; Henry Dennis jun.* of Cricklade St. Sampsons; John Bleek (ex), Robert Jenner, both of Marston Maisey; John Packer* of Leigh; John Bendry* of Woodshaw; Richard Wayt, Thomas Wayt, both of Swindon; Henry Smith of Lidiard Traygoze; John Brome*, Charles Cruse*, both of Greenhill; John Gilbert*, Henry Norris, both of Collingborn Kingstone; John Hale of Wootton Rivers; Thomas Glasse* of Pewsey; John Savage (ex), Abraham Shepherd (ex), both of Great Bedwin; George Moore* of Ramsbury; William George* of Eastridge; Jonathan Knackstone (ex) of Whitonditch; Thomas Scudamore*, Timothy Somner (ex), both of Great Chiverell; William Hayward of Churton; William Lavington* of Marden; Robert Amor of Rushall. Signature of Richard Baskerville, sheriff.

669. Schedule; 'the names of the several hundreds and bayliffe in the Marleborough division.'

Elstubb and Everley—John Marshman*
 Highworth, Cricklade and Staple—Thomas Denman*
 Kingsbridge—John Tinson*

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Kinwardstone—John Smith*
Ramsbury—Thomas Popejay*
Selkley—William Gibbons*
Swanborough—Thomas Parker*

670. Schedule ; list of jurors for trials and traverses.

Robert Walrond***, David Wilson***, Francis Smith, Richard Monk, Thomas Rose, James Cue***, John Heale, John Blanchard***, Richard Pope***, William Liddell***, Samuel Reeves***, Adam Paine***, William Caswell***, William Spackman***, George Mortimer***, William Mott***, Richard Francis, Ralph Winter*, Stephen Wentworth*, Hugh Neale*, Edward Hall*, Robert Hawkins, Alexander Platt*, John Jennings, John Barns*. Signature of Richard Baskerville, sheriff.

Recognizances to appear and answer.

671. 7 August. John Hollis, gent., Baynham Sparrow, labourer, and William Carry, carpenter, all of Segary ; for assaulting Richard Messiter of Sutton Benger, glazier ; before Walter Hungerford. Not paid. (1)

672. 29 July. Robert Tuck of Hilmarton, gent. ; for pulling up and taking away the hatches belonging to the mill of Robert Tanner of Bremhill, yeoman, in Hillmarton ; before Walter Hungerford. Not paid for. (2)

673. 18 August. Thomas Messinger of Overton, labourer ; to appear at next sessions and meanwhile to be of good behaviour ; before George Hungerford. (3)

674. 28 July. John Knight of Langley Burrell, yeoman, one of the surveyors of the highways for the parish ; on behalf of the parish to 'travers and plead to all such nuisances and defaults whereof the inhabitants of the said parish now stand indicted'.¹

675. 26 July. Edward Newth the younger, husbandman, Edward Newth the elder, glazier, and Stephen Newth, shoemaker, all of Aldborne ; Edward Newth the younger to appear and do what shall be ordered, and meanwhile to be of good behaviour ; before Richard Jones. Paid. (5)²

676. 26 July. John Corr, bellfounder, William Pitts and Stephen Newth, shoemakers, all of Aldborn ; Corr to appear ; etc. as above. (6)

677. 26 July. John Sly, baker, Edward Newth the elder, glazier, and Robert Church, yeoman, all of Aldborne ; Sly to appear ; etc. as above. (7)

¹ In the form of a bond to pay the sheriff, signed and sealed by Knight and witnessed by Edward Crook and Francis (?) Tuck. Endorsed *John Knight's bail bond*.

² Printed form of recognizance.

MICHAELMAS QUARTER SESSIONS

678. 24 Sept. Thomas Mill of Purton, soap-boiler and chandler ; for assaulting Joseph Mill his apprentice ; before Ralph Freke. (8)

679. 26 July. Walter Grubb, surgeon, Charles Pickering, gent., and John Russell, hatter, all of Chippenham ; to answer the charge of Richard Smith of Chippenham, and meanwhile to keep the peace towards Smith ; before Rogers Holland. Not paid. (9)

680. 15 Sept. Isaac Bull, carpenter, Robert Woodward, yeoman, both of Broughton Gifford, and Robert Bull of Steeple Ashton, yeoman ; for assaulting Thomas Budd, John Cove and William Pa[] ; before John Thresher. (10)

681. 26 August. Richard Crouch, Thomas Crouch, blacksmiths, and Mark cowdry, Cordwainer, all of Barford St. Martin ; for begetting with child Mary Crouch of South Burcomb, singlewoman ; before Richard Payne. Paid. (11)

682. 24 Sept. Robert Harvey of Trowle Magna ; for certain trespasses and misdemeanours whereof the inhabitants of Trowle Magna stand indicted.¹

683. 30 Sept. John Wiltshire of Winsley, staymaker ; to answer on behalf of the inhabitants of Winsley.²

684. 6 August. Michael James, barber, Matthew Walters and John Coles, broadweavers, all of Westbury ; before Thomas Phipps. ' Clerk salary not paid.' (14)

685. 6 August. Walters, James and Coles, as above. (15)

686. 13 Sept. Paul Laws, mason, James Lucas, broadweaver, and James Sergant, labourer, all of North Bradley ; before Thomas Phipps.³

687. 17 July. William Edwards, barber, Thomas Biggs, Chandler, and Henry Barker, innholder, all of Westbury ; for assaulting John Bourne of Westbury ; before Thomas Phipps. Not paid. (17)

688. 16 July. Isaac Munday and William Amor, both of Pewsey, and Isaac Munday of Calne ; for stealing a pair of breeches, a shirt and a shilling from Benjamin Brunsdon and Thomas Davis ; before Edward Clerke.⁴

¹ In the form of a bond to pay the sheriff, signed and sealed by Harvey and witnessed by Henry Hersell, W. Eames (?) and John (?) Hardion.

² In the form of a bond to pay the sheriff, signed and sealed by Wiltshire and witnessed by William Baylie and John Salter.

³ No note or number legible but probably noted as in 684 and numbered (16).

⁴ No note or number.

WILTSHIRE PROCEEDINGS IN SESSIONS

689. 13 August. Isaac Munday of Calne, labourer, William Munday of Pewsey, and Simon Noyes of Woodburrough, yeoman ; to appear and meanwhile to be of good behaviour ; before Edward Clerke.¹

690. 26 July. Mary Hearn of Draycott, singlewoman, Paul Hearn of Pottern, shoemaker, and John Munday of Oar in Wilcot parish ; to appear and meanwhile to be of good behaviour ; before Edward Clerke.¹

Recognizances to appear and give evidence.

691. 18 August. Nicholas Dobson, blacksmith, and Mary Brown, widow, both of Overton ; both against Edward Messinger, for stealing a horse-shoe and a piece of old iron out of Edward Dobson's shop ; before George Hungerford.

692. 24 Sept. John Mill of Chelworth, husbandman ; Joseph Mill, apprentice to Thomas Mill, against Thomas Mill ; before Ralph Freke.

693. 24 Sept. John Mill as above ; Grace Bathe against Thomas Mill as above ; before Ralph Freke.

694. 10 August. George Osman of Bradford, labourer ; against John Beser of Bradford, scribbler, for stealing fowls from Robert Harvey of Bradford, yeoman ; before Thomas Methuen.

695. 10 August. Robert Harvey as above, against John Beser as above ; before Thomas Methuen.

696. 8 Sept. Ishmael Spunly ; Ann Spunly his wife against Francis Godwin of Hillperton, labourer, for stealing a pair of 'sheep russet stockings' ; before John Eyles.

697. 20 July. William Baker of Melksham, victualler ; against Judith Pearce of Melksham, for breaking 15 'quarrys of glass' in his house at Melksham ; before William Beach.

698. 5 October. Benjamin Brunson and Thomas Davis, both of Pewsey, labourers ; both against Isaac Munday, for stealing a pair of breeches worth 1s. ; before Edward Clerke.

699. 2 August. William Blake, yeoman, and Jonathan King, labourer, both of Aldborn ; both against Richard Edall, for stealing a hat from Jonathan King ; before William Stanley.

Indictments not found.

700. Joseph Ford of Westbury, yeoman, for breaking a hedge between his field and Hawkeridge common so that the horse of John Phipps and

¹ No note or number.

MICHAELMAS QUARTER SESSIONS

horses and cattle of others strayed from the common into the said field ; also for unlawfully impounding John Phipps' horse ; Westbury, 20 July. Witnesses, John Phipps and Alexander Hooper.

701. Thomas Mill of Purton, chandler, for assaulting Joseph Mill ; Purton, 16 July. Witness, Grace Bathe.

702. Inhabitants of the tithing of Manton, for not repairing a highway from Marlborough to Market Lavington 40 perches long and 4 feet broad, between the house of George Andrews and the stocks in Manton ; 4 Oct. Witness, Stephen Hutchens.

703. Isaac Mundy of Calne, labourer, for stealing a peck of wheat worth 1s. from Thomas Smith, gent. ; Pewsey, 3 August. Witness, John Smith.

Informations and examinations.

704. Mary Brown of Overton, widow, taken before George Hungerford, 17 August ; ' this informant doth on her oath declare that about a week ago in the evening Edward Messinger, son of Thomas Messinger of the Parish of Overton . . . labourer, came to the house of the said examinant and offered an old horseshoe and another old piece of iron for sale ; that she objected to buying the said iron, believing it to be stoln, but upon the said Edward Messinger's declaring he had found the said iron she bought the same. Examinant further declares that Nicholas Dobson of the said parish, blacksmith, has claimed the said iron as his own ; and that the said horseshoe and the other old piece of iron has since been deliver'd to Nicholas Dobson aforesaid.' Signature of Mary Brown.

705. Nicholas Dobson of Overton, blacksmith, taken before George Hungerford, 17 August ; ' this examinant doth on his oath declare that about a week ago he miss'd out of his shop in the parish of Overton aforesaid a whole bottom'd horseshoe with a barr and a rivett through it and that he believes it was stoln out of his said shop ; and that he lost at the same time a pin of a plough share which he believes was stoln at the same time as the horseshoe was stoln.' Signature of Nicholas Dobson.

706. Joseph Mill, servant and apprentice to Thomas Mill, soapboiler and chandler of Purton, taken before Ralph Freke, 23 Sept. ; ' this informant saith that on the sixteenth day of July last past (and on several times before) the said Thomas Mill assaulted and beat this informant and turned him out of door and ordered him to be gone about his business ; and also said that the said Thomas Mill had threatened this informant several times that he would kill him ; and farther saith that one time in particular the said Thomas Mills had been to Cerney feast and came home very much in liquor, and without any affront given him by this informant the said Thomas Mills took up a prong and swore he would stick it in him ; this informant saith that had not the said Thomas Mill's wife taken hold

WILTSHIRE PROCEEDINGS IN SESSIONS

of the said prong the said Thomas Mill would have done this informant some bodily harm therewith ; and this informant also further saith that if he was to return to his said master Thomas Mill, he do believe in his contience he would either kill him or do him some bodily harm.' Signature of Joseph Mill.

707. Grace Bathe of Purton, singlewoman, taken before Ralph Freke, 24 Sept. ; ' this informant said that on the sixteenth day of July last past she, this informant, was at the house of Thomas Mill of Purton aforesaid and heard him abusing Joseph his apprentice in a violent manner by threatening to knock his brains out with the tongs ; and this informant further saith that she, hearing the said Thomas Mill abusing the said Joseph Mill as aforesaid, said to the wife of the said Thomas Mill she would go into the room and see what was the matter, and the said Thomas Mill's wife desired this informant not to go into the room, for if she did, the said Thomas Mill's wife said that her said husband Thomas Mill would kill this informant ; and this informant saith she was resolved to go into the room where the said Thomas Mill and the said Joseph Mill was, she was not affraid of being kill'd, and as soon as she, this informant, had enter'd the room as aforesaid, the said Joseph Mill found means to escape from the said Thomas Mill ; and this informant further saith that she hath severall times before July last past as aforesaid heard the said Thomas Mill curseing and abusing the said Joseph Mill in a most intollerable manner, and the answer the said Joseph Mill made the said Thomas Mill was in a very meek manner, and told him, brother I will do anything for you that you desire me if I am able.' Mark of Grace Bathe.

708. William Baker of Melksham, taken before William Beach, 20 July, who ' saith that yesterday the nineteenth of this instant July Judith Pearce came into his house in Melksham aforesaid and breed a disturbance in his house, being a victualling house ; and his servant John Davis put her out of his house ; and when she was out she broke fifteen quarrys of glass in his windows and cursed and behaved herself in a very disorderly manner, and farther saith not '. Signature of William Baker.

709. John Davis of Melksham, taken as above, who ' saith that yesterday the nineteenth day of this instant July Judith Pearce of Melksham aforesaid came into his master William Bakers house in Melksham aforesaid and made¹ a disturbance there and abused him and the people that were then in the house ; and that this deponent put her out of the said house ; and that then she the said Judith Pearce threw several brick bats thro the glass windows of the dwelling house of the said William Baker and that she broke fifteen quarry of glass in the window of the dwelling house of the said William Baker ; and that she behaved herself in a very disorderly manner ; and farther saith not '. Mark of John Davis.²

¹ *Breed* first written.

² On same sheet as above.

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710. Millier Morris of Bradford, widow, taken before Thomas Phipps, 13 Sept. ; ' this informant on her oath says that yesterday being Sunday the 12th. day of this instant September in the evening, goeing from the alehouse of Nicholas Reeves in Westbury . . . to Trowbridge . . . , Daniel Lacey being in company with her ; and in the open field about half a mile from Westbury by the side of a river, the said Daniel Lacey did make a violent assault upon this informant and by force did take her cap and hatt from her and threw it into the river, and also did beat and wound this informant in a very cruel manner by throwing her down and jumping on her body, kicking her and beating her with his fist, that she cried out murder several times ; and afterwards the said Daniel Lacey did drage this informant to a little alehouse where she remained all night ; and that she prays the sureties of the peace against the said Daniel Lacey for her own preservation.' Mark of Millier Morris.

711. Richard Smith of Chippenham, mason, taken before Rogers Holland, 22 July ; ' this informant upon his oath saith that this day about one or two of the clock in the afternoon Walter Grubb of Chippenham . . . , surgeon, threatened to kill the said informant at any time when he could meet with the said informant in a convenient place ; and this informant saith that he is in fear of his life or of some bodily hurt to be done or procured to be done to him by the said Walter Grubb ; and that the said informant doth not require the peace of him for any malice, vexation or revenge, but for the causes aforesaid.' Signature of Richard Smith.

Presentments of the juries for the hundreds.

712. Kinwardstone : all well : William Sumersett, James Andrews, John Watts, William Smith, Ralph Winter*, Stephen Wentworth*, Hugh Neall*, Edward Hall*, Robert Hawkins*, Alexander Platt*, John Jeaning*, John Barns*, Henry Parks, Roger Spanswick, Thomas White.

713. Selkly : all well : Robert Liddall, Charles Brinsden, Robert Church, Isaac Burges, Richard Pope*, William Liddell*, Samuel Reeves*, Adam Paine*, William Caswell*, William Spackman*, George Mortimer*, William Mott*, Richard Pearce*, Anthony Fowler, Thomas Smith, Thomas Crook, Ambrose Styles.

714. Kingsbridge : all well : William Neale, John Harding, Walter Brind, Matthew Heath, Robert Smith, Robert Hopkins, William Nash, Anthony Allen, John Stout, Robert Seager, Roger Harding, Thomas Herring, Christopher Pinniger, Joseph Hopkins, William White, Edward Carpenter.

715. Ramesbury : all well, ' except Ramsbury pound and the long bridge leading over to Mr. Richard Dismores'¹ : Stephen Smith, William Kent, Anthony Stroud, Richard Richens, Roger Talmage, Stephen Bullin, Stephen Finch, Thomas Choules (ex), Robert Walrond*, Davey Wilson*,

¹ Phrase quoted struck out.

WILTSHIRE PROCEEDINGS IN SESSIONS

Thomas Smith*, Christopher Edmonds, John Harding, Thomas Mildenhall, Edward Elton, Thomas Staymaker, Edward Jatt, Richard Dismore.

716. Swanborough : all well : Peter Rutt, Richard Higgens, Samuel Webb, Briant Smith, Robert Dowse, Daniell Hiscock, Richard Chandler, William Holloway, Francis Hall, Daniel Crawly, William Passe, Edward Fowle, John Beacke, Edward Alexander, Richard Clark, Jonathan Maslen.

717. Elstub and Everley : all well : Richard Monk*, Thomas Rose*, John Adams, Edward Reeves, Charlous Griffin, Thomas Lawes, Thomas Dyer, James Cue*, John Smeth, Joseph Coventry, John Fluell, John Geale*, John Cue (ex), John Blanchard*, Edward Millington (ex), William Lewies.

Presentments of the constables for the hundreds.

718. Ramsbury : ' I have surveyed the said hundred and inquired of the petty constables and returne all things in good repair ' : Charles Purton.

719. Swanborough : all well : Richard Holloway and John Hayward.

720. Meer : all well : Thomas Hannam and John Wadlow.¹

Bailiffs' returns of jurors and constables to serve for the hundreds.

721. Elstub and Everly : Richard Monk*, Thomas Rose*, both of Everleigh ; William Lewis*, John Blanchard*, both of Collingborn Ducis ; Thomas Lawes* of Hackleston ; Charles Griffen*, John Adams*, Thomas Dyer*, Edward Reeves*, all of Enford ; John Gale*, Edward Millington*, both of Bushton ; John Cue*, Joseph Coventry*, John Fluell*, John Tarrant*, all of Wroughton ; James Cue*, John Smith*, both of Fifield ; Thomas Fidler of Nether Avon. John Briggs, gent., John Cue, gent., constables. Signature of John Marshman, bailiff.

722. Kingsbridge : William Neale*, Thomas Herring*, Walter Brind*, all of Liddington ; John Stout*, William Naish*, John Harding*, all of Wanbrough ; Seth Parham (ex) of Woodshaw ; Robert Hopkins* of Witcomb ; Roger Harding*, Walter Essington (dead), Joseph Hopkins*, all of Hillmarton ; Robert Seager*, William White*, both of Cleevevancy and Littlecutt ; John Parker, Christopher Pinniger*, both of Tockenham ; Robert Smith*, John Beckett (ex), both of Preston ; John Stiles, Matthew Heath*, both of Clack ; Richard Humphris, George Cleeter, both of Uffcott ; Thomas Brown, Anthony Allin*, both of Overtown ; Edward Carpenter*, William Stratton (ex), both of Chisledon ; John Say of Swindon. Thomas Mills, Joseph Hopkins, constables. Signature of John Tinson, bailiff.

¹ Mere was not among the hundreds summoned to Michaelmas sessions but this presentment was filed here and bears the date of this sessions.

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723. Kinward[stone]: William Somersot*, Ralph Winton*, both of Pewsey; Hugh Neal*, William Thomson, both of Burbage; Robert Hawkins* of Westcomb; John Jenings* of Eston; John Watts* of Colingborn; Stephen Winkworth* of Litel Bedwin; Edward Hall*, William Smith*, Robert Elkins, all of Est Grafton; Thomas Smith, John Barns*, Thomas White*, all of Shalborn; Roger Spenswick*, Henry Parks*, both of Chilton; Elexander Platt*, James Andrews*, both of Froxfield. John Caning*, Thomas Potinger, chief constables. Signature of John Smith, bailiff.

724. Highworth, Cricklad and Stapol: Richard Pannell* of Water Eaton¹; Thomas Hodges*, Thomas Townsend*, both of Latton; William Chapperlin, William Tilling*, both of Ashton Keynes; John Stratton (ex), Edward Morgan*, both of Purton; Thomas Green*, John Trinder*, both of the Leigh; John Adams (ex sick), David Moulder*, both of Purton; Thomas Curtis (ex) of Marston Maysey; Robert Hegnell*, John Williams*, Henry Broadway, all of Cricklade St. Sampsons; Richard Moulder, John Bristow (dece'd), both of Chelworth; John Chamberlin of Englisham; John Ralph* of Westrop; John Hughes*, Thomas Mundy*, both of Castle Eaton. Charles Simpson, Phillipp Cooke*, constables. Signature of Thomas Denman, bailiff.

725. Ramsbury: Grand Jury; William George of East Ridge, Jonathan Knackston of Whitenditch, George Moore of Axford, Thomas Hill of Preston, Thomas Appleford of Axford. Hundred jury; Stephen Smith*, Edward Jatt*, Roger Talmage*, Stephen Pullin*, Thomas Staymaker*, Edward Elton*, all of Ramsbury; Thomas Mildenhall* of Eastridge; William Kent the younger*, John Harding*, William Harding, Christopher Edmonds*, David Wilson*, Thomas Smith*, all of Bishopston; Richard Richens*, Richard Dysmore*, Thomas Pollard (ex), all of Park Town; Anthony Stroud senior (ex), Robert Walrond*, Stephen Finch*, Thomas Chouls*, Anthony Stroud junior*, all of Baydon. Charles Purten*, chief constable. Signature of Thomas Popejay, bailiff.

726. Selkeley: Grand Jury; Daniel Apleford of Ogborn St. Andrew, Michael Cooke of West Overton, Thomas Smith of West Kennett, John Beake of East Kennett, Robert Batt, William Kingstone, both of Saver-nake Parke. Hundred jury; Thomas Griffen of Ogborne St. George; Robert Liddall* of Clatford; Richard Witts, Thomas Smith*, both of Alborne; William Chamberlain (ex) of Manton; George Mortimer*, William Woolridge (ex), Adam Pain*, Thomas Crooke*, Joseph Brunson (ex), Isaac Burgesse*, all of Ogborne St. George; Samuel Reeves* of Ogborne St. Andrew; John Bacon, Richard Pearce*, Thomas Strong, Anthony Fowler*, William Mott the younger*, all of Alborne; Robert Church* of West Ouerton; Charles Brinsden*, Ambrose Stiles*, both of Winterborn Munchton; William Caswell*, William Spackman*, both of West Kennett; Richard Pope*, William Liddall*, both of Clatford. Thomas Walter*, Peter Hewes, constables.

¹ Described as *fore man*.

WILTSHIRE PROCEEDINGS IN SESSIONS

727. Swanborough : John Munday (ex), John Fowle, William Pinkney, all of Charleton ; William Chandler, Peter Rutt*, Richard Chandler*, all of Russell ; Briant Smith*, Edward Fowle*, both of Manningford Abbots ; Edward Alexander*, Richard Higgins*, both of Manningford Bohun ; Jonathan Mosslin of Etchillhaptton ; William Pearce* of Wedhampton ; William Holloway*, William Smith*, both of All Cannings ; Daniel Crawley*, Francis Hall*, both of Markett Lavington ; Daniel Hiscock*, John Beak*, both of Allington ; Philip Noyes, Benjamin Croke, both of Steart ; Robert Dowse* of Great Chiverell ; Samuel Webb*, Richard Clark*, both of Marden ; John Fowle (ex), William Sloper, both of Isterton. John Hayward*, Richard Holloway*, constables. Signature of Thomas Parker, bailiff.

Appointments of constables.

728. For Elstubb and Everly hundred : George Houghton* of Westwood, clothier, Richard Knapp of Westwood, yeoman, Thomas Rebeck of Stockton, yeoman. By John Biggs, high constable.

729. For the same hundred : Thomas Rose*, Richard Monk, both of Everley, William Lewes of Collingborn Ducis, yeoman. By John Cue, high constable.

730. For Cricklade and Staple hundred : Isaac Fitchew*, William Ware of Latten, John Waldren of the Leigh. By Philip Cook, constable.

731. For Swanborough hundred : John Alexander* of Hilcot, Thomas Chandler of Woodborough, []¹ Higenes of Manningford Bohune, John Still* of Lavington, George Rudel of Urchfont, James Bartlett of Cheueral. By John Hayward and Richard Holloway, constables.²

732. For Kingsbridge hundred : Nevill Maskelyn the elder of Wootton Bassett, Gabriel Hollister* of the same, Thomas Sellwood of Lyddiard Treygooze, William Hawkes* of Medborn, Bartholomew Tombs of Lyddington Wick, John Smith of Swindon, shopkeeper. By Joseph Hopkins and Thomas Mills, high constables.

733. ' To move for to discharge Willm. Beake the present tythingman of Eston Grey, he having served a year, there being no court leet, and to gett one of the two underwritten appointed.' Henry Cove*, William Clarke, Isaac Humphris.³

Certificates of taking the sacrament.

734. John Thresher of Bradford, Esqr., at Bradford, 5 Sept. William Pryer, curate ; George Hutchings and George Hulbert, churchwardens ; Richard Baker, wheelwright, and Philip Assenton, gent., witnesses.

¹ MS. blank.

² Noted in the clerk's hand *make out 2 orders for the two constables and take 6—8.*

³ Noted in the clerk's hand *make out this order.* Endorsed for *Wm. Blake—Israel May.*

MICHAELMAS QUARTER SESSIONS

735. Stephen Wootten of Calne, innholder and postmaster, at Calne, 6 Oct. B. Russell, minister ; John Bishop and John Franklin, churchwardens ; John Savory of Calne, barber, and Richard Savory of Studley in Calne, yeoman, witnesses.

736. Thomas Phipps, gent., ' receiver general for part of this county ', at Westbury, 3 Oct. William Wroughton, minister ; William Mansell, churchwarden ; John Phipps, junior, and Zachariah Bayly, witnesses.

737. William Hawkes, gent., at Shrivenham (Berks.), 12 Sept. Cal. Colton, minister ; John Day, churchwarden ; William Green and Thomas New, witnesses.¹

738. Israel May of Malmesbury, gent., at St. Paul's Malmesbury, 3 Oct. James Webb, minister ; Goddard Spencer, churchwarden ; William Clarke the elder, gent., and William Clarke the younger, tailor, both of Malmesbury, witnesses.

739. William Clarke the elder, as above but witnessed by Israel May and William Clarke the younger.

740. William Jackson of Wootton Bassett, at Wootton Bassett, 3 Oct. Paul Forester, minister ; Nevil Maskelyne, churchwarden ; John Mapson and Robert Staplehorn, both of Wootton Bassett, witnesses.

741. George Lodge of Chippenham, innholder, at Chippenham, 3 Oct. Francis Welman, minister ; Richard Singer and Thomas Figgins, churchwardens ; John Potter, cordwainer, and Richard Mustoe, yeoman, both of Chippenham, witnesses.

742. John Mapson, as in 740 above, witnessed by William Jackson and Robert Staplehorn.

743. James Hall of Chippenham, gent., etc. as in 741 above.

744. James Mountagu of Lackham, Esqr., at Calne, 3 Oct. Signed as in 735 above ; Francis Bridgeman, Esqr., and Edward James, labourer, witnesses.

745. Isaac Humphrys the elder of Chippenham ; etc. as in 741 above.

746. John Lloyd of Chippenham, clerk, 3 Oct. Signed as in 741 above ; James Hall and John Potter, witnesses.

747. Francis Bridgeman of Boughwood Park in Calne, Esqr., at Calne, 3 Oct. Signed as in 735 above ; James Mountagu, junior, and Edward James, witnesses.

¹ The whole of this document, except signatures, is in Hawkes' hand.

WILTSHIRE PROCEEDINGS IN SESSIONS

748. Thomas Bevan, gent., mayor of Marlborough, at St. Peter's Marlborough, 3 Oct. Robert Clavering, minister; John Bayly, churchwarden; Edward Johnson and Samuel Harris both of Marlborough, witnesses.

Orders of removal.

749. Aron Mills and Moses his son aged under 7, from Bromham to St. John's Devizes. Order by John Talbot and Walter Hungerford, 16 Sept.¹

750. Thomas Goodman, Margaret his wife, Sarah aged about 8, Ann aged about 6, Margaret aged about 4, and George aged about 2, their children, from Highworth to Draycott. Order by William Vilett and William Stanley, 16 August.

MICHAELMAS SESSIONS—MINUTE BOOK

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751. *Wilts to wit. The General Quarter Sessions of the Peace of our Lord the King held at Marlborough in and for the said county on Tuesday the fifth day of October in the tenth year of our Sovereign Lord George the Second . . . before* Walter Hungerford, Richard Jones, John Ivory Talbot, Henry Skylling, William Phipps, George Hungerford, Thomas Earl, Rogers Holland, Edward Clerke, William Northey, William Vilett, Richard Burgess, James Mountague, [Francis]² Bridgman, John Thrasher³ and others . . .

Traverses

752. John Grant of Dilton in the parish of Westbury—not guilty and discharged, received 13s. 4d.

753. John Watkins of Highworth—not guilty.

754. Isaac Carter of Marlborough—not guilty. [Bracketed with the above under] received but 14s. on the travers; received all fees but 4s. 10d.

755. James Froud of Tinhead—appeared and discharged, received fees, this is ended.

756. John Freeman of Liddington—appeared, not guilty, and discharged.

757. Walter Brind of the same—appeared and discharged.

¹ A duplicate is filed with this order. It is endorsed *copy to be delivered with the persons.*

² MS. blank.

³ Written twice.

MICHAELMAS QUARTER SESSIONS

- 758.** Henry Deacon of North Bradley—not guilty, received fees and discharged.
- 759.** James Salter of the same—guilty, fined 1s., paid sherriffe.
- 760.** Francis Yerbury of Bradford—guilty, fined 10s., paid sherriffe, received fees.
- 761.** William Porch of the same—not guilty, received fees and discharged.
- 762.** Joseph Yerbury of the same—not guilty, received fees and discharged.
- 763.** William Bendee of Earlstoke—not guilty.
- 764.** John Tilly of the same—not guilty.
- 765.** William Bush of Bradford, clothier—not guilty.
- 766.** John Puzey of Alborne, schoolmaster, pleads guilty, fined 6d., paid sherriffe, received no fees.
- 767.** Daniel Lacey of Trowbridge, labourer, indicted at this—guilty, fined 40s. and to be comitted till paid, and to give security for the good behaviour.

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Fellons

- 768.** *Joan Earwood of Collingbourne Ducis, spinster*—guilty, to be whipt and comitted for a month to the house of correction.
- 769.** *John Beser of Bradford, scribbler*—guilty, to be whipt.
- 770.** *Francis Godwin of Hilperton, labourer*—pleads guilty as to the coat, but not guilty as to the stockings ; jury find him guilty, to be whipt.
- 771.** *Edward Messenger of Lockeridge, labourer*—pleads guilty, to be whipt.
- 772.** *Anne Eyles of Draycott, spinster*—pleads guilty, to be whipt.
- 773.** *Jane Stratton of Oare, widow*—pleads guilty, to be whipt and comitted to the house of correction for a month.

Recognizances of last sessions taken in court.

- 774.** John Gale of Chippenham—appeared and discharged, received 4s. 6d.

WILTSHIRE PROCEEDINGS IN SESSIONS

Recognizances now delivered into court by the justices.

775. 1. John Hollis of Seagry, justice's clerk not paid—appeared and discharged, received 7s.

776. 2. Robert Tuck of Hilmarton, clerk not paid—estreat his recognizance, not appeared.

777. 3. Edward Messinger of Overton—appeared and discharged.

778. 4. John Knight of Langley Burrell—himself in 40*l.*, to travers special plea that there is no such highway as Kite Lane. See the plea by Mr. Poor.

779. 5. Edward Newth of Alborne—appeared, pleads guilty, fined 2*s.* 6*d.*, paid sherriffe.

780. 6. John Corr of the same—appeared, pleads guilty, fined 2*s.* 6*d.*, paid sherriffe.

781. 7. John Sly of the same—appeared, pleads guilty, fined 2*s.* 6*d.*, paid sherriffe.

782. 8. Thomas Mill of Purton—appeared and discharged, received 4*s.* 6*d.*

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783. 9. Walter Grubb of Chippenham, clerk not paid—appeared and discharged, received 4*s.* 6*d.*

784. 10. Isaac Bull of Broughton Gifford—appeared and discharged, received 4*s.* 6*d.*

785. 11. Richard Crouch of Barford St. Martin—appeared and discharged, received.

786. 12. Robert Harvey of Trowle Magna—appeared and discharged.

787. 13. John Wiltshire of Winsley—appeared and discharged, received.

788. 14. Michael James of Westbury, barber, clerk not paid, indictment Trin. 10 Geo. 2 : 1—himself in 20*l.* and James Hunt in 10*l.*, to travers ; received 13*s.* 4*d.*

789. 15. Mathew Waters of the same, clerk not paid, indictment do. and Mich. 3 Geo. 2 : 16—himself in 20*l.*, Michael James in 10*l.*, to travers to next ; received 13*s.* 4*d.*

790. 16. Paul Laws of North Bradley—appeared and discharged, received 4*s.* 6*d.*

MICHAELMAS QUARTER SESSIONS

791. 17. William Edwards of Westbury, indictment Trin. 10 G. 2 : 21—recognizance respited to next, received 13s. 4*d.*

792. 18. Isaac Munday of Pewsey—appeared and discharged, received 4s. 6*d.*

793. 19. Isaac Munday of Calne—appeared and discharged, received 4s. 6*d.*

794. 20. Mary Hearn of Draycott—appeared and discharged.

795. James Hunt of Westbury, cooper—himself in 20*l.*, Michael James of the same in 10*l.*, to travers to next ; received 13s. 4*d.* ; and his recognizance of last sessions ordered to be respited and not estreated.

796. Adjourn to the Angell Inn in Marlborough the first Saturday in December next.

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797. Out parish of Westport in the tything of Burton Hill, 6*d.* in the lb., highways.

798. Bremhill, Sparthill, Bremhill Wick, all in the parish of Bremhill, 6*d.* in the lb. each for highways.

799. Brockenborough, 4½ lb. for highways.

800. Sutton Benger, 6*d.* in lb. for highways.

801. Caln town, Thomas Barnett of Studley appointed scavenger, and Stephen Wootton and Isaac Hannum assessors and collectors, and a rate not exceeding of 6*d.* in lb. on the burrough of Calne for cleansing.

802. Tytherton Kelways, 6*d.* in the lb., highways.

803. Tything of Winsley in the parish of Bradford, 6*d.* in lb.

804. Etchillhampton Devizes turnpike, collectors ordered to pay them 20*l.* as usual for their highways ; received for order ; send it by Mr. Garth.

805. Treasurers to pay to Mr. Floyd 30*l.* for the repair of Lacock bridge and Raybridge.

806. Bromham, 4*d.* lb., highways.

WILTSHIRE PROCEEDINGS IN SESSIONS

- 807.** St. Johns in Devizes, appellants and Broomham, respondents ; appeal received, order confirmed.
- 808.** Swindon, 4*d.* in lb., highways.
- 809.** Westbury, 6*d.* in lb., highways and respite the indictments.
- 810.** Tything of Worton, 6*d.* in lb., highways.
- 811.** Lyneham, 6*d.* in lb., highways.
- 812.** Hundreds of Bradford and Melksham, order for a rate on said hundreds not exceeding 25 each for repairing Munckton Bridge.
- 813.** North Bradley, 6*d.* in lb., highways.
- 814.** Richard Selman of Langley Burrell, appeal against the poor rate of said parish for this year, being unequall, the same referred to Mr. Walter Hungerford, Mr. Holland and Mr. Lloyd or any 2 of 'em to examine and make report next sessions.
- [p. 78]
- 815.** Draycott, appellants, and Highworth, respondents, appeal received and quasht and 9*s.* 6*d.* costs and charges.
- 816.** Mildenhall, 5*d.* in lb., highways.
- 817.** Tything of Wedhampton, 6*d.* rate, highways.
- 818.** Edward Rootes of Bishopston, his recognizance which was ordered last sessions to be estreated, the estreat ordered to be respited to next—Hill. 1736, his recognizance discharged.
- 819.** Preshute, 3*d.* in lb., highways.
- 820.** Uriah Dyke of Durrington, alehousekeeper, himself in 20*l.*, John Reeves of the same in 10*l.*, to travers to next.
- 821.** John Butler of Woodbrough, malster, himself in 20*l.*, to travers special plea signed by Mr. Pitman that the highway in Woodbrough in a lane called Woodey Lane is not a common highway ; received fees.
- 822.** Francis Owen in custody of Marlborough bridewell-keeper for a bastard child and not finding suerties to indemnifie the parish of Wroughton ; order that if he makes a letter of attorney to the clerk of the peace to receive a legacy of 30*l.* in trust in the first place to pay all the just debts he now owes and to pay the residue to the inhabitants of Wroughton, then he to be discharged.

MICHAELMAS QUARTER SESSIONS

823. James Best of Corsham to be discharged out of custody.

824. Judith Pearce of Melksham, widow, pleads not guilty to the indictment found this sessions and also to the 2 indictments found at Trinity Sessions 8 Geo. 2 : 16-18, and she stands comitted for want of suerties to prosecute her traverses.

825. Daniel Lacey of Trowbridge, labourer, pleads not guilty.

826. John Jacob of Wroughton, himself in 20*l.*, Samuel Jacob of the same in 10*l.*, to travers to next ; received 13*s.* 4*d.*

827. Samuel Jacob of the same in 20*l.*, John Jacob of the same in 10*l.*, to travers to next ; received 13*s.* 4*d.*

MICHAELMAS SESSIONS—ORDER BOOK

[p. 545]

828. ' The generall Quarter Sessions of the Peace . . . held at Marlborough . . . the fifth day of October . . . before Walter Hungerford, Richard Jones, George Hungerford, Esqrs. and others . . . '

829. ' **Munckton Bridge.**

Whereas a certain bridge called Munckton Bridge scituate in the parish of Melksham and standing in the hundreds of Melksham and Bradford in this county stands presented for being out of repair and that the same ought to be repaired by the inhabitants of the said hundreds of Melksham and Bradford ; and it appearing to this court that it will require at least a sum of not exceeding the sum of twenty five pounds to repair that part of the said bridge which lies in and ought to be repaired by the inhabitants of the said hundred of Bradford ; this court doth therefore assess the same sum on the said hundred of Bradford accordingly and order that the constables of the said hundred of Bradford do immediately on notice hereof make an equall proportionate assessment upon every town, parish or place within the said hundred of Bradford and that the same when made and before any money be collected thereon be first allowed by two justices of the peace for this county residing within the said hundred of Bradford ; and this court doth order that the same assessments be levied and collected by the respective constables or tythingmen of each parish, township, hamlett or vill within the said hundred of Bradford and by them respectively paid over to the constables of the said hundred of Bradford in six days after they shall respectively receive the same ; and the constables of the said hundred are hereby required to imploy and lay out the same for and towards the repair of such part of the said bridge as lies in and ought to be repaired by the said hundred of Bradford ; and that the said constables do render a particular account in writing of the money so by them received laid out and expended in, for and towards the said repairs to the justices of the peace for this county at the next generall

WILTSHIRE PROCEEDINGS IN SESSIONS

quarter sessions of the peace in and for this county next after the said money shall be so laid out ; and this court doth order that if any person or persons so rated or assessed do refuse to pay the same that then the said constables or tythingmen [p. 546] of the said parishes, townships, hamletts and places respectively do levy the same by distress and sale of the goods of every such person so assessed not paying the same within ten days after demand, rendering the overplus of the value of the goods so distrained to the owner and owners thereof, the necessary charges of making and selling the said distress being first deducted.'

830. The same bridge.

Order as above for the hundred of Melksham.

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831. Ashlington ways.

Order on the collectors of the toll arising from Devizes turnpike for payment of £20 to the surveyors of the highways of Etchillhampton otherwise Asshlington in Allcannings for the repair of the highways leading from Asslington to Allcannings Water.

832. Order on the county treasurer for payment of £30 to Charles Lloyd of Laycock, gent., for the repair of Laycock Bridge and Raybridge.

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833. Constables.

Kingsbridge hundred—Gabriel Hollister of Wootton Bassett, gent., and William Hawkes of Medborn.

Swanborough hundred—John Alexander of Hillcott and John Still of Lavington.

Highworth, Cricklade and Staple hundred—Isaac Fitchew.

Elstubb and Everley hundred—Thomas Rose of Everley, yeoman, and George Houghton of Westwood, clothier.

Liddiard Tregoze tithing—Richard Dore in place of Henry Hedges.

Easton Gray tithing—Henry Cove.

MICHAELMAS SESSIONS—ESTREATS OF FINES

834. ' Wilts ss. Estreats indented at sessions held at Marlborough on Tuesday, Wednesday and Thursday the 5, 6 and 7 October 1736 before Walter Hungerford, Richard Jones, John Ivory Talbot, Henry Skylllyng, William Phipps, George Hungerford, Thomas Earl, Rogers Holland, William Northey, Edward Clerk, William Vylett, Richard Burgess, James Mountagu the younger, Francis Bridgeman, John Threshers Esqrs. and others.'

QUARTER SESSIONS

Fines imposed at this sessions.

835. On James Salter of North Bradley, broadweaver, for assault—paid sheriff in court	0 1 0
836. On Francis Yerbury of Bradford, clothier, for the like—paid sheriff in court	0 10 0
837. On John Puzey of Alborn, schoolmaster, for the like—paid sheriff in court	0 0 6
838. On Daniel Lacey of Trowbridge, labourer, for the like	2 0 0
839. On Edward Newth the younger of Alborn, yeoman, for the like—paid sheriff in court	0 2 6
840. On John Sly of the same, baker, for the like—paid sheriff in court	0 2 6
841. On John Corr of the same, bellfounder, for the like—paid sheriff in court	0 2 6

No recognizances forfeited at this sessions.

PROCESS BOOK OF INDICTMENTS

[p. 3]

842. Names of the severall hundreds within the county of Wilts :

Hil. Alderbury	Mich. Kingsbridge
Hil. Amesbury	Mich. Kinwardstone
Eas. Bradford	Eas. Malmesbury
Hil. Branch and Dole	Trin. Mere
Eas. Calne	Eas. Melksham
Hil. Cawden and Cadworth	Eas. Pottern and Cannings
Hil. Chalk	Mich. Ramsbury
Eas. Chippenham	Mich. Selkley
Eas. Damerham North	Mich. Swanbrough
Hil. Damerham South	Hil. Underditch
Hil. Downton	Trin. Warminster
Trin. Dunworth	Trin. Westbury
Mich. Elstubb and Everleigh	Trin. Whorwelsdown
Hil. Frustfield	Sarum
Trin. Heytesbury	Marlborough
Mich. Highworth, Cricklade and Staple	Devizes
	<i>Extra comitatu Wilts</i>
	<i>Inhabitantes comitatus</i>

WILTSHIRE PROCEEDINGS IN SESSIONS

[p. 5]

Alderbury

Hil. 8 Geo. 2

843. 4. *Inhabitants of the tything of Farley*—E. 1735, appeared and respited to next, Mr. Pitman to pay—H. 1735, respited to next—E. 1736, respited to next, received 17s. 10d.—T. 1736, appeared, pleaded guilty and discharged.¹

Hil. 9 Geo. 2

844. 16. *Inhabitants of Pitton*—E. 1736, appeared, pleaded guilty, fined 6d., received the fees and for officer.

Mich. 10th. Geo. 2

845. pr. 27. *The tythingman of Gumbleton*, for not making a return of jurors—H. 1736, appeared and discharged, received 12s. 6d. and for officer.

[p. 7]

Amesbury

Hil. 9 Geo. 2

846. 13. *Inhabitants of Durrington* on constables' presentment—E. 1736, appeared and discharged.

847. 15. *The same inhabitants*; hundred jury presentment—E. 1736, respited to next—T. 1736, appeared, respited to next, received 3s. 4d.—M. 1736, respited to next—H. 1736, guilty, fined 6d. and discharged.

848. 9. *John Fowles of Norrington*—pleaded guilty, fined 6d., paid sheriff and discharged.

849. 13. *Uriah Dyke of Durrington, alehousekeeper*—respited to next, received 1-4-4, paid officer.

Mich. 10 Geo. 2

850. pr. 28. *The tythingman of Oakingham, Hurst, Swallowclift² and Debnam* for not making a return of jurors.

[p. 11]

Bradford

Eas. 10 Geo. 2

851. pr. 30. *Inhabitants of Trowle Magna*—T. 1735, respited process to next but did not receive bayliff's fees—E. 1736, respited to next—M. 1736, respited to next, received and for officer—T. 1736, fined 6d., received 1-6-10 and discharged, paid J. Self, officer, 5s.

¹ *Mr. Holdaway to pay* first entered and struck out. A letter found interleaved in this book may relate to this entry. It reads: 'Laverstock, Farley. Mr. Hawkes, I beg the favour of you to respite process against the above parishes till next sessions, the prosecutors being satisfied that the ways shall be mended by the next sessions, E. Pitman.'

² *Sic.* Swallowfield now in Berkshire is clearly intended.

QUARTER SESSIONS

[p. 12]

Eas. 8 Geo. 2

852. 1-2. *William Clark of Holt, clothier*—H. 1735, appeared, pleaded guilty and discharged, received 1-1-0, etc.

853. *John Gulliver of the same*—simile.

854. *William Harding* [of Broughton Gifford]¹—simile as Clark.

[p. 13]

Eas. 8 Geo. 2

855. 21. *Inhabitants of Bradford*—quaere if discharged at Trinity Sessions 1735—E. 1736, respited to next, received and for officer—T. 1736, appeared and pleaded special, see the minute book,² received 13s. 4d.—M. 1736, appeared, found not guilty, received 13s. 4d. and discharged.

856. 23. *Robert Arch of Bradford, gent.*—M. 1735, appeared and respited to next, received the fees, to E. 1736—E. 1736, respited to next, received 3-4—T. 1736, appeared, pleaded guilty, fined 6d., received fees and discharged.

Mich. 9 Geo. 2

857. pr. 30. *Inhabitants of the hundred of Bradford*—H. 1735, respited to next, received 10-4—M. 1736, appeared and respited to next—H. 1736, respited to next—E. 1737, appeared, pleaded guilty, fined 1s. and discharged, received, paid J. Self, officer, 5s.

Eas. 9 Geo. 2

858. 22. *William Ford of the parish of Bradford, yeoman, highways*—T. 1736, appeared and respited to next, received and officer paid—M. 1736, fined 6d. and discharged.

859. pr. 23. *Inhabitants of Broughton Gifford*—T. 1736, appeared, respited to next, received and for officer—M. 1736, appeared, fined 6d. and discharged.

860. *Thomas Stephens of Winfield, highways*—M. 1736, appeared, pleaded guilty, fined 6d., received fees and discharged, paid officer.

861. 16. *Jane, the wife of Thomas Say of Bradford, for felony*—guilty, whipt.

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862. *Judith, the wife of William Mills of South Wraxall, for felony*—guilty, whipt.

¹ Supplied from earlier entry.

² Cf. 640.

WILTSHIRE PROCEEDINGS IN SESSIONS

863. *Susannah Mills of the same, spinster, for do.*—simile.

864. *Anne Attwood of the same, widow, for do.*—simile.

865. *Mary Atwood of the same, for do.*—simile.

Trin. 10 Geo. 2

866. 9. *Francis Yerbury of Bradford, clothier*—travers to next—M. 1736, found guilty, fined 10s., paid sherriffe and discharged, received the fees.

867. *William Porch of the same, scribbler*—travers to next—M. 1736, found not guilty, received fees, and discharged.

868. *Joseph Yerbury of the same, clothier*—travers to next—M. 1736, found not guilty, received fees, and discharged, received fees.

Mich. 10 Geo. 2

869. 8. *Inhabitants of the borrough of Bradford*—H. 1736, appeared, respited to next, received 10s. 4d.—E. 1737, respited to next—T. 1737, appeared, fined 6d., received 17-10, and discharged.

870. 17. *John Bezor of Bradford, for felony*—guilty, to be whipt.

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Branch and Dole

Trin. 9 Geo. 2

871. 28. *Inhabitants of Deptford*—H. 1735, respited to next, received for process 2s., paid officer in court 5s., and received 3-4—E. 1736, appeared, fined 6d. and discharged, received fees.

872. *Inhabitants of Steeple Langford*—H. 1735, appeared, fined 6d. and discharged, paid officer in court.

873. *Inhabitants of Hanging Langford*—simile, paid officer in court.

Hil. 9 Geo. 2

874. 1. *Inhabitants of Wyly, presented on view*—E. 1736, respited to next, received and for officer, paid Thomas Bungy—T. 1736, appeared, fined 6d., received 1-1-2 and discharged.

875. 2. *Inhabitants of Deptford, presented on view*—E. 1736, respited to next, received and for officer—T. 1736, appeared, fined 6d., received fees and exonerati.

Mich. 10 Geo. 2

876. 22. *Inhabitants of Wyly*—H. 1736, respited to next, received and for officer—T. 1737, appeared and fined 6d., received fees and discharged.

QUARTER SESSIONS

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Calne

Trin. 7 Geo.

877. 7. *Nicholas Heal the younger of Calne, yeoman*—E. 1736, appeared, pleaded guilty and discharged, received 1-6-0.

Eas. 8 Geo. 2

878. 13. *Inhabitants of Yatesbury*—T. 1735, respited to next but refused to pay the fees—M. 1735, respited to next, received 13-8—H. 1735, respited to next, received—E. 1736, respited to next, received—T. 1736, appeared, fined 6*d.*, received fees and discharged.

879. 22. *Thomas Peirce of the parish of Caln, highways*—send copy of presentment to Mr. Sol. Hughes who appears for defendant—H. 1735, appeared, not guilty and discharged.

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Mich. 9 Geo. 2

880. 2. *Stephen Rawlins of the parish of Compton Bassett, labourer*—M. 1736, appeared and discharged, received 1-1-0, see Mr. Northey's letter.

881. 13. *John Currant of Studley, labourer*—T. 1736, appeared, pleaded guilty, fined 6*d.*, paid sherriffe and discharged.

882. *Jane Goodship of the same, victualler*—the like, fined 6*d.*, paid sherriffe and discharged.

883. William Bush of Bremhill, labourer—T. 1736, appeared, pleaded guilty, fined 1*s.*¹

884. pr. 31. *Inhabitants of Calne*—E. 9 Geo. 2, appeared, demurred, received 1-5-2.

Eas. 9 Geo. 2

885. 1. Jonathan Tyler of Calne, dyer—travers paid—T. 1736, certiorari to remove of indictment.

886. Ruth his wife—travers paid—certiorari.

887. Richard Alexander *als.* Badnidge of the same, labourer—certiorari.

888. 1 : 17. Eleanor his wife—travers—certiorari.

889. John Angell the elder of the same, labourer—certiorari.

890. John Angell the younger of the same, labourer—certiorari.

¹ This name bracketed with the preceding two.

WILTSHIRE PROCEEDINGS IN SESSIONS

891. George Dicks of the same, labourer—certiorari.

892. Thomas Tugwell of the same, labourer—certiorari.

893. Gudge Long of the same, labourer—certiorari.

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894. William Smith of the same, malster—travers, certiorari.

895. Mary his wife—certiorari.

896. Robert Sarjeant of the same, labourer—certiorari.

897. Jane Chivers of the same, widow—certiorari.

898. Sarah Chivers of the same, spinster—certiorari.

899. Alice Angell of the same, spinster—certiorari.

900. Edward Scutt of the same, labourer—travers, certiorari.

901. Moses Cue of the same, labourer—certiorari.

902. Nicholas Hall of the same, labourer—certiorari.

903. Robert Lawrence of the same, glazier—certiorari.

904. 14. Henry Humphries of Calne, labourer—appeared, received 10s. in part and have his note for 1-13-2.

905. 13. *Benjamin Norrington of Quemerfor, weaver, felony*—not guilty.

906. *William Little of the same, weaver, felony*—not guilty.

Mich. 10th. Geo. 2

907. 2. *Thomas Peirce of Stockley, highways*—

908. 30. *John Peirce, tythingman of Blackland*—appeared M. 1738 and discharged, received 15.

909. *Roger Wody, tythingman of Studley*—E. 1737, appeared, received 10-6 and discharged.

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Cawden and Cadworth

Mich. 9 Geo. 2

910. pr. 33. *Edward Andrews, tythingman of Bramshaw* for not making his return of jurors—H. 9 Geo. 2, appeared and discharged, received fees.

QUARTER SESSIONS

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Chalke

Mich. 9 Geo. 2

911. 6. *Inhabitants of Semly*—H. 1735, respited to next, received 10-4—E. 1736, court fines the said inhabitants 10*l.*, to be estreated.

912. 7. *The same inhabitants*—H. 1735, respited to next, received 10-4—E. 1736, the like fine of 10*l.* on this indictment, send distresses for the fines to Richard Willoughby Esqr.

Eas. 9 Geo. 2

913. 4. *Inhabitants of Semly*—T. 1736, appeared, pleaded guilty, fined 6, received fees and for officer and exonerati.

914. 5. *The same inhabitants*—simile ut supra.

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Chippenham

Trin. 8 Geo. 2

915. 7. *Inhabitants of Easton Grey*—T. 1735, respite process to next—M. 1735, respited to Eas. next, received fees—E. 1736, respited to next, received 3-4—T. 1737, appeared, fined 6*d.* and discharged, paid officer.

916. 9. *Inhabitants of the parish of Kington*—H. 1734, respited to next, received 12*s.* 4*d.*, see Mr. May's letter—E. 1736, respited to next, received 3-4—T. 1736, appeared, pleaded guilty, fined 6*d.*, received and discharged.

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Hill. 8 Geo. 2

917. 5. *Inhabitants of Tytherton Kellways*—send process to Mr. Adson—T. 1736, appeared, respited to next, received 7-4—M. 1736, fined 6*d.* and exonerati.

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Mich. 9 Geo. 2

918. *Stephen Oriel [of Corsham],*¹ labourer—H. 1735, appeared, not guilty, received fees and discharged.

919. 4. James Best of the parish of Corsham, butcher—H. 1735, tried, guilty and committed in custody, no fees paid.

920. 14. *The same James Best*—the like.

Eas. 9 Geo. 2

921. 8. *Hannah Carrington of Corsham, spinster,* for felony—guilty, whipt.

¹ Supplied from earlier entry.

WILTSHIRE PROCEEDINGS IN SESSIONS

922. 25. *Inhabitants of Langley Burrell*—M. 1736, plead special by Mr. Poor, see the plea, received fees.

923. 12. *Catharine, the wife of Samuel Ricketts of Ditteridge, leather-dresser*—travers, paid no fees—T. 1736, pleaded guilty, fined 6, paid sherriffe.

Trin. 10 Geo. 2

924. 2. *Inhabitants of the Forrest of Pewsham*—M. 1736, appeared, fined 6 and discharged.

925. 6. *The same inhabitants*—the like.

926. 5. *John Pullen of Chippenham, sheerman, highways*—appeared, fined 6 and discharged, received fees.

Mich. 10 Geo. 2

927. 1. *Paul Park of Kingswood, mercer*—E. 1739, appeared, fined 6, and discharged, Mr. Pickring to pay fees.

928. John Park, son of Peter Park of the same [bracketed with the above under] for a nuisance in the highway.

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Damerham North

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Damerham South

Hill. 10 Geo. 2

929. 5. *Inhabitants of Damerham South*—E. 1737, appeared, respited to next, received 3-4—T. 1737, appeared, fined 6, received fees 1-10-2, and discharged. Vide Melksham hundred.

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Downton

Hill. 9 Geo. 2

930. 14. Constable of the hundred of Downton.

931. 7. *John Jennings of Downton, felony*—guilty, whipt.

932. 8. *The same John Jennings*—guilty, whipt.

933. 12. *Inhabitants of East Knoyle*—E. 1736, respited to next, received no fees—T. 1736, appeared and respite to next, received 3-4—T. 1737, appeared, fined 6*d.*, received 1-10-10, and discharged.

Mich. 10 Geo. 2

934. 21. *John Coles, constable of the liberty of East Knoyle*—H. 10 Geo. 2, appeared and discharged, received 10-6.

QUARTER SESSIONS

935. The constable of Hindon.

936. *The tythingman of Witherington*—H. 1736, appeared and discharged, received. [The above three bracketed under] for not making returns of jurors.

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Dunworth

Eas. 8 Geo. 2

937. 16. *Tything of Tisbury*—N.B. the process was respited to M. 1735 together with East and West Hatch, they then and there appeared and were discharged, but Tisbury did not appear so make out fresh process—H. 1735, appeared, fined 6*d.* and discharged, received the fees and for officer.

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Elstub and Everly

Trin. 9 Geo. 2

938. 8. *Inhabitants of Bushton*—M. 1735, respited to next, received 10-6—H. 1735, respited to next—E. 1736, respited to next—T. 1736, appeared and respited to next, received 3-4—M. 1736, fined 6 and discharged, received.

Mich. 9 Geo. 2

939. 5. *Inhabitants of East Overton*—H. 1735, appeared and discharged, received the fees, fined 6*d.*

Mich. 10 Geo. 2

940. 13. *Joan Earwood of Collingbourn Ducis*, felony—guilty, to be whipt.

941. 14. *Edward Messenger of Lockridge*, felony—guilty.

942. 25. *Nicholas Naish, tythingman of Patney*, for not making return of jurors—H. 1736, appeared and discharged, received 10-6.

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Frustfield

[p. 71]

Heytesbury

Trin. 10 Geo. 2

943. 22. *Inhabitants of Codford St. Mary*—M. 1736, appeared, respited to next, received and for officer—H. 1736, respited to next—E. 1737, appeared and pleaded not guilty, fined 6*d.*, received 1*7s.* 10*d.* and discharged.

WILTSHIRE PROCEEDINGS IN SESSIONS

Mich. 10 Geo. 2

944. 18. *Inhabitants of Hatchbury*—H. 1736, appeared and respited to next, received 10s. 6d.—E. 1737, respited to next, received 3-4—T. 1737, appeared, plead 'tis no highway and found not guilty, received 1-7-0, and discharged.

945. 26. Tythingman of Brixton Deverell, not making a return of jurors—H. 1737, appeared, fined 6, and discharged.

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Highworth, Cricklade and Staple

Mich. 7 Geo. 2

946. 14. *Inhabitants of Latton*—respited to M. 1735, received 3-4—M. 1735, respited to next—H. 1735, respited to next, received 3-4—E. 1736, appeared, fined 6, received the fees, and discharged.

Mich. 8 Geo. 2

947. 19. *Catharine Jenner, widow*—respited to M. 1735, received 3-4—M. 1736, respited to next, received and for officer—H. 1736, appeared, fined 6d. and discharged, received.

Mich. 9 Geo. 2.

948. pr. 11. *Inhabitants of Cricklade*—H. 1735, respited to next, received 3-4—E. 1736, respited to next, received 3-4—T. 1736, respited to next, received 3-4—M. 1736, fined 6d. and discharged, received fees.

949. pr. 12. *John Harding of Highworth, highways*—H. 1735, respited to next, received 10-4, officer included—M. [1736], appeared and discharged, fined 6, received fees.

950. *Catharine Jenner, widow, highways*—H. 1735, respited to next, received 3-4—M. 1736, respited to next, received—H. 1736, appeared and discharged, fined 6d.

951. 28. *The same Catharine Jenner, highways*—H. 1735, respited to next, received 3-4—M. 1736, respited to next, received—H. [1736], appeared and discharged.

952. pr. 28. *William Anger of the parish of Blunsden St. Andrew, highways*—H. 1735, respited to next, received 3-4—M. 1736, appeared, fined 6, received fees and discharged.

953. *John Bristow of the parish of Cricklade, highways*—H. 1735, respited to next, paid 3-4—E. 1736, respited to next, F.G. to pay, received 3-4 and paid officer—M. 1736, respited to next.

954. *Inhabitants of Purton*—H. 1735, respited to next, received 3-4¹—M. 1736, appeared, fined 6d. and discharged, received and for officer.

¹ H. 1735 . . . 3-4 struck out.

QUARTER SESSIONS

955. pr. 29. Anthony Allen of Overtown tything in parish of Wroughton, highways—M. 1736, fined 6*d.* and discharged, received fees, Mr. G. to pay.¹

Trin. 10 Geo. 2

956. 10. Inhabitants of Ashton Keynes—M. 1736, respited to next, received 10-4—T. 1737, respited to next, F.G. to pay—M. 1737, appeared, fined 6*d.* and discharged, received.

957. 16. *John Watkins of Highworth*, brickmaker—travers to next—M. 1736, discharged.

Mich. 10 Geo. 2

958. 18. Anne Packer of Cricklade St. Mary, widow, a nuisance—M. 1737, appeared, fined 6, F.G. to pay 1-5-10.

959. Mr. Hardemon or his tenant, occupier of Hay Lane—E. 1737, appeared, pleads guilty and discharged, fined 6*d.*, received 1-[]²-2.

960. 19. William Hawkes of Cricklade St. Sampsons, fellmonger—³

[p. 76]

961. 24. *Tythingman of Sevenhampton*—H. 10 Geo. 2, appeared and discharged, received 17-6.

[p. 83]

Kingsbridge

Mich. 8 Geo. 2

962. 17. *Samuel Jacob of Wroughton*—M. 1736, travers to next, received—H. 1736, appeared and discharged, received.

963. *John Jacob* of the same—M. 1736, travers to next, received—H. 1736, appeared and discharged, received.

Trin. 9 Geo. 2

964. 17. *Inhabitants of Cleeve Pipard*—M. 1735, respited to next, received 3-4—H. 1735, respited to next, received 3-4—E. 1736, appeared, received 1-14-10, officer included, and discharged, fined 6*d.*

Mich. 9 Geo. 2

965. pr. 27. *Edmund Hardyman of Liddiard Tregoze, gent.*, highways—H. 1735, respited to next, received 10-4—E. 1736, respited to next, received 3-4—T. 1736, appeared, fined 6*d.*, received and for officer, and discharged, received 1-2-10.

¹ Whole para. struck out. See 967.

³ Starred in red ink.

² Figure illegible.

WILTSHIRE PROCEEDINGS IN SESSIONS

966. *John Jeffries of Draycott, highways*—H. 1735, respited to next, received—E. 1736, respited to next, received 3-4—T. 1736, respited to next, received 3-4—M. 1736, fined 6 and discharged, received.

967. 27. *Anthony Allen of Wroughton*—E. 1736, appeared, pleads guilty, respited to next, received 3-4, F.G.¹ to pay—T. 1736, respited to next, received fees.

Eas. 9 Geo. 2

968. 1. *John Hill of Hilmarton, labourer*—certiorari.

969. 7. *John Freeman of Liddington, yeoman*—T. 1736, travers to next—M. 1736, appeared and discharged, received fees.

970. *Walter Brind of the same, yeoman*—simile, the like as Freeman.

Trin. 10 Geo. 2

971. 4. *Inhabitants of Lyneham*—M. 1736, appeared, fined 6 and discharged.

[p. 84]

Mich. 10 Geo. 2

972. 11. *Robert Tuck of Hillmarton, gent.*—H. 1736, appeared and discharged, received.

973. pr. 18. *Inhabitants of Liddiard Tregoze*—T. 1737, appeared and respited to next, received and for officer, and paid officer F.G.—M. 1737, appeared, placit' guilty, fined 6*d.* and discharged, received 17*s.* 10*d.*

974. *Inhabitants of the tything of Thornhill*—T. 1737, appeared, respited to next—M. 1737, appeared, fined 6 and discharged, received.

975. *Thomas Norris of Cleeve Pipard, highways*—T. 1737, appeared, respited to next, received 12-4—M. 1737, appeared, fined 6 and discharged, received.

976. 23. *John Phelps of Chisleton* for not making return of jurors—

[p. 91]

Kinwardstone

Mich. 9 Geo. 2

977. 16. *Thomas Stagg of Easton, yeoman*—H. 1735, pleads guilty, fined 6*d.*, paid sherriffe and discharged, received fees.

978. pr. 27. *Constables of the hundred of Kinwardstone* for not making return—E. 1736, Thomas Andrewes, one of said constables, appeared, guilty and discharged, received and for officer; Thomas Pottenger of Chilton, the other constable, did not appear.

¹ F.G. struck out.

QUARTER SESSIONS

Eas. 9 Geo. 2

979. 11. Thomas Heath of Vernham, labourer—guilty, in custody, paid no fees.

Mich. 10 Geo. 2

980. 29. *Tythingman of Chute*, not making return of jurors—H. 1736, appeared and discharged, received and for officer.

[p. 97]

Malmesbury

Eas. 2 Geo. 2

981. 2. *Liddia, the wife of Giles Ernly of the parish of Crudwell*—E. 1736, received 1-4-0 in part, respite process,¹ and discharged, paid all.

982. *Susannah Ernly of the same*—E. 1736, appeared, and discharged, received fees.

Trin. 8 Geo. 2

983. 11. *Inhabitants of Sutton Benger*, quaere if not discharged—M. 1736, appeared, fined 6, received fees and discharged.

Eas. 8 Geo. 2

984. 5. *John Mills of Newnton, woolstapler*—appeared and discharged, received fees ; 2 indictments, received the fees to E. 1736.

985. 10. *The above John Mills*—E. 1736, not guilty and discharged, received 4s. 0. in full of Mr. May.

Mich. 9 Geo. 2

986. pr. 27. *Inhabitants of Charleton*—E. 1736, respited to next, received 7s. 4d.—M. 1737, appeared, fined 6d., received fees and discharged.

[p. 98]

Trin. 8 Geo. 2

987. 9. *Inhabitants of Kington*—H. 1734, respited to next—M. 1735, respited to Easter, received fees—T. 1736, appeared and discharged.

Eas. 9 Geo. 2

988. 6. *Inhabitants of Sutton Benger*—T. 1736, appeared, fined 36l., make out estreat—M. 1736, appeared, fined 6, received fees and discharged.

989. 10. *William Guingell of Westport, blacksmith*, felony—not guilty and discharged.

990. 24. *Thomas Hill of Abby Orchard, highways*—T. 1736, appeared, pleads guilty, fined 6, received fees and exoneratus.

¹ respite process struck out.

WILTSHIRE PROCEEDINGS IN SESSIONS

991. *Inhabitants of Brokenborough*—T. 1736, appeared, plead guilty, fined 6, received fees and exonerati.

[p. 109]

Melkesham

Mich. 9 Geo. 1

992. *Alice the wife of John Fricker* of [Trowbridge]¹—E. 1736, discharged, received 15s.

[p. 110]

Eas. 8 Geo. 2

993. *Hester the wife of William Thompson* of [Trowbridge]¹—E. 1736, appeared and discharged.

Mich. 9 Geo. 2

994. 23. *Richard Poole* of [Melksham]¹—H. 1735, not guilty.

995. 24. *The same Richard Poole*—not guilty.

996. pr. 30. *Inhabitants of the hundred of Melksham*—H. 1735, respited to next, received 10s. 4d.—E. 1736, respited to next, received 3-4—T. 1736, respited to next, received 3-4—H. 1736, respited to next—E. 1737, appeared, fined 1s. and discharged, received.

Hill. 9 Geo. 2

997. 3. *Elizabeth the wife of Joseph Grevis* of Melksham, for felony.

998. 11. *John Sartain of Whaddon Pitts, yeoman*—T. 1736, appeared, pleads guilty, fined 6d., paid sherriff and received fees and discharged.

Eas. 9 Geo. 2

999. 18. *Inhabitants of the tything of Hilperton and Whaddon*—T. 1736, appeared, fined 6d. and discharged, received 1-8-2, for officer.

[p. 111]

Trin. 10 Geo. 2

1000. 11. *John Saulter of Trowbridge, labourer*—E. 1737, appeared and indictment quasht, received.

1001. 12. *The same John Saulter*—simile.

1002. 13. *The same John Saulter*—simile.

1003. 14. *The same John Saulter*—simile.

1004. 15. *The same John Saulter*—simile.

1005. 19. *John Tilly* of Earlstoke, woolstapler—travers to next.

¹ Supplied from earlier entry.

QUARTER SESSIONS

1006. 20. William Bendee of the same, woolstapler—travers to next.

1007. pr. 22. *Inhabitants of Hilperton*—H. 1736, appeared, plead guilty, fined 6 and discharged, received and for officer.

Mich. 10th Geo. 2

1008. 4. Judith Pearce of Melksham—travers to next, in custody.

1009. 12. *Daniel Lacey of Trowbridge*—guilty, fined 40s. and comitted till paid.

1010. 16. *Francis Godwin of Hilperton*, felony—guilty, whipt.

[p. 117]

Mere

[p. 121]

Pottern and Cannings

Mich. 8 Geo. 2

1011. 8. *Inhabitants of Rowd*—respited to M. 1735—M. 1735, respited to next, received 3-4—H. 1735, respited to next, Coun. Brown of Devizes to pay—E. 1736, respited to next, received 6-8—T. 1736, appeared, fined 6*d.* and discharged.

Eas. 9 Geo. 2

1012. 1. William Hobbs of Bishops Cannings, butcher— certiorari.

1013. 20. James Ellis of Marston in the parish of Pottern, taylor—

[p. 127]

Ramesbury

Hill. 9 Geo. 2

1014. 5. *Thomas Evans of Ramsbury*—M. 1736, appeared, discharged, received 10s. 6.

Mich. 10 Geo. 2

1015. 9. *George Marten of Ramsbury, labourer*, run away—

[p. 131]

Selkley

Mich. 8 Geo. 2

1016. 1. *George Bourn the younger of Mildenhall*—H. 1735, appeared and discharged, received.

1017. 6. *William Caswell* of [West Kennett]¹, highways—M. 1735, respited to next, received fees—H. 1735, appeared, fined 6*d.* and discharged.

¹ Supplied from earlier entry.

WILTSHIRE PROCEEDINGS IN SESSIONS

Trin. 9 Geo. 2

1018. 7. *William Liddiard of Poulton, gent.*, highways—M. 1735, appeared, respited to next, paid 10-6 to Mr. Haskins for the motion, and received no fees—H. 1735, respited to next on motion of Mr. Pitman—E. 1736, discharged.

Mich. 9 Geo. 2

1019. pr. 27. *Tything of Elcomb* ; it should be Elcott—H. 1735, respited to next, received 3-4—E. 1736, appeared, fined 6, Fran. Groome¹ to pay the fees, received.

1020. pr. 34. *The tythingman of Broadhinton* for not making his return of jurors—E. 1736, appeared, pleads guilty and discharged, received the fees.

Eas. 9 Geo. 2

1021. 19. *John Cor of Alborn, bellfounder*—M. 1736, appeared, pleads guilty, fined 2-6, paid sherriffe and discharged, received fees.

1022. *Edward Newth the younger of the same, yeoman*—M. 1736, appeared, pled guilty, fined 2-6, paid sherriffe and discharged, received fees.

1023. *John Sly of the same, baker*—M. 1736, appeared, pleads guilty, fined 2-6, paid the sherriffe and discharged, received fees.

Trin. 10 Geo. 2

1024. 3. *Inhabitants of Avebury*—M. 1736, respited to next, received and for officer 10-4—T. 1737, appeared, fined 6*d.*, received 1-8-10, and discharged.

Mich. 10 Geo. 2

1025. 10. *John Puzey of Alborn*—guilty, fined, paid sherriffe.

1026. 20. *Thomas Rudman of Broadhinton*, for a nuisance—M. 1736, appeared, pleads guilty, fined 6*d.* and discharged, received.

[p. 137]

Swanborough

Mich. 9 Geo. 2

1027. 21. *Susannah May otherwise Carter of the parish of Wilcott, spinster*—H. [1735], quaere if discharged.

Eas. 9 Geo. 2

1028. 15. *James Alexander of Great Chiverell, labourer*—T. 1736, appeared pleads guilty and discharged, received the fees.

Trin. 10 Geo. 2

1029. 7. *Inhabitants of Woodbrough*—H. 1736, appeared, no highway indicted.

¹ Name struck out.

QUARTER SESSIONS

Mich. 10 Geo. 2

1030. 3. *Jane Stratton of Oar* for receiving stolen goods—guilty.

1031. 15. *Anne Eyles of Draycott, spinster*, felony—guilty.

[p. 145]

Underditch

Hill. 8 Geo. 2

1032. 7. *Inhabitants of Millford*—E. 1734, respited to next, received 10-4 and for officer—M. 1735, respited to next, received 3-4—H. 1735, appeared and discharged, received fees.

[p. 147]

Warminster

Mich. 8 Geo. 2

1033. 6. *Inhabitants of Warminster*—T. 1735, appeared and plead that Upton Skidmore ought to repair—M. 1735, on trial on this issue, verdict against Upton Skidmore.

1034. *Inhabitants of Upton Skidmore*, process against 'em on verdict that they ought to repair and Upton Skidmore¹ discharged; *inhabitants of Warminster*, H. 1735, respited to next, received 3-4—E. 1736, Warminster respited to next—T. 1736, Warminster discharged.

[p. 148]

Mich. 9 Geo. 2

1035. *Tything of Chapmanslade*—H. 1735, respited to next, received and for officer—T. 1736, respited to next, received—M. 1736, appeared, fined 6*d.* and discharged, received fees.

Hill. 9 Geo. 2

1036. 4. *Edith Hinton of Sutton Veny, spinster*—H. 9 Geo. 2, travers to next, received fees—E. 1736, pleads guilty, fined 1*s.*, paid sherriffe, received fees and discharged.

Mich. 10. Geo. 2

1037. 6. *John Cayford of Upton Skudamore*, a nuisance—E. 1737, travers to next—T. 1737, appeared, pleads guilty, fined 6*d.*, received fees and discharged.

1038. 7. *Inhabitants of Warminster*—H. 1736, respited to next, received—E. 1737, respited to next.

[p. 155]

Westbury

Mich. 3 Geo. 2

1039. 16. *Mathew Waters of [Westbury Leigh]*²—M. 10 Geo. 2, travers to next.

¹ *Warminster* first written and struck out.

² Supplied from earlier entry.

WILTSHIRE PROCEEDINGS IN SESSIONS

[p. 156]

Hill. 3 Geo. 2

1040. John Grant of [Westbury]¹—T. 1737, appeared and travers to next, received all the fees and paid officer.

Trin. 8 Geo. 2

1041. 2. Inhabitants of Westbury.

3. The same inhabitants.

5. The same inhabitants—[bracketed together under] all respited to next sessions, received 10—M. 1736, all respited to next.

[p. 157]

Mich. 8 Geo. 2

1042. *Joseph Austin of [Westbury]¹, cooper*—T. 1736, pleads guilty, fined 6*d.*, paid sherriffe, received fees and paid justice's clerk.

Hil. 8. Geo. 2

1043. 3. James Hunt of Westbury, cooper—H. 9 Geo. 2, travers to next.

Trin. 9 Geo. 2

1044. 2. *Inhabitants of Bratton*—H. 1735, respited to next, received 12-4, including officer's—E. 1736, appeared, fined 6*d.* and discharged.

1045. 14. *James Mansell of [Westbury]¹, labourer*—T. 1736, appeared and pleads guilty, fined 6*d.*, paid sherriffe, received 1-1-0.

1046. *Jonathan Lane of the same, labourer*—T. 1736, appeared and pleads guilty, fined 6*d.*, paid sherriffe, received 15*s.*

1047. 18. *James Beer of the same, labourer*—T. 1736, appeared, pleads guilty, fined 6*d.*, paid sherriffe and discharged, received.

Mich. 9 Geo. 2

1048. 17. *Edward Hall of Chapmanslade, wheelwright*—H. 1735, not guilty and discharged, received.

1049. 19. *Sarah his wife*—simile.

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Hill. 9 Geo.

1050. 10. *Thomas Hayward the elder of Westbury, labourer*—T. 1736, appeared and pleads guilty, fined 2*s.* 6*d.*, received fees.²

Trin. 10 Geo. 2

1051. *The same Thomas Hayward*—pleads guilty, fined 2-6.

¹ Supplied from earlier entry.

² *No fees paid* first written and struck out.

QUARTER SESSIONS

- 1052.** *Inhabitants of Chapmanslade*—see in Warminster hundred.
- 1053.** 1. *Michael James of Westbury, barber*—M. 10 Geo. 2, travers to next.
- 1054.** Richard Mattock of the same, labourer—¹
- 1055.** *James Hunt of the same, cooper*—M. 10 Geo. 2, travers to next.
- 1056.** John Bourn of the same, yeoman—¹
- 1057.** *Mathew Waters of the same*—M. 10 Geo. 2, travers to next.
- 1058.** 17. *Thomas Hayward the elder of the same*—appeared at this sessions and pleads guilty ut supra, fined 2s. 6d., received fees.
- 1059.** 21. William Edwards of Westbury, barber—¹
- Mich. 10 Geo. 2
- 1060.** 5. *John Bodman of Westbury, victualler*—E. 10 Geo. 2, travers to next.
- 1061.** *Mary his wife*—T. 1737, appeared and discharged, received fees 16-18-0.²

[p. 161]

Whorwelsdown

Trin. 9 Geo. 2

- 1062.** 2. *Inhabitants of Tinhead*—T. 1736, appeared, plead that Eddington ought to repair, and travers to next, received fees, see the minute book³—M. 1736, Eddington appeared, plead guilty, fined 6d., received fees and discharged.
- 1063.** 3. *Inhabitants of Hinton*—M. 1735, fined 50*l.*, make out estreat—H. 1735, receive of Mr. Hicks 15*l.* for the estreats—T. 1736, respited to next, received fees—M. 1736, appeared, plead guilty, fined 6d., received fees and discharged.
- Mich. 9 Geo. 2
- 1064.** pr. 3. *Inhabitants of Eddington*—E. 1736, appeared, fined 6d. and discharged, received and for officer.
- 1065.** 22. *Roger Marks of Steeple Ashton, labourer*, for felony—H. 1735, not guilty.

¹ Starred in red ink.

² *Sic.*

³ Cf. 603.

WILTSHIRE PROCEEDINGS IN SESSIONS

1066. *Francis Hawkins of Hinton in the said parish, labourer, for felony—*not guilty.¹

1067. 26. *The same Roger Marks, for felony—*not guilty.

[p. 162]

Eas. 9 Geo. 2

1068. 2. *Inhabitants of Keevill—*T. 1736, appeared, respited to next, received 5-2, officers paid by Mr. Hicks—M. 1736, appeared, fined 6*d.*, received fees.

1069. 3. *John Sherhill of Boldham Mill in the parish of Keevil, highways—*T. 1736, appeared, respited to next, received and officer paid.

1070. *Henry Burbage of the same, highways—*T. 1736, appeared, respited to next, received and for officer, F.G., and he paid.

Trin. 10 Geo. 2

1071. 8. *James Salter of North Bradley, weaver—*travers to next.

1072. 18. *Henry Deacon of the same—*travers to next.

[p. 167]

Inhabitants of the County

[p. 169]

Inhabitants out of the County

Hill. 9 Geo. 2

1073. 5. *Thomas Stockbridge of Winchester, labourer—*

[p. 171]

Devizes

Eas. 9 Geo. 2

1074. 21. *Benjamin Winter of Devizes, weaver, felony—*guilty, whipt.

[p. 175]

Marlborough

Eas. 9 Geo. 2

1075. 9. *Thomas Hurlbatt of [Marlborough],² carpenter—*appeared and discharged.

1076. *Hugh Hurlbatt of the same, carpenter—³*

[p. 179]

Sarum

Hill. 9 Geo. 2

1077. 13. *John Baker of Sarum, for a nuisance—*pleads guilty, fined 6*d.* and discharged, received the fees.

¹ Marginal entry against this name, *estreat prosecutor's recognizance for not prosecuting, by order of the court.*

² Supplied from earlier entry.

³ Starred in red ink.

PROCEEDINGS BEFORE THE JUSTICES OF ASSIZE IN WILTSHIRE, 1736

LENT ASSIZES 1736

Wilts : At the Delivery of the Goal of our Lord the King of the said County of Wilts of the Prisoners therein being holden at New Sarum in and for the said County on Saturday the sixth day of March in the ninth year of the reign of our Lord George the second King of Great Britain etc. before James Reynolds esquire Lord Chief Baron of the Exchequer, and Sir Francis Page knight one of the Justices appointed to hold pleas before the King himself, Justices etc.¹

GAOL BOOK²

[fo. 85^d.]

felony : John Berry the younger : for stealing half a pound of sewing thread, value 2s., and other goods of Henry Haggard in his shop ; for stealing 7 bushells of horse beans, value 20s., one pair of iron pincers, value 1s., four bushells of wheat, value 20s., and other goods of Thomas Edwards. *Ponit se. Not guilty.*

misdemeanour : Thomas Brown : for counterfeiting a Certificate of Request and collecting money thereupon. *Ponit se. Guilty. Fined 5l. and committed to the Goal of the said County for the term of one year and from thence till he pays the said fine and till he finds sufficient sureties for his good behaviour for the term of three years, the same to be taken by any two of His Majesty's Justices of the Peace of the said county.*

murder : Jane the wife of Aaron Richman for the murder of John Silverthorne as in the Indictment ; and charged by the Coroner's Inquest with the murder of the said John Silverthorne. *Ponit se. Guilty of Manslaughter, not guilty of Murther. Burnt in the hand and discharged.*

felony : Christopher Bendall : for being at large after he was ordered for transportation for 7 years. *Ponit se. Guilty. To be hanged: execution respited for transportation.*³

felony : William Sherran : for breaking and entering the mansion house of one Stephen Sherran in the daytime (no person being therein) and stealing thereout 5l., the money of the said Stephen Sherran. *Ponit*

¹ This heading for the Assizes is taken from the heading in the Order Book.

² Public Record Office, Clerks of Assize, Western Circuit, Gaol Book, 1729-1753 [Assizes 23/6].

³ He had returned to England from transportation under sentence of death. See below, p. 150 ; and see the entry for the Summer Assizes, below, p. 124.

WILTSHIRE PROCEEDINGS IN SESSIONS

se. Guilty of stealing the goods : not guilty of breaking the house. Burnt in the hand and discharged.

felony : Henry Cater otherwise Keater : for stealing 1 pair of horse traces, value 12s., the goods of Joseph Colborn. *Confesseth. To be transported for 7 years.*¹

felony : William Haynes : for breaking and entering the mansion house of Robert Bullock in the daytime (no person being therein) and stealing thereout one silver cup, value 50s., and other goods of Stephen Bullock. *Ponit se. Guilty of stealing the goods : not guilty of breaking the house. Burnt in the hand and discharged.*

felony : John Adams : for stealing 6 pecks of wheat, value 6s., the goods of William Liddiard. *Ponit se. Guilty. Burnt in the hand and discharged.*

misdemeanour : Mark Palmer : for laying wires for the destruction of game, not being qualified. *Ponit se. Not guilty.*

burglary : Samuel Haynes : for breaking and entering the dwelling house of William Slade in the night time and stealing thereout 20 gallons of strong beer, value 20s., the goods of the said William Slade. *Ponit se. Guilty of felony : not guilty of burglary. To be transported for 7 years.*²

[fo. 86]

Benjamin Hiscitt otherwise Hiscott and William Webb : to be transported for the term of fourteen years pursuant to the Secretary of State's letter.¹

Joseph Deale : to be removed by Habeas Corpus to the County of Gloucester.²

Thomas Edwards the younger,³ Anne Palmer and Grace Norton : indictments returned Ignoramus. To be discharged.

Joseph Naile, Stephen Haytor and Mary the wife of John Lawrence : discharged for want of prosecution.

John Andrews, Edward Moore the younger, Ebjohn Mereweather, John Lane and William Langford : to remain on their former orders.

ORDER BOOK⁴

[fo. 81]

Whereas Henry Cater and Samuel Haynes were at this Session of Goal delivery convicted of several felonies and intituled to the Benefitt of Clergy and were ordered and adjudged to be transported to One of his Majestie's Colonies and Plantations in America for the term of seven years according to an Act of Parliament made in the fourth year of the reign of his late Majesty King George intituled an Act for the further preventing Robbery Burglary and other felonies and for the more effec-

¹ See the first entry in the Order.

² He was in the county gaol, charged with horse-stealing, *see* below.

³ See the entry in the Order Book, below, p. 121.

⁴ Public Record Office, Clerks of Assize, Western Circuit, Order Book Transportative, 1726-1743 [Assizes 24/24].

LENT ASSIZES

tuall Transportation of felons and unlawfull Exporters of Wool and for declaring the Law upon some points relateing to Pyrates, And Whereas Benjamin Hiscitt otherwise Hiscott and William Webb were at a former Session of Goal delivery held in and for this County convicted of felony for which they were excluded the Benefitt of Clergy and to whom his Majesty has been graciously pleased to extend his royal Mercy¹ on Condition of Transportation to some part of America for the Term of fourteen years and such Intention of Mercy hath been signified by the Right Honorable William Lord Harrington one of his Majestie's Principal Secretarys of State Pursuant to the Directions of the said Act *Now,*² *in pursuance of an Act of Parliament made in the Sixth Year of His late Majesty's Reign, intituled An Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectuall Transportation of Felons.* This Court doth nominate and appoint John Eyles, Thomas Beach, Thomas³ Cooper, Thomas Bennet of Norton, Thomas Long, Matthew Pitts and Richard Payne, esquires, seven of his Majesty's Justices of the Peace of and for this County or any two of them, to contract with any Person or Persons for the Performance of the Transportation of the said felons and to order and take care that such Contractor, or Contractors, do give sufficient Security to the Satisfaction of the said Justices to be taken by Bond in the Name of the Clerk of the Peace of the said County ; that he or they will transport, or cause to be transported effectually, the said felons conveyed to him or them by such Contract to one of His Majesty's Colonies or Plantations in America, according to the Directions of the said recited Acts ; which Security is to be given before the said felons be delivered over to such Contractor or Contractors, or their Assigns : And the said contract being made, and the said Security given to the Clerk of the Peace, as is required by the last mentioned Act, the said Justices are to cause the said felons to be delivered by the Goaler, in whose custody they shall be, to the Person or Persons contracting for them or to his or their Assigns : And the said Contract and Security are to be Certifyed⁴ by the said Justices of the Peace to the next Court of General Goal Delivery, to be held in and for the said County.

paid.

Delivered to Mr. Pitts.

[fo. 8od.]

The King against Thomas Edwards the younger. It is ordered by this Court on the motion of Mr. Chute that John Berry the younger now in the custody of the Goaler of the said County be carried to the Grand Jury of the said County by the said Goaler at any time during the said Assizes as the prosecutor against the said Thomas Edwards shall think fit.

¹ The letter from the Justices of Assize to Lord Hardwicke, Chief Justice of Kings' Bench, recommending Hiscitt and Webb with four other persons convicted at the Western Circuit Lent Assizes 'as fitt objects of your Majestie's Royal Mercy on condition of being transported' is in Public Record Office, State Papers Domestic, George II [S.P.36] Vol. 38, no 31, dated 6 Feb. 1736. Webb was attainted for horse-stealing and Hiscitt for breaking in a dwelling-house in the daytime and stealing 5s.

² The words in *italics* are the printed words in the form of Order.

³ Recte John.

⁴ Corrected from 'rectify'd'.

WILTSHIRE PROCEEDINGS IN SESSIONS

PROCESS BOOK¹

[fo. 28*d*.]

Inhabitants of Parish of Avebury : not repairing between the Hare and Hounds and the further part of William Caswall's meadow next Overton, in length one mile and breadth 10 feet, leading from Marlborough to Calne.²

Thomas White, William Parham and Henry Parham, all of East Knoyle, yeomen, for unlawfully taking and driving away a red cow, price 8*l.*, the goods of Christopher Willoughby, clerk. *Delivered to Mr. Holdaway. Query. Meere.*³

Grand Jury's Presentment :

Inhabitants of Parish of Barford : not repairing between Burcomb Church and the end of Barford liberty. *Certificate filed : respited 30 July 1736 : file 5 March 1736.*⁴

Constables' Presentments :

The said Parish of Barford : not repairing through the parish to Horseshoe Lane. *Respited.*

Inhabitants of Parish of Wiley : not repairing their highways. *Vide post.*

Inhabitants of Parish of Little Amesbury : not repairing from Great Amesbury thro Little Amesbury towards Norminton. *Respited 5 March 1736.*⁴

[fo. 29]

Chalk : John Raynes of Broad Chalk : selling ale without licence. *Defective presentment.*

Inhabitants of Parish of Bushen : not repairing from Chaddington Common to Bushen Street. *Respited.*

ESTREATS⁵

Of Elias Richards, of Warminster, soldier, for non appearance to prefer a Bill of Indictment against Stephen Haytor of the same, labourer, for felony, according to his recognizance, 20*l.*,⁶ Stephen Cundut of the same, labourer, for the like, to prefer a Bill against the said Haytor for several misdemeanours committed against him, according to his recognizance, 10*l.*,⁷ Joseph Boulter of Earl Stoke, labourer, for non appearance to answer his keeping a disorderly alehouse and selling beer without a licence, according to his recognizance, 20*l.*, and Edward Minty of the same, carpenter, his mainpernor, 20*l.*,⁸ Thomas Brown, late of New Sarum,

¹ Public Record Office, Clerks of Assize, Western Circuit, Process Book, 1735-1743 [Assizes 24/40].

² A large cross cuts through this entry and the final entries of the previous sessions above it.

³ The marginalia transcribed here also include a tick.

⁴ i.e. 1736/7.

⁵ Public Record Office, Exchequer, Lord Treasurer's Remembrancer, Enrolled Estreats (E.362) 65/52 m. 2.

⁶ 18th Recognizance to prosecute 'in margin.

⁷ 19th Recognizance to prosecute 'in margin.

⁸ 8th Recognizance to answer 'in margin.

SUMMER ASSIZES

labourer, for publishing a counterfeit writing, purporting to be a petition, and under colour thereof defrauding divers of His Majesty's subjects of several sums of money, whereof he stands indicted and convicted, 5*l.*,¹ Christopher Ingram, John Knight and Christopher Slye all of Fisherton Delamere, yeomen, for unlawfully breaking and entering the house of John Emm, whereof they stand indicted and convicted, 2*d.* each,² Robert Patrick of Manningford Bruce, labourer, for keeping a disorderly alehouse, whereof he stands indicted and convicted, 6*s.* 8*d.*, the inhabitants of Averbury, for not repairing the highway leading from the bottom of Beachampton Hill to Averbury, whereof they stand indicted and convicted, 1*s.*, the inhabitants of Durrington, for not repairing the highway leading from Amesbury to Netherhaven, whereof they stand indicted and convicted, 1*s.*, the inhabitants of Winterborne Basset, for not repairing a lane between Winterborne Kaynes and Cleeve Hill, leading from Marlborough to Malmsbury, whereof they stand indicted and convicted, 1*s.*

SUMMER ASSIZES 1736

Gaol Delivery held at New Sarum, Saturday 31 July 10 George II, before Sir Lawrence Carter and Sir William Thomson, Knights, Barons of the Exchequer.

GAOL BOOK³

[fo. 92*d.*]

felony : Margaret Hodges : for stealing 8*l.*, the money of Francis Billings in his house. *Ponit se. Guilty. To be hanged : execution respited for transportation.*

burglary : Jonathan Gingell : for breaking and entering the dwelling house of Mary Wiltshire about 12 in the night and stealing thereout 4 gold rings, value 40*s.*, and other goods of the said Mary Wiltshire in her dwelling house. *Ponit se. Not guilty.*

felony : John Moore : for stealing 1 saddle, value 10*s.*, and other goods of Thomas Tatum.⁴ *Ponit se. Guilty. Burnt in the hand and committed to the Bridewell to be there kept to hard labour for the space of 12 months and then discharged.*

felony : John Croke : for stealing 4 pairs of shoes, value 5*s.*, and other goods of Richard House. *Ponit se. Not guilty.*

felony : Bartholomew Ward : for stealing 1 peruke, value 10*s.*, the goods of Joseph Lewis. *Ponit se. Not guilty.*

felony : William Certain : for stealing 1 peruke and 2 guineas, the goods of Robert Martin. *Ponit se. Guilty. Burnt in the hand and committed to the Bridewell to be there kept to hard labour for the space of 18 months and then discharged.*

¹ ' In gaol ' in margin.

² *The remaining entries are each marked in the margin ' Paid the sheriff '.*

³ Public Record Office, Clerks of Assize, Western Circuit Gaol Book, 1729-1753 [Assizes 23/6].

⁴ Two indictments for the same offence.

WILTSHIRE PROCEEDINGS IN SESSIONS

petty larceny : Anne Brown : for stealing 1 chest, value 6*d.*, the goods of Johanna Baily, and 1 pair of shoes, value 3*d.*, and other goods of Martha Beard. *Ponit se. Guilty* : value 2*d.* *Whipt and discharged.*

felony : George Martin : for stealing 8 brace of pond trouts, value 30*s.*, the goods of a person unknown. *Ponit se. Not guilty.*

felony : The said Bartholomew Ward : for stealing 1 peruke, value 10*s.*, the goods of Abel Rider in the shop of Joseph Lewis. *Ponit se. Not guilty.*

felony : Richard Early : for stealing 1 bay gelding, price 30 guineas, the goods of John Nightingale esquire. *Ponit se. Guilty. To be hanged.*

burglary : The said Richard Early : for breaking and entering the house of Thomas Melsham in the night time and stealing thereout 6 silver spoons, value 6*s.*, and other goods of the said Thomas Melsham. *Ponit se. Not guilty.*

Edward Mountjoy : indictment returned Ignoramus. To be discharged.

Christopher Bendall : to be transported for the term of fourteen years pursuant to the Secretary of State's letter.¹

John Andrews and Edward Moore the younger have given bail to appear at the next Assizes to plead his Majesty's most gracious pardon : if a pardon shall be sued out in the meantime, to be discharged.²

Thomas Brown and Ebjohn Mereweather : to remain on their former orders.

John Lane : to be continued on his commitment.

William Smith : let him be discharged.

ORDER BOOK³

[fo. 87]

Appointment of John Eyles and six fellow Justices of the Peace⁴ to contract for the transportation of Christopher Bendall, convicted of felony at a former session of Gaol Delivery, to whom pardon has been granted on condition of transportation to America for fourteen years.

PROCESS BOOK⁵

[fo. 29]

Chippenham : Thomas Still, constable of Chippenham : suffering John Weston to escape after he had taken and apprehended him for a misdemeanour by virtue of a warrant from Rogers Holland esquire, a Justice of the Peace.⁶

Ramsbury : John Pewsey, and Mark Fowler the elder, yeomen, and William Lawrence, weaver, all of Awborn : for digging down a bank of

¹ See the entry in the Order Book.

² They were under sentence of death, see below, p. 150.

³ Public Record Office, Clerks of Assize, Western Circuit, Order Book Transportative, 1726-1743 [Assizes 24/24].

⁴ The same Justices as in the similar order in Lent Assizes, above, p. 121.

⁵ Public Record Office, Clerks of Assize, Western Circuit, Process Book, 1734-1743 [Assizes 24/40].

⁶ There is a tick in the margin by this entry.

SUMMER ASSIZES

earth in length 8 feet and breadth 5 feet adjoining to an ancient watercourse in Awborne, whereby the watercourse is diverted and the road leading from Swindon to Hungerford is overflown. *Query.* 2l. 11s. 8d. each. *Mr. Lucas.*

Calne : Robert Pocock of Calne, apothecary : assaulting Thomas Batterson.

Branch : William Nethercliff of Yelverton, yeoman : assaulting Thomas Butterson and Rebecca his wife.¹

Westbury : John Brown of Westbury, labourer : assault on William Edwards. *Poor.*

Matthew Waters of Brooke, labourer : the like offence. *Dead.*

Michael James of Westbury, barber : the like offence. *Query where.* *At Beckington.*¹

Inhabitants of Parish of Avebury : not repairing a footway between the Hare and Hounds and the White Hart Inn, in length 20 lugs and breadth 4 foot.

Ramsbury : Robert Rose and Edward Robins, both of Avebury, yeomen ; surveyors of Avebury : not making the cartway in length 7 furlongs lying in the villages of Beckhampton and West Kennet in the Parish of Avebury 8 foot wide and as near as maybe even and level.

Selkley : John Ward of Manton in the Parish of Pashiot, labourer : assault on Swithin Befredge.¹

[fo. 29d.]

Bath Forum : Stephen Harding of Bath, maltster : unlawfully entering the close of John Talbot and Edward Seymour, esquires, James Powell and Thomas Dyke, gentlemen, at Muncton Farley, and treading down and destroying the grass with his horse.¹

Grand Jury's Presentments :²

Bradford : John Cottle of Week in the Parish of Muncton Farley : casting a large sow pig, which dyed of the murrain, into a ditch in the common footroad leading from Bradford to Muncton Farley.

Inhabitants of the city of New Sarum : not repairing Dragon Street from Bell Corner to John Duke's house. *Certificate.*

Constables' Presentments :

Inhabitants of the tything of Tytherton Lucas : not repairing Tytherton Lane. *Certificate filed : respited 23 July 1737 ; respited 4 March.*

Inhabitants of the Parish of White Parish : not repairing from Welsted's Corner to Theodosine Tuck's house and also from Schoolhouse to Hatchgate. *Certificate filed. Respited 5 March 1736.*

Hundred of Calne :

Calne : Thomas Peirce of Calne : not repairing a lane leading from Dippets gate to Linshets brook in the Tything of Stockley and Parish of Calne. *Respited, struck out. Discharged.*

¹ There is a tick in the margin by these entries.

² A large cross cuts through the remaining entries for this Session.

WILTSHIRE PROCEEDINGS IN SESSIONS

William Coleman of Calne : laying timber in Wood Street in the Borough of Calne. *Mr. Bull promised to pay the officer.*

Thomas Lamfier, Daniel Goffee and Thomas Pearce, all of Calne : not repairing Stockley Lane in the Parish of Calne. *Respited, struck out. Discharged.*

Inhabitants of the Parish of Wiley : not repairing the Lane leading to New Sarum. *Certificate filed.*

ESTREATS¹

Of John Pearce of Blackland, for non appearance to try the several issues joined between party and party, although he had been duly summoned for that purpose, 40s., John Ponting of Yatesbury, Thomas Mills and Joseph Cox, gentleman, both of Cricklade Saint Mary's, John Soper of Little Somerford, gentleman, John Bullock of Hullavington, yeoman, Roger Martyn, gentleman, and John Walter, grazier, both of Charleton, James Gibbs of the Liberty of Trowbridge, clothier, John Harding of Bishopstone, Stephen Nalder of Manton, gentleman, all for the like offence, 40s. each, and William Chamberlain of Manton, for the like, 5*l.*²

Of the inhabitants of Dunhead Saint Mary, for not repairing Lye Lane, leading from Hindon to Blandford, in length three quarters of a mile and in breadth six yards, whereof they are indicted and convicted, 1*s.*,³ the inhabitants of Semley, for not repairing Semley Holloway, leading from Warminster to Shaston, in length half a mile and in breadth 20 feet, 1*s.*, the inhabitants of Baverstoke, for not repairing the road leading from New Sarum to Hindon and Mere from the foot of the down through a lane by the New Inn, in length about a quarter of a mile, 1*s.*, the inhabitants of Bradford, for not repairing the road leading out of Bradford through Newtown into Turching and Winsley, being the road from Bradford to Bath, 1*s.*, the inhabitants of East Knoyle, for not repairing the road leading from Warminster to Shaston, in length three quarters of a mile and in breadth 40 feet, 1*s.*, and the same inhabitants for not repairing Upton Street and the lane leading from thence to Windmill Hill, in length a quarter of a mile and in breadth 40 feet, and likewise the road leading from Windmill Hill round the churchyard in the said parish to the parsonage house there, in length about 600 yards and in breadth about 20 feet, 1*s.*, of the inhabitants of Westbury, for not repairing the highway between Hawbridge Gate and Westbury Town End, in length a quarter of a mile and in breadth 10 feet, leading from Westbury to Trowbridge, 1*s.*, the inhabitants of Burbidge, for not repairing the highway leading from Everly Asher through Burbidge to the bottom of Lye Hill, in length about two miles, 1*s.*, the inhabitants of Stratford, for not repairing the highway leading from New Sarum to Amesbury and other places, from a bush near the gravel pits to Old Sarum, in length half a mile, 1*s.*

¹ Public Record Office, Exchequer, Lord Treasurer's Remembrancer, Enrolled Estreats (E.362) 66/49 mm. 1 and 2.

² Each entry in this section, except that for James Gibbs, is marked in the margin 'Inr' (for 'enrolled').

³ Each entry is marked in the margin 'Paid the sheriff'.

APPENDIX I

‘ A list of the Justices of the Peace for the county of Wilts., by commission dated 7th. of July, 1736.’¹

Peers

Abingdon, Montagu, Earl of.
 Ancaster and Kesteven, Peregrine, Duke of.
 Anglesea, Arthur, Earl of.
 Argyle and Greenwich, John, Duke of.
 Atholl, James, Duke of.
 Berkeley, James, Earl of.
 Berkeley of Stratton, William, Lord.
 Bolton, Charles, Duke of.
 Bruce, Charles, Lord.
 Burlington, Richard, Earl of.
 Canterbury, William, Lord Archbishop of.
 Carlisle, Charles, Earl of.
 Carteret, John, Lord.
 Chandos, James, Duke of.
 Chesterfield, Philip, Earl of.
 Chetwynd, John, Viscount.
 Cholmondy, George, Earl of.
 Cobham, Richard, Viscount.
 Coventry, William, Earl of.
 Delawarr, John, Lord.
 Devonshire, William, Duke of.
 Dorset, Lionel, Duke of.
 Essex, William, Earl of.
 Fitzwalter, Benjamin, Earl.
 Godolphin, Francis, Earl of.
 Grafton, Charles, Duke of.
 Grantham, Henry, Earl of.
 Halifax, George, Earl of.
 Hardwicke, Philip, Lord, Lord Chief Justice of the King's Bench.
 Harrington, William, Lord.
 Harvey, John, Lord.
 Ilay, Archibald, Earl of.
 Kent, Henry, Duke of.
 Leicester, John, Earl of.
 London, Edmund, Lord Bishop of.
 Londonderry, Thomas, Earl of.
 Lonsdale, Henry, Viscount.

Marchmont, Alexander, Earl of.
 Montague, John, Duke of.
 Montrose, James, Duke of.
 Newcastle, Thomas Holles, Duke of.
 Paulett, John, Earl.
 Pembroke and Montgomery, Henry, Earl of.
 Queensberry, Charles, Duke of.
 Richmond, Charles, Duke of.
 Roxburgh, John, Duke of.
 Rutland, John, Duke of.
 St. John, Henry, Viscount.
 Salisbury, Thomas, Lord Bishop of.
 Scarborough, Richard, Earl of.
 Selkirk, Charles, Earl of.
 Shannon, Richard, Viscount.
 Somerset, Charles, Duke of.
 Stair, John, Earl of.
 Talbot, Charles, Lord, Lord High Chancellor of Great Britain.
 Torrington, Pattee, Viscount.
 Townshend, Charles, Viscount.
 Uxbridge, Henry, Earl of.
 Waldgrave, James, Earl.
 Wales, H.R.H. Frederick, Prince of.
 Westmorland, Thomas, Earl of.
 Weymouth, Thomas, Viscount.
 Wilmington, Spencer, Earl of.
 Winchelsea and Nottingham, Daniel, Earl of.
 York, Lancelot, Lord Archbishop of.

Baronets

Bridgeman, Sir Orlando.
 Cope, Sir John (baronet and knight).
 Eyles, Sir John.
 Fust, Sir Edward.
 Long, Sir Philip Parker.
 Long, Sir Robert.
 Pile, Sir Seymour.
 Pynsent, Sir William.
 Read, Sir Thomas.

¹ This list is taken from a MS. in William Hawkes' hand found among the letters deposited in the Wiltshire Record Office by the Marquess of Ailesbury. Since the collection is not yet catalogued, no reference can be given. The names have been re-arranged in alphabetical order with slight variations in spelling; they have not been included in the Index of Persons and Places.

WILTSHIRE PROCEEDINGS IN SESSIONS

Rushout, Sir John.
 Seymour, Sir Edward.
 Vandeputt, Sir Peter.
 Younge, Sir William, Knight of the Bath.

Knights

Bulkley, Sir Davey.
 Carter, Sir Lawrence, Baron of the Exchequer.
 Cheshire, Sir John, serjeant-at-law.
 D'Arcy, Sir Conyers.
 Hill, Sir Edward.
 Jekyll, Sir Joseph, Master of the Rolls.
 Methuen, Sir Paul.
 Reeve, Sir Thomas, Lord Chief Justice of the Common Pleas.
 Sturt, Sir Anthony.
 Sutton, Sir Robert.
 Wager, Sir Charles.
 Walpole, Sir Robert.
 Willes, Sir Charles.

Esquires

A'Court, Peirce.
 Aldworth, Richard.
 Andrews, John, of Porton.
 Andrews, Townsend.
 Archer, Thomas.
 *Ash, Edward.
 Ash, Joseph, of Langley.
 Barker, Henry.
 Barker, Thomas.
 Bathurst, Peter.
 Batson *alias* David, Thomas.
 Beach, Thomas, of Fittleton.
 *Beach, William, of Keevil.
 *Bennett, Thomas, of Norton.¹
 Bennett, Thomas, of Salthrop.
 Benson, William.
 Boucher, Thomas.
 *Bridgeman, Francis.
 Brigg, John.
 *Burgess, Richard.
 Chaffin, George.
 Clark, John, of Salisbury.
 *Clerke, Edward, of Milton.

Codrington, John.
 *Coker, Henry.
 Coleman, William, junior.
 Coles, Jonathan.
 *Cooper, John, of Trowbridge.
 Dalby, John.
 *Delafaye, Charles.
 Drax, Henry.
 Duckett, Lionel.
 Duckett, William, of Hartham.
 Duke, Robert, of Lake.
 Earl, Giles.
 *Earl, Thomas, of Collingbourne Kingston.²
 Earl, William Rawlinson.
 Ewer, Thomas, of Highworth.
 Eyles, Francis, the younger.
 *Eyles, John.
 *Eyre, Giles, of Brickworth.³
 Eyre, Robert.
 Fitzherbert, Humphrey.
 *Freke, Raufe, of Hannington.
 Freke, William.
 Fox, Stephen.
 Gifford, John.
 Goddard, Pleydell.
 Gore, Robert, of Sopworth.
 Grevill, Doddington.
 Grey, Henry.
 Grinfield, Edward, of Lockeridge.
 Grove, Thomas, of Martin.
 *Harris, James, of Salisbury.⁴
 Harris, William, of Salisbury.
 Hatton, Thomas.
 Hayes, James.
 Hearst, Edward, of Salisbury.
 Heathcote, George.
 Hedges, William.
 Herbert, Henry, *called* Lord Herbert.
 *Hippesley, John.
 Hitchcock, William, of Cowesfield.
 Hoare, Henry.
 *Holland, Rogers.
 Houlton, Joseph, the younger.
 *Houlton, Nathaniel, of Seagry.
 Houlton, Robert.⁴
 Howe, John, of Wishford.
 *Hungerford, George, of Kennett.
 *Hungerford, Walter.

¹ The justice referred to in the text might be Thomas Bennett of Salthrop.

² The justice referred to in the text might be Thomas Earl, clerk.

³ The justice referred to in the text might be Giles Eyre, serjeant-at-law.

⁴ Name entered twice.

APPENDICES

Hussey, Henry.
 Jarvis, Richard.
 Jarvoyse, Thomas.
 *Jones, Richard.
 Lambert, Edmund.
 Lanoë, Charles.
 le Grand, Lewis.
 le Grand, William Lewis.
 Lewis, Thomas.
 Lydiard, John, of Rockley.
 *Methuen, Thomas.
 *Montague, James.¹
 Moreton, Matthew Ducie.
 Nash *or* Naish, Edward.
 Nicholas, William.
 *Northey, William.
 Onslow, Arthur, Speaker of the House of Commons.
 *Payne *or* Pain, Richard, of Salisbury.¹
 Pelham, Henry.
 *Phipps, John, of Westbury Leigh.
 *Phipps, Thomas.
 *Phipps, William, of Heywood.
 Pitt, Thomas.
 *Pitts, Matthew.
 Pleydell, Edmund.
 Popham, Edward.
 Pottenger, Richard.
 Powlett, Harry, *called* Lord Harry Powlett.
 Poyntz, Stephen.
 Read, Henry, of Crowood.
 Riggs, Edward.¹
 Robinson, Walter, of Hinton Abbey.
 Rolt, Edward Bayntun.
 Ryder, Dudley, Solicitor General.
 Ryder, Edward.
 St. John, Ellis.
 St. John, John.
 *Seymour, Algernon, Lord Percy, *called* Earl of Hertford (*custos rotulorum*).
 *Seymour, Edward, of Seend.²
 Seymour, Edward, of Whiteparish.
 *Skyllyng, Henry.
 Smith, Goddard.
 Smith, Henry, of Tidworth.

*Smith, John, junior, of Alton.
 Stacey, Richard.
 *Stanley, William, of Wanborough.
 Stephens, Edward, of Lye Grove.
 Stiles, Benjamin Haskins.
 Stonehouse, Francis.
 Stonehouse, Francis, the younger.
 Street, Stephen.
 Swain, Bennett.
 *Talbot, John Ivory.
 Temple, Peter, the elder, of Bishopstrow.
 Thistlethwaite, Francis.
 *Thresher, John.
 Tothill, Robert.
 *Townsend, James, of Erlestoke.
 Turner, John.
 *Vilett, William, of Swindon.
 *Wadman, John.
 Wallis, John.
 Walpole, Horatio.
 Walters, Henry.
 Whitlock, Samuel.
 Willes, John, Attorney General.
 Williamson, Adam.
 Willoughby, George, of Bishopstone.
 *Willoughby, Richard, of Knoyle.
 Wroughton, James, of Wilcot.
 Wyndham, John, the younger, of Norrington.
 Wyndham, Thomas, Chancellor of Ireland.
 Wyndham, William, of Dinton.
 Wyndham, William, of Salisbury.
 *Young, Edward.

Clerks

*Durnford, Thomas.
 Earl, Thomas.
 Hayward, Philip, of Amesbury.
 *Lloyd, John.
 Nailor, Charles.

Serjeants-at-law

Eyre, Giles.
 Foster, Michael.
 Stephens, Henry.

¹ Name entered twice.

² The justice referred to in the text might be Edward Seymour of Whiteparish.

APPENDIX II

FREEHOLD BOOK

An exact list of the names of all persons now residing within the county of Wilts. who, according to the severall Acts of Parliament for that purpose made, are qualified to serve on juries, as the same was returned by the constables of the severall hundreds within the said county at the Generall Quarter Sessions of the Peace held at Marlborough in and for the said county on Tuesday the fifth day of October in the tenth year of King George the second, over Great Britain etc., and in the year of our Lord, 1736.

Note that where in the following list you see this letter (L) against any person's name it is thereby denoted that such person is a leaseholder; this letter (F) a freeholder, and this letter (C) denotes him to be a copyholder.

Alderbury

- Alderbury. Peirce A'Court Esq.; Christopher Lewis, yeoman—L. 20*l.*; Edward Spragg, wheelwright—L. and C. 20*l.*; Robert Moody, butcher—L. 20*l.*; John Bungy, gent.—F. L. and C. 60*l.*
- Idmiston. John Bowle, gent.—F. and L. 200*l.*; John Barns, yeoman—L. 30*l.*; John Reeves, yeoman—F. 40*l.*; William Reeves, yeoman—C. 20*l.*; William Arthur, wheelwright—C. 10*l.*
- Laverstock and Ford. Daniel Grey, yeoman—L. 50*l.*
- Pitton and Farley. John Cook, gent.—F. L. and C. 50*l.*; John Arnold, yeoman—L. and C. 50*l.*; John Seyward, yeoman—L. and C. 20*l.*; William Jones, yeoman—L. and C. 20*l.*; Joseph Whitlock, yeoman—L. and C. 20*l.*
- Plaitford. John Tregeagle¹ Esqr.; Henry Hide; Nicholas Shackler; John Shackler; Robert Henbest.
- Porton. John Andrews, gent.—F. 200*l.*; Thomas Pyle, gent.—L. 100*l.*; John Chandler, gent.—F. 60*l.*
- West Deane and East Grimstead. Nicholas Maton, gent.—F. and L. 100*l.*; Philip Emmett, gent.—F. 40*l.*; Samuel Reves, yeoman—L. 20*l.*; Edward Roe, yeoman—L. 40*l.*; Henry Beard, yeoman—L. 40*l.*; Lionell Wimbleton, gent.—L. 25*l.*; John Fielder, yeoman—L. 30*l.*; John Brooks, yeoman—L. 20*l.*
- West Winterslow. John Kent, Esqr.
- Whaddon and West Grimstead. Stephen Maton, gent.—L. 100*l.*; Richard Dennis, yeoman—L. 20*l.*; George Thornton, yeoman—F. 10*l.*; James Yates, yeoman—F. 10*l.*; John Elcock the elder—L. and C. 20*l.*
- Winterborn Dantsey. Edmund Abbott, Esqr.
- Winterborn Earls and Hurcott. [No names.]
- Winterborn Gunner. John Haynes—L. 20*l.*; Charles Bowles—L. 20*l.*; William Reeves—F. 20*l.*

Amesbury

- Allington. Edward Batt—F. 10*l.*
- Boscombe. Daniel Jones; Robert Freemantle.
- Bulford. Thomas Lawrence—F. C. and L. 100*l.*

¹ *Tricheagle* first written.

APPENDICES

- Durnford. Edward Young, Esqr. ; Robert Biggs, gent.—L. 15*ol.* ; James Tinham, yeoman—L. 20*ol.* ; John Smith, yeoman—L. and F. 30*ol.*
- Durrington. Thomas Laws—F. 100*ol.* ; John Batch—F. and C. 100*ol.* ; Thomas Marsh—C. 30*ol.* ; John Reeves—L. 20*ol.*
- Figheledean. Smart Poor, gent.—F. and L. 700*ol.* ; William Dyke, gent.—F. 100*ol.* ; Thomas Cooper, gent.—F. 60*ol.* ; William Shepherd, gent.—F. 50*ol.* ; Philip Pinkney, yeoman—C. 20*ol.* ; Thomas Hart, yeoman—C. and L. 20*ol.* ; Thomas Pollern, yeoman—C. 10*ol.* ; Robert Joule, yeoman—F. 10*ol.*
- Ludgershall. Borlace Webb, Esqr. ; William Bayly, gent.—F. 30*ol.* ; Thomas Batt, yeoman—L. 20*ol.*
- Milston and Brigmanston. Richard Duke, Esqr.—F. 500*ol.* ; Henry Hopkins—F. and L. 20*ol.* ; William Maton—L. and F. 20*ol.* ; Thomas Hayden—C. 10*ol.*
- Newton Toney. Henry Gilbert ; Robert Beamont ; John Cooper ; William Childs.
- North Tidworth. John Maton, gent.—F. 100*ol.* ; William Cooper—L. 200*ol.* ; Thomas Compton—L. 140*ol.*
- West Wellow. George Aldridge,¹ yeoman—L. 20*ol.* ; Timothy Goddard, yeoman—F. 10*ol.*

Bradford

- Atworth. Anthony Kington, gent. ; John Biggs, yeoman ; Thomas² Ayliffe, yeoman ; Samuel Shepherd, yeoman ; Samuel Rogers, baker.
- Bradford. Thomas Methuen, Esqr. ; John Thresher, Esqr. ; Paul Methuen, Esqr. ; John Shewell, senior, gent. ; Edward Burcomb, gent. ; Anthony Druce, clothier ; Zachariah Shrapnell, clothier ; Mathew Smith, clothier ; William Bush, clothier ; Richard Burcomb, clothier ; George Hutchens, clothier ; William Halliday, clothier ; Richard Rook, clothier ; Edward Self, innholder ; James Miles, baker ; Thomas Stephens, malster ; William Lea, grazier ; Samuel Baber, innholder ; John Baber, victualler ; Richard Baber, shoemaker ; Philip Hayward, carrier ; John Palmer, carpenter ; Samuel Reynolds, dyer ; John Crook, shoemaker ; John Eyles, staymaker ; William Orpen, labourer ; James Wheeler, yeoman (infirm one leg being cut of) ; Thomas Smith, malster (infirm) ; William Taplin, blacksmith (infirm).
- Broughton Gifford. John Horton, Esqr. ; William Harding, Esqr. ; Henry Harding, gent. ; John Goulding, gent. ; John Bull, yeoman.
- Chalfield. Anthony Fry, yeoman.
- Holt. John Chapman, yeoman ; William Bayly, butcher ; Jeremiah Godwin, yeoman ; Nathaniel Townsend, innholder ; Thomas Sartain, joiner ; Henry Scrase, malster.
- Leigh and Woolly. Harry Lydiard, gent. ; Richard Grant, gent. ; George Hulbert, yeoman ; Thomas Taylor, yeoman ; John Looker,³ gent. ; John Sibly, yeoman ; William James, wheelwright.
- Limply Stoke. Richard Dyke of Waterhouse, gent. ; Thomas Dyke, Esqr. ; Richard Dyke, clothier.
- Mounton Farley. Walter Grant, gent. ; John Cottle, gent. ; Jeremiah Cottle, gent.

¹ *Aldrige* first written.

² *John* first written.

³ *Leuckner* first written.

WILTSHIRE PROCEEDINGS IN SESSIONS

South Wraxhall. Joseph Webb, gent. ; Thomas Sumsion, malster ; Robert Moxham, yeoman ; John Pinchin, baker ; William Deverill, yeoman.
 Trowle Magna. Thomas Bayly, yeoman ; John Coles, yeoman ; Robert Harvey, yeoman ; Edward Young, yeoman.
 Winfield. Edward Wadman, gent. ; Richard Clement, yeoman ; John Bayley, yeoman.
 Winsley. Edward Bayly, gent. ; James Capp, gent. ; John Wilshire, stay-maker ; John Sartain, weaver ; John Cottle, carpenter ; Nicholas Cross, currier ; James Sartain, weaver ; Cornelius Broad, victualler ; Richard Broad, carpenter ; Thomas Timberwell, baker ; Abell Broad, victualler.

Branch and Dole

Bemerton and Quidhampton. George Flower, Esqr.—F. 30*l.* ; Robert Goodhind, gent.—F. 30*l.* ; Thomas Baker, gent.—L. 60*l.* ; Thomas Butcher, yeoman—L. 20*l.* ; John Matt, yeoman—C. 15*l.*
 Berwick St. James. Elias Powell—C. and L. 30*l.* ; Robert Powell—C. and L. 50*l.* ; John Loader—L. 30*l.*
 Elston. William Cripps ; Charles Kellow ; Henry Miles.
 Fisherton Anger. John Briant—F. 10*l.* ; Henry Bristow—F. 10*l.*
 Great Wishford. Daniel Oland, gent.—C. 100*l.* ; William Cowdry—L. 40*l.* ; William Eve—C. 20*l.*
 Hanging Langford and Little Langford. Tristram Biggs—L. ; John Swain—F. ; John Shring—L. ; Richard Rowden—C. ; Stephen Francis—C.
 Maddington. Henry Mills ; William Gilbert ; Richard Godding ; William Woodroffe.
 Orcheston St. Mary. Philip Hayward—L.
 Sherrington. Jonathan Mussell—F. ; James White—C.
 Shrewton. Robert Gouldisborough, gent. ; Stephen Liddiard, gent. ; George Mills ; William Alexander ; George Taylor ; John Langley.
 South Newton.¹ Edward Ward—C. 20*l.* ; James Coombes—C. 15*l.* ; Thomas Carpenter—C. 25*l.* ; John Austins—C. 40*l.* ; John Alexander—C. 20*l.* ; John Payway—C. 20*l.* ; Robert Horne—C. 10*l.*
 Stapleford. John Safe the elder—C. and L. 30*l.* ; Thomas Collins, yeoman—C. and L. 30*l.* ; James Weston—C. and L. 20*l.*
 Steeple Langford. William Rowden—L. and C. 20*l.* ; William Rolles—L. 20*l.* ; Thomas Baker—L. 20*l.*
 Tilshead. Henry Miles ; Christopher Slade ; James Cooper ; William Laws.
 Borough of Wilton. Ralph Button, gent.—L. 200*l.* ; Edward Andrews, blacksmith—L. 50*l.* ; William Tabor, cordwainer—10*l.* ; Stephen Tabor, cordwainer—20*l.* ; Alexander Rowden, yeoman—C. 18*l.* ; Robert Pranker, weaver—F. 10*l.* ; John Whitmarsh, grocer—L. 20*l.* ; Robert Ward, weaver—F. 10*l.* ; John Young, baker—F. etc. 20*l.* ; James Hayter, cordwainer—F. 10*l.*
 Wily. Thomas Hayter—C. ; William Pothecary ; James Weston ; Henry Locke.²
 Winterbourne Stoke. Charles Collier—L. and C. 20*l.* ; John Smith—C. 10*l.* ; Thomas Gilbert—L. 20*l.* ; George Kellow—L. 30*l.*

Calne

Barwick Bassett. Caleb Bayly, gent. ; William Baskerville ; Thomas Pontin
 Bowood. Sir Orlando Bridgeman, Barrt.

¹ *Nuton* first written.

² *Weston* and *Locke* struck out.

APPENDICES

- Burrough of Calne. Thomas Orrell ; John Franklin ; Daniel Burchall ; John Orrell ; William Bateman ; William Hall ; Samuel Seager otherwise Parsons ; Henry Chivers ; Abraham White ; Edward Bond ; John Neate ; Thomas Keat ; John Brook the elder ; Henry Keat ; John Brook the younger ; Edward Somner ; George Forman ; Walter Forman ; George Pinnock ; Jasper Rumboll.
- Calstone. John Hicks ; Henry Tucker.
- Cherhill. Roger Hall—F. C. and L. ; John Buckling—C. ; John Young—C. ; John Morse—C. ; John Bromham—C.
- Compton Bassett. William Northey, Esqr. ; Michael Smith, gent. ; Nicholas Hammond ; Thomas White ; Robert Tompkins ; Thomas Cockle ; Peter Waile.
- Heddington. Anthony Brook ; Francis Child ; William Lanfear.
- Quemmerford. Seager Orriell ; James Pound ; John Woodward.
- Stock. [No names]
- Stockley. Joseph Hiscock ; Richard Francklyn.
- Studley. Walter Hungerford, Esqr. ; Israel Noyse, clothier ; Aurthur Foreman, yeoman.
- Whetham. [No names]
- Whitley and Beaverbrook. [No names]
- Yeatesbury. Daniel Ponting ; John Ponting ; Robert Bullock ; Walter Shilton ; Richard Pope ; John Neat.

Cawden and Cadworth

- Barford St. Martin. Francis Scovill, gent.—L. and C. 70*l.* ; Alexander Rowden, yeoman—C. 20*l.* ; William Smith, yeoman—L. and F. 35*l.* ; John London, yeoman—L. C. and F. 30*l.* ; John Rowden, yeoman—L. 20*l.* ; Joseph Dew—L. 10*l.* ; Robert Crowch, yeoman—F. 10*l.* ; John Hazzard, yeoman—L. 10*l.*
- Baverstock. John Fricker, yeoman—C. and L. 60*l.*
- Bramshaw.¹ Daniel Goddard, gent.—F. 60*l.* ; Daniel Tomlinson—F. 15*l.*
- Britford and Langford. Sir Edward Desboverie, Bart. ; Richard Jervoice, Esqr. ; Nathan Lewis, gent.—L. and C. 60*l.* ; John Shergold, yeoman—F. L. and C. 60*l.* ; Caleb Atwater, gent.—C. 60*l.* ; Thomas Attwater, gent.—C. 50*l.* ; John King, yeoman—L. 20*l.* ; William Reeves, yeoman—L. 16*l.* ; George Short, yeoman—L. 16*l.*
- Coombe Bissett. John Barber, gent.—F. and C. 60*l.* ; William Harwood, yeoman—C. and L. 40*l.* ; John Harwood, yeoman—C. and L. 30*l.* ; John Lipps, yeoman—C. 30*l.* ; John Triphook, yeoman—C. and F. 16*l.* ; Thomas Palmer, yeoman—C. 16*l.* ; John Mintren, yeoman—C. 20*l.* ; Benjamin Lipps, victualler—C. 10*l.* ; William Lipps, yeoman—C. 20*l.* ; Thomas Feltham, yeoman—L. 20*l.* ; John Palmer, yeoman—C. 10*l.* ; John Goold, yeoman—C. 30*l.*
- East Harnham. William Eastman, cordwainer—C. 10*l.* ; Edward Stephens, innholder—F. 20*l.*
- Foffant. David Feltham, gent.—L. 60*l.* ; Tristram Carpenter, yeoman—C. and F. 20*l.* ; John Sturges, yeoman—F. 30*l.* ; Edward Nightingale, gent.—F. and C. 60*l.* ; William Goodfellow, miller—L. 20*l.* ; Thomas Hallett, yeoman—F. 30*l.* ; Osmond Martin, yeoman—20*l.* ; Henry Laws, mason—L. 20*l.* ; Henry Bowles, yeoman—C. 10*l.* ; Jasper Strong—F. and L. 30*l.* ; Richard Martin, gent.—F. and C. 50*l.* ; Thomas Gear—C. 15*l.* ; Thomas Moore—F. 10*l.*

¹ *Bramshire* first written.

WILTSHIRE PROCEEDINGS IN SESSIONS

- Homington. Samuel Mitchell, gent.—F. 10*l.* ; Edward Allen, yeoman—L. and C. 20*l.*
- Netherhampton. Gauntlett Fry, Esqr. ; Robert Grayly, yeoman—C. 50*l.* ; John Hayden, yeoman—C. 20*l.* ; Benjamin Pasmore, yeoman—C. 20*l.* ; Edmund Randoll, yeoman—C. 20*l.* ; John Bacon, yeoman—C. 20*l.*
- Odstock. Sir John Webb, Barrt. ; George Button, gent.—F. 100*l.* ; William Champion, yeoman—C. 15*l.* ; William Chubb, yeoman—C. 10*l.* ; William Clarke, yeoman—C. 10*l.*
- South Burcomb. Edmund Pitts, Esqr.—F. L. and C. ; William Selwood—F. L. and C. 200*l.* ; Robert Walker—F. and C. 25*l.* ; George Moore—L. 20*l.*
- Stratford Toney. Henry Hill, senior—20*l.* ; John Harwood¹—C. 10*l.* ; John Baster—C. 10*l.* ; Henry Hill, junior—L. 20*l.* ; Mathew Hill—C. 10*l.* ; Thomas Sellwood—C. 10*l.*
- Sutton Mandefield. Harry² Bracher, yeoman—F. and L. 50*l.* ; Thomas Talbott, yeoman—C. and L. 40*l.* ; John King, yeoman—L. 20*l.* ; Thomas King, yeoman—C. 40*l.* ; Thomas Carey, yeoman—F. 15*l.* ; George Hibberd, miller—L. 10*l.* ; Robert Long, yeoman—F. and L. 40*l.* ; Samuel Bracher, yeoman—F. and L. 100*l.* ; Henry Feltham, yeoman—C. 20*l.*
- West Harnham. William Croome,³ miller—F. 50*l.* ; John Hibberd, gent.—L. and C. 60*l.* ; William Marshall, yeoman—L. and C. 60*l.* ; Edward Snow, yeoman—C. 20*l.* ; John Quinton, yeoman—C. 15*l.*
- Whitchbury. Thomas Major, yeoman—L. 40*l.* ; Jonathan Carpenter, yeoman—L. 30*l.*

Chalke

- Alvedeston. John Laws, gent. ; Henry Isaac.
- Barwick St. John. Robert Barber, Esqr. ; Henry Foot ; Robert Foot ; William Cox ; William Munk ; Esau Lush ; William Bennett⁴ ; Thomas Bright.
- Bower Chalke. John Goold—L. 40*l.* ; Thomas Day—C. 12*l.* ; John Targett—C. 12*l.* ; John Goold—C. 16*l.* ; Edward Hardyman—C. 16*l.* ; Henry Good—L. 40*l.*
- Broad Chalke. George Penruddock, Esqr.—200*l.* ; Henry Good—100*l.* ; Joseph Emme—40*l.* ; Thomas Laws—20*l.* ; Henry Randoll—30*l.* ; Edward Savage—16*l.* ; John Penny⁵—16*l.* ; Joseph Gould—20*l.* ; John Laws—20*l.* ; Roger Barns—16*l.* ; Charles Good—50*l.* ; Thomas Lodge—16*l.*
- Ebsborne Wake. Philip Bodenham, Esqr. ; William Lush—L. 20*l.* ; Henry Rebbeck—L. 20*l.* ; William Lampard—C. 20*l.* ; John Laws—C. 10*l.* ; Oswald West—L. 20*l.*
- Fyfield. [No names]
- Semly. John Blandford—F. 50*l.* ; John Brown—L. 20*l.* ; Jacob Butler—C. 30*l.* ; Samuel West—C. 25*l.* ; John Bracher—C. 20*l.* ; Roger Scammell—C. 10*l.* ; Syllas Gerrard—L. 20*l.* ; William Harwood—L. 20*l.*
- Tollard Royall. John Bennett ; Francis Newhook ; Elias Silby ; William Bench.

¹ *Harred* first written.

² *Henry* first written.

³ *Crome* first written.

⁴ *Branch* first written.

⁵ *Pendy* first written.

APPENDICES

Chippenham

Alderton. William Hedges, Esqr. ; Joseph Hughs.

Allington. Edward Hopkins ; Thomas Taylor.

Avon. Richard Uncles.

Biddeston St. Nicholas. Samuel Alborn.

Box. Ambrose Goddard, gent. ; Nathaniell Webb ; Anthony Drewett ; William Jeffery of Wadswick ; John Jeffery ; John Ford ; Aurthur Lewis ; William Pinchen ; Jacob Bayly ; Thomas Iles ; William Jeffery of Ashley.

Bremhill. Robert King ; Adam Tuck ; John Tuck.

Castle Coombe. Gorges Scrope, Esqr. ; Richard Scrope, gent. ; Thomas Child ; John Daniel.

Burrough of Chippenham. John Bedford ; Gabriel Goldney, junior ; Stephen Whatley ; John Carter ; George Gould, senior ; William Lovegrove, junior ; William Cambridge ; Benjamin Dicke ; Roger Warne ; Richard Singer ; Richard Scott ; Thomas Figgins ; Anthony Guy ; Thomas Mundy, senior ; Isaac Humphris, senior ; John Kington.

Collerne. William Blanchard, Esqr. ; Thomas Drewett ; Anthony Drewett ; Thomas Salmon ; Daniel Drewett ; Nicholas Pearce ; Edward Ranger ; John Jones ; Francis Greenway ; Daniel Greenway ; Ferdinando Aust ; Charles Milsham, senior ; John Edwards, senior ; John Edwards, junior ; William Phelps ; John Ford ; Walter Smith, senior ; Walter Smith, junior ; Daniel Blatchly ; John Webb.

Corsham. Robert Neale, Esqr. ; William Arnold, gent. ; William Stump, gent. ; Edward Mitchell, gent. ; Samuel Twyford, gent., schoolmaster ; William Wastfield, gent. ; John Hulbert, blacksmith ; John Hulbert, shopkeeper ; Walter Wastfield, gent. ; Edward May, gent. ; Maurice Dalmer, gent. ; Richard Cozens, gent. ; Richard Cottle, gent. ; John Ellis ; Daniel Sidnoll ; James Davis ; John Bidlestone ; John Bricker ; Thomas Adams ; John Lane ; John Minty ; Thomas Bayly ; Thomas Hulbert ; Richard Smith ; John Kington, gent. ; John Hancock of Westwells ; John Hancock of Lyppeatt ; Thomas Gilbert, gent. ; Ezekiel Dickenson, gent. ; Edward Hayward ; William Guy, gent. ; Anthony Guy, gent. ; William Hulbert, gent. ; Thomas Stephens ; William Oborn ; John Pierce ; William Hancock.

Easton Grey. William Parry, gent.

Foxham. Richard Winter ; George Hillier ; John Righly ; Richard Pinnigar.

Hardenhuish. [No names]

Kingswood. John Blagden, gent. ; Thomas Smith, gent. ; Thomas Lewis, yeoman ; Ambrose Lewis, malster ; Robert Fernly, clothier.

Langly Burrell. Samuel Collatt ; John Knight.

Laycock. John Talbott, Esqr. ; James Mountague, Esqr. ; Benjamin Haskins Stiles, Esqr. ; Samuel Crew ; Charles Lloyd ; Nathaniel Deane ; John Deane ; Thomas Colborne ; Edward Mortimer ; Anthony Dumer ; John Pritchett ; John Didicot.

Littleton Drew. [No names]

Luckington. Fowns Fitzherbert, Esqr.—F. ; Thomas Jones—F. ; Thomas Robins—F.

Lyedallamore. John Browning, gent. ; Richard Greene, gent. ; Edward Jaques—C.

North Wraxhall. William Holborrow—F. ; Richard Parker—F. ; Thomas Ford—F.

Pewsham. [No names]

WILTSHIRE PROCEEDINGS IN SESSIONS

Sapworth. Thomas Gore, gent. ; Thomas Alexander.
Sherston Magna. Samuel Byam ; Nathaniel Alway ; Nathaniel Power ;
David Hobbs ; John Goodenough.
Sherston Pinkney. [No names]
Slaughterford.¹ Thomas Humphris.
Stanley. [No names]
Surrendell. William Hedges, Esqr.—F.
Tytherton Kelloways. George Knight ; Nicholas Ponting ; John Thomas ;
John Paine, junior ; Francis Wheeler.
Tytherton Lucas. Edward Crook ; Thomas Lanfear ; Thomas Crook ; John
Gardiner.
West Kingston. William Tyler ; Richard Bennett ; Thomas Beaker ; Joseph
Baldwin.
Yeaton Keynell. John Wilds, gent. ; Isaac Beams ; Thomas Colymore ;
John Bull ; William Harris, junior ; William Drinkwater ; William
Beard.

Damerham North

Christian Malford. Richard Burgess, Esqr. ; William Ody—L. ; Thomas
Rich—L. ; Thomas Peacock—L. ; John Pullen—C. ; William Belcher—
C. ; Elias Ferris—C. ; Mathew Hopkins—L. ; Robert Lewis—C. ;
William Palmer—C.
Grittleton. Joseph Houlton, Esqr.—F. ; Robert Houlton, Esqr.—F. ;
Walter Wiltshire, gent.—C. and L.
Kington Langley. William Coleman, Esqr.—F. ; Robert Hewett, gent.—F. ;
John Taylor, gent.—F. ; Edward Ponting—C. ; Jeffery Deek—C. ;
Richard Dovey—C. ; John Deek—L. ; Thomas Godwin—L.
Kington St. Michael. Ayliffe² White, gent. ; Jonathan Power, gent. ; Isaac
Gale, gent. ; Sadler Gale, gent. ; Thomas Lawrence ; Isaac Sarjeant ;
[all] F. Robert Harrington, gent. ; Thomas Brown ; [both] C. and L.
Nettleton. Nicholas Beaker—F. ; Abraham Huggens—F. ; Philip Baker
—L. ; Philip Southenwood—L. ; Francis Booy—C.

Damerham South

Compton Chamberlaine. Thomas Penruddock, Esqr. ; John Elkins, yeoman.
Damerham South. John Stokes ; George Wellstead the elder ; George
Wellstead the younger ; Robert Randoll ; Richard Penny ; William
Lush ; Christopher Randoll ; James Thomas.
Deverall Longbridge and Deverall Mounton. William Adlam ; Edmund
Tanner ; Adam Leaven ; William Singer, yeoman ; Thomas Hurle,
yeoman ; William Langley, yeoman.
Martin. Joseph Read ; Henry Prince ; Thomas Blandford, senior ; John
Prince ; James Parker, senior ; George Harris ; Thomas Chaine ; [all] C.

Downton

Bishopstone. John Button, gent.—F. 100*l.* ; John Rowden—L. 30*l.* ; Thomas
Hewlett—F. 40*l.* ; John King—F. 30*l.* ; John Scaplehorn—F. 20*l.* ;
Richard Talbett—F. 20*l.* ; William Speering—F. 20*l.* ; Timothy Lodge—
L. 30*l.* ; John Rabbitts—C. 15*l.* ; Abraham Heymer—L. 20*l.*
Charleton. Henry Noyes ; John Barrow ; John Newman

¹ *Slaughterford* first written.

² *Alyfe* first written.

APPENDICES

- Burrough of Downton. Edward Quinton, alehousekeeper—F. 10*l.* ; John Hayter, yeoman—C. 10*l.*
- Downton Church tything. Sir Peter Vandeput, Barrrt ; Anthony Duncomb, Esqr. ; William Kervill—F. ; Henry Humby—C.
- East Downton. Barnaby Coles, gent.—350*l.* ; William Rice, yeoman—15*l.* ; Young Mist, yeoman—15*l.* ; Ephraim Davis, edgetoolmaker—20*l.* ; Leonard Snow, yeoman—30*l.* ; Robert¹ King, yeoman—14*l.* ; Thomas² Coffin, yeoman—10*l.* ; James Saunders, yeoman—20*l.* ; John Coles, tanner—10*l.*
- East Knoyle. William Burellton ; William Sellwood ; Christopher Cheesman ; William Oburn.
- Funthill Bishop. John Coles ; William Baker ; Julius Plutsy.
- Nunton. William Batt—250*l.* ; James Wheeler—15*l.*
- Week and New Court. James Coles—F. ; Thomas Hachar—C. ; Benjamin Mitchell—L. ; Nicholas Haytor—C. ; William Haytor—C. ; Ralph Haytor—C.
- Wytherington. John Haytor, yeoman—C. 20*l.*

Dunworth

- Anstey. Mathew Bealing, yeoman ; William Best, yeoman.
- Barwick St. Leonard. [No names]
- Charleton. Stephen Frye ; John Foot ; Richard Marsh ; Jeremiah Bower ; William Maish ; Thomas Foott ; John Gurd ; William Mullings ; John Sarjeant.
- Chicklade. Henry Dowle ; Henry Burnett.
- Chicksgrove. Philip Davis, yeoman ; James Gray, yeoman ; Edward Bracher, yeoman ; William Targett, yeoman ; Thomas Simson, yeoman.
- Chilmark. John Jesse, gent. ; John Fitz, yeoman. Edward Priest ; William Moore ; Joseph Macy ; John Seat ; Robert Moore ; John Tilly ; [*all*] yeomen.
- Dognell. Godfrey Kneller, Esqr. ; Thomas Gould ; Thomas Barratt ; William Barratt ; Richard Lush ; William Brothers ; William Pond ; Edmund Gurd.
- Founthill Gifford. John Bracher, gent. ; John Jerrard, yeoman ; Edward Lampard, yeoman ; Richard Lawes, yeoman.
- Hatch. William Bracher, gent. ; John Parham, yeoman ; Ambrose Harwood, yeoman ; Henry Targett, yeoman ; William Turner, the elder ; William Turner, the younger ; James Lambert, yeoman ; John Gray, yeoman ; Matthew Haylock ; Richard Lee ; Henry Lee.
- Haystone. John Mitchell, gent. ; John Bower, gent. Andrew Barratt ; Robert Knight ; Philip Fricker ; Robert Tucker ; Richard Laws ; [*all*] yeomen.
- Rudge. John Moore ; William Helme ; Thomas Fricker ; [*all*] yeomen.
- Sedgell. Edward Frowd, gent.
- Staple. Samuel Bracher of Duckstreet, yeoman ; John Bracher of Shophouse, yeoman ; George Barns, yeoman ; James Cantloe, yeoman.
- Swallowclift. John King ; John Wright.
- Teffont Evias. Henry Larkham ; Joseph Mould.
- Tisbury. Edward Bracher ; John Gray ; Andrew Alsford ; James Alsford ; John Combe ; John Cotton ; William Cotton ; Jacob Targett ; John Alsford ; Lawrence Cantelo.

¹ *Peter* first written.

² *Robert* first written.

WILTSHIRE PROCEEDINGS IN SESSIONS

Winsford. Joseph Andrews, gent. ; Stephen Knight, yeoman ; Thomas Foot.

Elstubb and Everley

Alton and Stowell. Charles Head—F. ; Richard Hitchcock—F.

Bushton. Roger Spackman—F. ; Francis Greenaway—F. ; William Greenaway—F. ; John Gale—F.

Chissenbury. Hugh Grove, Esqr. ; John Biggs, yeoman—F. 20*l.* ; John Tarrant, yeoman—C. 10*l.*

Chissenbury de la Folly. [No names]

Collingborn Duces. Richard Callow ; William Batt ; *[both]* gents. Thomas Street ; William Lewis ; Thomas Acres ; John Blanchard ; Timothy Fay ; John Vincent ; *[all]* yeomen.

Coomb. [No names]

East Overton. Mr. Robert Wells ; John Stretch ; Thomas Smith.

Enford. George Clerk, Esqr. ; James Bell, yeoman—L. 20*l.* ; Charles Griffin, yeoman—C. 10*l.* ; John Adams, yeoman—C. 10*l.* ; Thomas Dyer, yeoman—C. 10*l.* ; Edward Biffin the younger, carpenter—C. 10*l.*

Everley. Robert Parker, Esqr. ; John Gale, gent. William Sweatman ; Thomas Rose ; Richard Monk ; Thomas Gale ; *[all]* yeomen.

Fifield. John Herne, yeoman—F. and C. 20*l.* ; Robert Baden, yeoman—C. and L. 20*l.* ; George Griffen, yeoman—C. and L. 20*l.*

Fittleton. Thomas Beach, Esqr. ; John Bromham, yeoman—C. 10*l.* ; Thomas Sopp, yeoman—C. 10*l.*

Fyfield. John Wells ; James Cue.

Hackleston. Thomas Lawes, yeoman—C. and L. 20*l.* ; Jacob Bromham yeoman—C. and L. 10*l.* ; Thomas Rolfe, yeoman—C. 10*l.* ; Thomas Dyke, yeoman—C. 10*l.*

Ham and Henly. John Hunt, gent.—F. L. and C. 150*l.* ; Michael Bennett—C. 15*l.* ; Edward Lovelock, yeoman—C. 15*l.* ; John Herriott, yeoman—C. 15*l.* ; John Hunt, yeoman—C. 15*l.*

Littlecott and Longstreet. Abraham Poore, gent.—L. 20*l.* ; William Baden, yeoman—F. 20*l.* ; Henry Hunt, yeoman—L. 20*l.* ; Edward Reeves, miller—L. 20*l.*

Little Hinton. John Batt ; William Woodward ; John Pope ; William Pope ; Lawrence Farr ; John Berry¹ ; John Lord ; Thomas Lord ; Henry Edwards.

Netherhaven. Richard Legg, yeoman—F. and L. 20*l.* ; William Attwood, yeoman—F. 20*l.* ; Tymothy Ring, yeoman—F. C. and L. 20*l.* ; Robert Rumsey, grocer—C. and L. 20*l.* ; Benjamin Hatchman, taylor—F. and C. 20*l.* ; Henry Taylor, yeoman—C. 10*l.* ; John Taylor, yeoman—C. 10*l.* ; Thomas Fidler, yeoman—C. and L. 20*l.* ; John Spratt, yeoman—C. 10*l.* ; Phinehas Phillimore, taylor—C. 10*l.* ; Robert Rolfe, yeoman—C. 10*l.* ; Jeffery Exten, yeoman—L. 20*l.*

Patney. John Amor—C. ; William Noyse—C. ; John Drewitt—C. ; Edward Drewett—C.

Rolstone. [No names]

Stockton. John Crouch, yeoman—L. and F. 20*l.* ; Thomas Rebeck, yeoman—L. 20*l.*

Westwood. George Houghton, clothier ; Richard Knapp, yeoman.

Wroughton. Richard Franklyn ; Robert Scoales ; *[both]* gents. Joseph Coventry ; John Duck ; John Cue ; Thomas Lord ; John Fluel ; Edward Cook ; Benjamin Cue ; Obadiah Crook ; John Alexander ; William Hill.

¹ Beary first written.

APPENDICES

Frustfield

Abbottstone. Robert Eyre, Esqr. ; Giles Eyre, Esqr.
Alderstone. George Stokes—F. ; Charles Moody—F.
Cowsfield Esturny. [No names]
Cowsfield Loveress. [No names]
Landford. Robert Moody—L. ; Robert Dennis—L. ; John Newell—C.
Whelpley. Roger Marshman—F. ; William Hiscock—F.

Hatchbury [Heytesbury]

Ashton Gifford. John Turner ; Richard Scammell.
Backely. [No names]
Bathampton. Thomas Strong ; William Roles.
Boyton and Corton. Edmund Lambert, Esqr. ; John Miles ; William White ;
Richard Raxworthy ; Josias Robins ; Thomas Moody ; Richard Withers ;
Christopher Moody ; Thomas Garrett ; Christopher Hinton ; Henry
Laycock ; James Laycock ; Thomas Laycock ; John Newman.
Chittern St. Mary and Chittern All Saints. Christopher Goore Mitchell, Esqr. ;
Thomas Shepherd, gent. ; Christopher Slade, gent. ; Humphry Compton ;
Joseph Hayward, gent. ; Jordan Sanders ; John Slade ; John Wise, gent. ;
George Bromham ; George Tibbs.
Codford St. Mary and Codford St. Peter. William Rabbetts ; John Hollands-
head ; James Rabbetts ; John Ingram ; Stephen Thring ; Thomas
Crouch ; Henry Ingram ; John Ingram ; George Withers ; Christopher
Ingram ; Richard Goodfellow.
Hatchbury. Edward Ash, Esqr. ; William Deane ; William Clare ; William,
Lewis ; John Snellgrove ; Mathew Wornell ; William Childs ; John
Button ; Richard Dan ; Nicholas Dyett ; George Dyer.
Hill Deverill. Thomas Webb, gent.
Horninsham. Edmund Moody ; Alexander Dike.
Imber. Job Polden, Esqr. ; John Ballard ; Thomas Gibbs ; Philip Tucker.
Knook. Joseph Collins ; James Lambert.
Orcheston St. George. [No names]
Upton Lovell. Thomas Mogg ; Edmund Imber ; William Collins.
Whitley. [No names]

Highworth, Cricklade and Staple

Ashton Keynes. Hawkins Chapman, Esqr. ; Ayliffe Richmond, Esqr. ;
Edmund Hinton ; Somerset Hinton ; William Chappelin ; Robert
Chapperlin, senior ; Charles Farrington, junior ; William Telling ;
Maurice Chapperlin, senior ; Maurice Bennett ; Thomas Selby ; Isaac
Gleed ; James Vincent.
Blunsdon St. Andrew. Richard Strainge ; Thomas Ayres.
Broad Blunsdon and Berry Blunsdon. George Moore ; Thomas Hitchman ;
John Stapler, senior ; John Stapler, junior.
Castle Eaton. John Hughes ; Henry Stephens ; Thomas Munday.
Chellworth. John Nott, Esqr. ; John Waldren ; Robert Bristow ; William
Woodward ; William Slatter *alias* Champernown ; Richard Slatter *alias*
Champernown ; Richard Moulder.
Burrough of Cricklade St. Mary's. Joseph Cox, Esqr. ; Mr. Thomas Mills ;
Mr. Joseph Hale.

WILTSHIRE PROCEEDINGS IN SESSIONS

Cricklade St. Sampson's. Richard Birt, senior ; Henry Dennis, junior ; Henry Broadway ; John Archer ; John Skillin ; Edward Saunders ; John Haynes ; John Williams ; William Clerdew¹ ; Richard Walton ; William Reason ; Robert Hegnell ; John Betterton.

Englisham. John Chamberlain.

Eysey. John Green.

Hannington. Raulfe Freke, Esqr. ; Savery Morgan ; Henry Curtis ; William Yorke ; William Weston ; Thomas Kibble ; Michael Haynes ; Giles Edmonds ; Charles Clarke ; Walter Edwards ; Thomas Shermer.

Burrough of Highworth. Thomas Ewer, Esqr. ; Henry Haggard ; Sanuel Wing ; John Long ; John Franklyn ; William Saunders ; Thomas Butcher ; Robert Tuckey.

Latton. William Tomes ; Isaac Fitchew ; William Ware ; Thomas Hodges ; Henry Hodges ; Thomas Townsend ; Thomas Cook ; Walter Hinder ; John Guingell ; Edmund Roberts ; William Stephens.

Leigh. John Packer ; Richard Humphries ; Thomas Green ; William Maskelyne.

Liddiard Millicent. Sir John Askew, Knt. ; Richard Tuckey ; Richard Liddall ; Francis Munday.

Lint. [No names]

Marston Maisey. John Jenner of Marshill ; Thomas Curtis ; William Jenner, senior ; William Jenner, junior ; John Bleeke ; Robert Jenner ; William Skinner ; John Jenner of Orchards.

Poulton. Thomas Tipper ; Richard Adams ; John Adams ; William Lane ; David Moulder ; Edward Adams ; Henry Bye.

Purton. Nevill Maskeline ; John Jewell ; William Bath ; [*all*] gents. John Stratton ; Robert Moulden ; Robert Carter ; Thomas Moulden ; Samuel Shepherd, junior ; Edward Morgan ; John Jefferis ; John Barrett ; Richard Plummer, junior.

Rodborn Cheny. Henry Tucky, gent. ; William Edwards.

Sevenhampton. Edward Eldridge ; James Blagrove.

Shorncliff. [No names]

Somerford Keynes. Bradford Jefferies, the elder ; Thomas Cowley ; William Prince.

South Marston. Anthony Southby, Esqr.

Stanton. John Hippisley, Esqr. ; Thomas Head ; Richard Afferton ; Jeffery Rime.

Stratton St. Margaret's. Mr. []² Read ; Mr. []² Simpson ; Nathaniel Bestlie ; John Lea ; James Avery ; John Edmonds ; John Lewis ; John Jordan ; Mr. Gray ; Mr. Burchall ; William Copland ; John Williams ; Henry Munday.

Water Eaton. Richard Pannell.

Widhill. [No names]

Kingsbridge

Badbury. William Tidcomb, gardener—F.

Binknoll. Ambrose Saunders.

Chissledon West End. William Stratton, yeoman—F.

Chissleton East End. Edward Carpenter ; John Phelps ; [*both*] F.

¹ *Chardeu* first written.

² MS. blank.

APPENDICES

- Clack. Mathew Heath ; Christopher Pinniger ; [*both*] F.
 Cleeveancy and Littlecutt. William White—F. ; William Seager—C. ;
 Robert Seager—L.
 Cleeve Pipard. Thomas Pontin—C.
 Elcomb. William Mapson ; Pagett Alexander ; [*both*] F.
 Hilmarton. Roger Harding—F. George Lawrence ; Robert Eyles ; [*both*]
 C. Joseph Hopkins—L.
 Liddiard Treygoze. Henry Smith ; Oliver Pannell ; Francis King ; [*all*]
 gents.
 Liddington. Thomas Herring ; William Hawkes ; [*both*] F. William Neale ;
 John Freeman ; Walter Brind ; [*all*] yeomen—C. Thomas Warman,
 yeoman—L.
 Lyneham. Robert Tuck, gent.—F. ; John Beckett, mercer—L.
 Preston. Robert Smith—F.
 Swindon. Pleydell Goddard, Esqr. ; William Vylett, Esqr. ; John Vylett,
 Esqr. ; Richard Wayt ; Thomas Wayt ; John Herring ; Joseph Smith ;
 Robert Tuckey ; John Smith ; Thomas Humphries ; [*all*] F. Jasper
 Yorke—L.
 Tokenham.¹ Goddard Smith, Esqr.
 Wanbrough. William Stanley, Esqr. ; Richard Phelps ; John Brind of the
 Inlands ; John Haggard ; John Smith ; John Harding ; John Brind ;
 John Stout ; John Pithouse ; William Naish ; Michael Eyles ; Edward
 Godwin ; Henry Avenell, the younger ; Richard Haynes ; [*all*] F.
 Thomas Adams ; Samuel Coventry ; [*both*] C. John Kent—L.
 Witcombe. Robert Hopkins—L.
 Woodshaw. John Bendry—F. ; Gabriel Hollister—C. ; Seth Parham, yeoman
 Burrough of Wootton Bassett. Thomas Hulbert ; Lewis Long ;² John
 Parham ; John Newnton ; [*all*] F. Nevill Maskelyne ; Charles Rumboll ;
 [*both*] C. George Woolley—L.

Kinwardstone

- Bürbage. John Clarke ; John Blake ; John Blanchard ; Thomas Church ;
 John Savage ; John Andrews ; Giles Durnford ; Edward Savage, senior ;
 William Hillier ; John Smith ; George Kingstone ; Francis Andrews ;
 Hugh Neale ; Thomas Durnford ; [*all*] yeomen.
 Buttermeer. William Lovelock—30l.
 Charnhamstreet. [No names]
 Chilton Foliatt. Samuel Whitlock, Esqr. ; John Kimber, junior ; Henry
 Parks ; William Sherman ; Robert Falter ; Roger Spainswick.
 Chisbury. Stephen Winkworth ; John Tarrant ; Mr. John Tarrant ; William
 Farmer ; John Smith ; [*all*] yeomen.
 Chute. Robert Westcott, yeoman.
 Collingborn Kingstone. Thomas Earle, Esqr. ; Edward Cordery, gent. ; John
 Gilbert, gent. ; John George, gent. ; Henry Norris, senior ; Henry Norris,
 junior ; Thomas Collings, junior ; Salathiel Deane ; John Brunsdon ;
 William Hickman ; Thomas Andrews ; Thomas Hickman, junior ; James
 Ford ; John Watts ; George Blanchard.
 Crofton. John Bushell ; Robert Long.³
 Easton. Thomas Staggs ; Richard Francis ; John Jennings ; [*all*] yeomen.

¹ There is a place written as *Tockenham* also given in MS. There are no names given under it.

² *Lewis Long* struck out.

³ *John Russell ; Robert Lay* first written.

WILTSHIRE PROCEEDINGS IN SESSIONS

- Froxfield and Oakhill. John Liddiard ; Edward Savage ; [*both*] gents.
Alexander Platt.
- Burrough of Great Bedwin. Francis Munday ; Abraham Shepherd ; Joseph Bally.
- Henswood and Puttall. [No names]
- Little Bedwin. Thomas Greenaway ; Christopher Bushell ; [*both*] yeomen.
- Milton. Henry Hungerford, Esqr. ; Richard Stacey, Esqr. ; Edward Clerk, Esqr. ; Edward Naish, Esqr.¹ ; John Whitehart, gent. Anthony Whitehart ; Thomas Cripps ; John Cannings ; [*all*] yeomen.
- Pewsey. Thorpe Pyke ; John Smith ; [*both*] gents. Ralph Winter ; Augustin Batt ; William Somerset ; William Munday ; William Allin ; John Winter ; Thomas Glass ; Peter Smith ; Thomas Edwards.
- Shallborn. Thomas White, gent. ; Thomas Smith, yeoman.
- Stock and Ford. Nicholas Hunt, yeoman.
- Tidcomb and Martin. Robert Hawkins ; John Stroud, senior ; John Stroud, junior ; Thomas Glass, junior ; Thomas Randoll ; Edward Hatherell ; John Douse ; [*all*] yeomen.
- Wilton and Wexcomb. Thomas Piper ; John Piper ; Robert Sheaford ; Richard Stone.²
- Wootton Rivers. Thomas Wardner, gent. ; John Gale, yeoman.

Malmesbury

- Abby. [No names]
- Brimelham. [No names]
- Brinkworth. John Weeks, gent. ; Jeremiah Clifford ; Benjamin Young ; [*all*] F. John Fry ; John Cripps ; [*both*] C. John Gauntlett ; Thomas Nicholls ; [*both*] L.
- Brokenborough. John Bayly, yeoman—C. ; William Gaze, yeoman—C.
- Burtonhill. William Cary, gent.—F. ; Ezekiel Baskerville, yeoman—F. ; Joseph Cullern, miller—F.
- Charleton. Humphry Woodcock, gent.—F. C. and L. ; John Walter, grazier—F. and L. ; Roger Martin, gent.—F. ; Thomas Alexander, yeoman—C. ; John Saunders, yeoman—C. ; Joseph Martin, yeoman—L.
- Corston. John Sparrow, gent.—C. William Earle ; William Gale ; [*both*] yeomen—C. Thomas Honnybone ; Jacob Gale ; [*both*] yeomen—F.
- Crudwell. Giles Earle, Esqr. ; William Alexander, yeoman ; William Mill, yeoman ; Thomas Dick, taylor ; John Clark, labourer—[*all*] F. Henry Oatridge, gent. ; John Mill, junior, yeoman ; William Cole, yeoman ; [*all*] C. John Palmer, gent. ; Giles Ernly, weaver ; William Webb, wheelwright ; [*all*] L.
- Dauntsey. John Blick, yeoman—C. Thomas Ody ; John Cary ; John Smith ; [*all*] yeomen—L. Abraham Clark, yeoman—L.
- Draycott Cerne. Sir Robert Long, Barrrt. ; Richard Rociter, gent. ; [*both*] F.
- Easton Piercy. Isaac Lane, yeoman—L.
- Foxley. William Waite, gent.—F.
- Garsdon. John Buckeridge, gent.—F. ; Henry Millard—L. ; Gilbert Offens—L. ; Henry Langly—L. ; John Orum—C. ; John Carter—F.
- Great Somerford. John Smith—F. ; Robert Alexander—F. ; Jasper Pyke, yeoman—F. ; Henry Pyke, yeoman—F. ; William Knapp, yeoman—F. ; Thomas Sarjeant, yeoman—F.
- Grittenham. John Henley, yeoman—L. and C.

¹ *Gent.* first written.

² *Richard Stone* struck out.

APPENDICES

- Hankerton. Richard Gagg ; George White ; Samuel Pitt ; [*all*] yeomen—F. Thomas Ludlow ; Henry Hill ; John Panter ; [*all*] C.
- Hullavington. John Bullock, yeoman—F. and C. ; Nathaniel Wallis, yeoman—F. and C. ; Wroughton Chandler—C. ; William Coleman, gent.—C.
- Kemble and Ewen. Henry Stevens—C. ; Henry Plummer—L. ; Thomas Ody—L. ; Richard Diggs—C. ; Henry Timbrell—C.
- Lea and Cleaverton. Richard Wiltshire, gent. ; Roger Gauntlett, gent. ; Samuel Clifford, yeoman ; [*all*] F.
- Burrough of Malmesbury. Thomas Young, gent.—F. ; Richard Bromwick, gent.—F. ; Thomas Earle, gent.—F. ; Thomas Saunders, waggoner—F. ; John Rogers, ironmonger—L. ; Henry Williams, innholder—L.
- Milborne. John Saunders ; Thomas Lane ; [*both*] gents.—F.
- Minty Rowe. Thomas Browne, gent.
- Newnton. James Vaughan, Esqr. ; John Weake, gent. ; [*both*] F.
- Norton. William Beake, yeoman—F. and L.
- Oaksey. John Oatridge, gent. ; Joseph Miles, yeoman ; John Manby, yeoman ; William Earle, yeoman ; [*all*] F. Simion Oatridge, yeoman ; John Johnsons, yeoman ; Henry Stephens, yeoman ; [*all*] C. Richard Mathews, butcher—F. and L.
- Pool. Henry Blandford, gent.—F. George Fisher ; Richard Jochem ; Thomas Blandford ; Richard Selling ; [*all*] C.
- Rodborn. Ayliff Kaines, yeoman—C. ; John Handy, junior, yeoman—L. ; David Alexander, yeoman—L.
- Seagry. Nathaniel Houlton, Esqr. ; Richard Bayliffe ; John Holles ; John Hibbard ; [*all*] F. William Briant—C. ; William Adye—L.
- Somerford Parva. Thomas Powell, gent. ; John Sloper ; Jonas Alloway ; [*all*] F. Humphry Spencer—L.
- Stanton Quinton. Humphry Beake, yeoman—F. ; John Cottle, yeoman—C. ; Thomas Browne—F. and C.
- Sutton Benger. Robert Stratton, gent.—F. ; Richard Arnold, yeoman—C. ; Ayliffe Hibbard, yeoman—C.
- Westport. Thomas Hobbs, gent. ; Daniel Bennett, gent. ; Giles Ludlow, gent. ; Henry Robins, gent. ; [*all*] F. James Tily, cordwainer—L. and C. ; Thomas Bayly, cordwainer—F.

Meere

- Kingstone Deverill. William Hurlé ; Charles Blake.
- Meer Town. Chaffin Grove ; James Harding ; William Gamlin ; Henry Clarke ; John Hill ; Andrew Dewdney ; Martin Toogood ; James Down ; Abraham Fleet.
- Stourton. Edmund Wadlow ; Thomas Hordle¹ ; George Green ; Jeremiah Targett.
- West Knoyle. Richard Willoughby, Esqr.
- Woodlands. Michael Butt ; Edward Butt ; Giles Jupe ; Thomas Alford ; William Ford.
- Zeals. Joseph Jacob ; Richard Ford ; Giles Forward.

Melkesham

- Beanacre. Lucas Self, Esqr. Henry Coulthrust ; Thomas Flower, senior ; Thomas Flower, junior ; [*all*] gents. William Moon ; Thomas Gale ; Thomas Wiltshire ; Robert Parsons ; Isaac Church.

¹ *Horle* first written.

WILTSHIRE PROCEEDINGS IN SESSIONS

- Bulkington. Roger Gaisford ; John Gaisford ; William Gaisford ; [*all*] gents.
Thomas Naish ; William Gibbs ; [*both*] yeomen. Charles Strawbridge.
- Cannonhold. John Ruddy, gent. ; John Franklen, mason ; Anthony Makes,
gent.
- Earlstoke. Isaac Axford ; William Axford ; Isaac Aldridge ; John Hibberd ;
John Axford ; Hugh Tilly ; Thomas Axford ; John Tilly ; Bartholomew
Lowdy ; Edward Jordan ; Giles Halliday ; Henry Axford ; James
Wheeler ; Robert Mathews.
- Hilperton and Whaddon. John Eyles, Esqr. ; James Slade ; John Slade ;
Jeffery Merriweather ; Henry Swain ; Simon Cogswell.
- Melksham. Isaac Self, Esqr. ; William Long, Esqr. ; Jeremiah Awdry, gent. ;
William Pavie, malster ; Edward Knight, yeoman ; Thomas Emmett,
carpenter.
- Polshott. William Biggs ; William Trimnell ; John Burt.
- Seend. Edward Seymour, Esqr. ; Ambrose Audry, junior, gent. ; Francis
Mitchell, gent. ; Jeffery Hicks, baker ; Thomas Hillier, yeoman ; William
Bartlett, taylor ; John Flower, yeoman.
- Seendrow. John Turner, Esqr.¹ ; John Threader, clothier ; Bartholomew
Deeke, shopkeeper ; Jeffery Hicks, malster ; Daniel Somner, yeoman ;
Samuel Whatley, cordwainer ; Thomas Somner, malster.
- Trowbridge. John Cooper ; Robert Houlton ; Nathaniel Houlton ; Edward
Mortimer ; John Watts ; [*all*] Esqrs. John Grant ; James Gibbs ; John
Bythesea ; Walter Bignell ; Thomas Clark ; Thomas Burgess ; [*all*] gents.
Thomas Davis ; Robert West, yeoman.
- Whitley and Shaw. John Smith, Esqr. ; Thomas Kington, gent. ; Richard
Marshman, malster ; William Conduit, yeoman ; John Little, yeoman ;
Thomas Poulsome, yeoman ; John Prater, tawer ; Aurthur Gray, black-
smith ; Francis Hale, gent. ; John Reeves, yeoman ; John Townsend,
staymaker.
- Woodrew. Henry Smith ; William Kelson ; Michael Naish.

Pottern and Cannings

- Bedburrough. William Rose ; John Rose ; Lawrence Browne.
- Bishops Cannings. William Naish ; William Cox ; John Bayly.
- Bishops Lavington. William Hunt, Esqr. ; Robert Mattock ; John Alexander ;
John Norris ; Thomas Newman ; Norroys Connopp, gent. ; Richard
Brooks ; Edward Alexander.
- Bourton. William Sloper ; Emanuel Skate.
- Bromham. John Nicholas, Esqr. ; Samuel Webb ; John Anstie ; Thomas
Cooksey.
- Bupton and Highway. John Brown ; John Tucker.
- Chitto. John Peirce.
- Coate. Thomas Weston ; Ambrose Hood ; William Ruddle ; John Neate.
- Horton. Richard Cook, gent. ; John Eatwell.
- Marston. Richard Amor ; Roger Purchase ; Thomas Dowse.
- Nurstedwood. Robert Waylen ; Mathew Allen ; William Waylen.
- Potterne. Henry Kent, gent. ; William Smith, gent. ; James White ;
Edward Bristow ; William Read ; John Jordan ; William Pitt, gent. ;
Richard Lavington ; Robert Rawlins ; John Cooksey ; Henry Brewer ;
Thomas Parsons.

¹ *Gent.* first written.

APPENDICES

Rowd. William Norrington, junior ; John Saintesbury ; Stephen Bullock ; Humphry Gerrish ; Thomas Angell ; William Pottow ; Eleazer Webb ; Daniel Jennings ; William Bollwell ; Thomas Ladd ; Richard Harper ; Job Lowe ; Joseph Baster ; John Shaul.

Rowndway. William Gaby.

Wicke. Henry Flower ; William Powell.

Worton. John Shorter ; Roger Lye ; William May ; John Moore ; John Gaisford.

Ramsbury

Axford. Thomas Appleford ; George Moore.

Baydon. Thomas Chouls ; Anthony Stroud, junior ; Stephen Finch, junior ; Robert Waldron, junior ; Anthony Stroud.

Bishopston. George Willoughby, Esqr. ; William Kent ; John Harding ; Edmund Norris ; Christopher Edmonds ; David Wilson.

Eastridge. Edward Popham, Esqr. Moses Mildenhall ; Thomas Mildenhall ; *[both]* yeomen.

Park Town. Richard Jones, Esqr. ; Richard Richens, gent. ; Richard Dismore ; Thomas Pollard.

Ramsbury. Thomas Battson, Esqr. ; Stephen Smith ; Richard Francis ; Edward Elton ; Roger Talmage ; Edward Jatt ; Joseph Jennings ; Stephen Pullin ; Thomas Staymaker.

Whittonditch. Henry Read, Esqr. ; Thomas Hill ; Moses Mildenhall ; Thomas Mildenhall.

Selkley

Alborne. Richard Pearce ; John Bacon ; Anthony Fowler ; Thomas Curtis ; Thomas Smith ; Thomas Strong ; Richard Witts ; William Mott.

Avebury and Beckhampton. John Beake ; George Stretch ; Samuel Morris ; Thomas Robinson ; Hugh Potter.

Broad Hinton. Henry Pickett, yeoman ; John Hughes.

Catcombe. *[No names]*

East and West Kennett. George Hungerford, Esqr. ; Thomas Smith, gent. ; John Beake, gent. ; William Caswell, gent. ; William Spackman, yeoman.

Mildenhall. *[No names]*

Ogborn St. Andrew. John Liddiard, Esqr. ; Daniel Burgess ; Daniel Appleford, junior ; John Richens ; Samuel Reeves ; John Pearce ; Andrew Rushen.

Ogborn St. George. Thomas Boucher, Esqr. ; Thomas Griffen ; George Mortimer ; Thomas Reeve ; Adam Pain ; William Wooldridge ; Thomas Croke ; Philip Buckerfield ; John Richens ; Joseph Brunnsden ; Henry Brunnsden.

West Overton. Michael Cook ; Robert Church.

Winterborn Bassett. Thomas Baskerville, Esqr. ; Francis Reeves.

Winterborn Munckton. Charles Brinsdon ; Ambrose Stiles.

Swanbrough

All Cannings. William Holloway—F. ; Robert Barrett—C. ; Walter Rivers—C. ; Richard Hibberd—C. ; Solomon Durnford—C. ; William Smith—C. ; John Naish—C.

Allington. William Weston—F. ; John Goodman—F. ; Joseph Parry—L. ; Daniel Hiscock—L. ; Thomas Neat—F. ; John Beak—C. ; Jeffery Hiscock—C. ; Jeffery Dyke—C. ; Thomas Fowle—C.

WILTSHIRE PROCEEDINGS IN SESSIONS

- Alton Barns. Robert Reeks ; William Stone, senior ; William Stone, junior.
 Beaching Stoke. John Hillier—C.
 Charleton. John Mundy ; John Lavington ; [both] F. John Fowler ; William Pinckney ; John Simper ; [all] L.
 Churton. William Hayward, yeoman ; John Bruges, yeoman.
 Connock. Isaac Warrener, gent. Thomas Bruges ; Thomas Manning ; [both] yeomen.
 Draycott Foliatt. Henry Skylling, Esqr.
 Eastcott. Michael Wroughton ; William Wroughton ; [both] gents.
 Easterton. Francis Merriweather ; John Fowle ; William Kingstone ; William Sloper ; John Bishop ; Leonard Bishop.
 Etchillhampton. John Bayly—F. ; Thomas Poulton—L. ; Jonathan Maslin—L.
 Great Chiverell. Thomas Scudamore ; John Mattock, the elder ; John Winsmore ; Joseph Compton ; John Hampton ; Timothy Somner.
 Lavington Forum. John Kingston ; William Filkes ; Daniel Crawly ; John Still ; Henry Jackson ; Thomas Lancaster ; John Gye ; Francis Hall ; John Sloper.
 Little Chiverall. Thomas Hayward, the elder ; John Hampton.
 Manningford Abbotts. Timothy Hiller—C. ; John Hiller—L. ; Edward Fowle—C. ; Briant Smith—C.
 Manningford Bohune. Richard Grinfield—C. ; William Benger—C. ; Richard Higgins—F. ; Edward Alexander—F.
 Manningford Bruce. Stephen Pyke ; Richard Chandler ; William Grace ; John Alexander ; [all] yeomen.
 Marden. Richard Hayward—L. ; William Lavington—F. ; Richard Clack—C. ; Samuel Webb—C.
 North Newton and Hillcott. John Alexander ; Richard Lavington ; Samuel Mayell ; George Ruddle ; [all] F.
 Oar. Thomas Cheyney ; Richard Edmonds ; John Benger ; Francis Munday ; [all] F.
 Rushall. Richard Chandler ; Robert Amor ; John Amor ; William Jefford ; Stephen Rutt ; Peter Rutt.
 Stanton Bernard. Thomas Lavington, gent.—F. ; Lionell Walter—C. ; Richard Carpenter—C. and L. ; Philip Parry—C. ; Samuel Hamlen—C. ; John Godwin—C. and F. ; William Hamlen—C. ; William Liddall—C.
 Stert. Philip¹ Noyes.
 Uphaven. Thomas Jarvis ; John Hayward ; [both] F. William Benger ; Roger Weeks, mason ; Thomas Oram ; Thomas Alexander ; Joseph Stephens ; [all] C. and L.
 Urchfont. Alexander Giddings ; Robert Hayward ; William Crook ; William Shergold ; Amram Rosier ; Charles Giddings ; John Giddings Corner ; Vincent Snooke ; Robert Keite ; Vincent Pearce ; Robert Giddings ; Robert Saintsbury.
 Wedhampton. William Pearce ; William Pearce, cordwainer ; Robert Edwards ; Robert Dean ; John Liddiard.
 Wilcott. James Wroughton, Esqr.—F. Thomas Brunson ; William Brunson ; [both] C.
 Wilsford. Samuel Springbatt—F. Simon Layland ; Edward Springbatt ; William Rich ; [all] C. Simon Jarvis—L.
 Woodborough. Daniel Dyke—F. and L. ; Thomas Chandler—F. ; Joseph Smith—F. ; Richard Amor—F. and L. ; William Chandler—C.

¹ William first written.

APPENDICES

Underditch

- Great Woodford. Henry Biggs, gent.—L. and C. 80*l.* ; James Burrough yeoman—C. 20*l.* ; William Blake, yeoman—C. 20*l.*
 Little Woodford. Robert Bowles, gent.—F. and L. 300*l.* ; Mathew Davis, gent.—C. and L. 20*l.* ; John Whithorne, yeoman—L. and C. 20*l.* ; John Lane, yeoman—C. 10*l.* ; Timothy Whithorne, yeoman—C. 15*l.*
 Milford. John Blake, gent.—F. 100*l.* ; William Pildrim, gent.—L. 100*l.* ; Thomas Goodbee, yeoman—L. 30*l.*
 Stratford under the Castle. William Burrough, gent.—L. 30*l.* ; William Getley, yeoman—F. 20*l.*
 Wilsford and Lake. Robert Duke, Esqr. ; John Day, gent.—F. 50*l.* ; Philip Pinkney, gent.—F. 20*l.*

Warminster

- Bishopstrow. Thomas Exten ; John Hinton.
 Boreham. William Withers ; William Slade ; Jonathan Purnell ; Francis Elliott.
 Corsley. William Barton, gent., of Lambs ; William Elliott, senior, of Whitborn Farm ; William Elliott, junior, of Cihill Farm ; George Cary of Whitborn ; William Down of Sturverd ; Nicholas Leaver of the Fenn¹ ; William Hopkins of Chepmanslade ; Robert Eyres of the same ; William Culverhouse of the same ; John Rimell of the same ; Daniel Watts of the same ; Thomas Rimell of Cars mill ; John Young of Corsley ; John Withey of Cheeps ; John Brown of Ridvers water ; Richard Collings of Corsley ; John Scott of Clarks Batch ; Richard Knight, senior, of Gays ; John Withy, taylor, of Corsley Heath ; Thomas Elliott of Corsley ; Joseph Hopkins of Whitbornemoore ; James Hopkins of Ustases ; Davill Felthem at Felthoms ; Stephen Pope of Whitborne ; William Shepherd ; John Whitlock.
 Corsley Parva. William Barton ; John Scott ; John Young.
 Dinton. William Windham, Esqr. ; Leonard Jess ; Thomas Fitzs ; William Leach ; Andrew Presly.
 Fisherton and Bapton. John Gilbert ; John Davis ; John Ingram ; [*all*] yeomen. Christopher Ingram. William Dawly ; Nicholas Ingram ; Henry Rebbeck ; [*all*] yeomen. Humphry Saywell.
 Great Sutton. Josias Hinton ; John Randall ; William Long ; Samuel Long ; Job Lewis ; Stephen Long ; Richard Collier.
 Little Sutton. Stephen Long ; Edward Halliday ; Jeffery Noke.
 Norton Bavant. Thomas Bennett, Esqr. ; George Knight ; Robert Long of Butlers Comb ; John Chambers.
 Smallbrooke. John Bennett, gent. ; Charles Aldridge, gent. ; William Bleeke, malster ; John Sly, yeoman ; John Crew, malster.
 Teffont Magna. Walter Fitz—F. 40*l.* ; Oliver Smith—F. 10*l.* ; George Lush—C. 10*l.* ; John Lush—C. 10*l.* ; William Chiverell—C. 10*l.* ; Edward Larkham—C. 10*l.*
 Upton Scudamore. William Barton ; John Holloway ; Christopher Green ; John Cayford ; Thomas Chivers.
 Warminster. Benjamin Ludlow, gent. ; Joseph Harebottle, gent. ; William Hughes ; David Hughes ; Thomas Warren, gent. ; George Marven, senior ; Edward Cockey ; John Love ; John Turner ; William Adlam, senior, gent. ; John Daniel ; George Perry, gent. ; Edward Halliday ;

¹ of the same first written.

WILTSHIRE PROCEEDINGS IN SESSIONS

William Adlam, junior, gent. ; John Clare ; Joseph Stroud, senior ; John Halladay, gent. ; Joseph Stroud, junior ; John Wansborough ; John Buckler, gent. ; Humphry Buckler, gent. ; Timothy Bodman ; Henry Ponten ; Henry Jarman ; Samuel Pickman ; William Bayly ; John Townsend ; Robert Hillier ; John Butler ; William Mayor ; Thomas Kenton ; Edward Middlecott, gent. ; Richard Bayly ; John Morgan ; Richard Smith ; John Weeb ; John Meers ; James Eastgate ; John French ; John Maslen ; Richard Green ; Robert Smart ; Stephen Aldridge ; James Willton ; Henry Wansey ; William Marks ; Samuel Riback.

Westbury

Bayliff of Leigh. John Phipps ; Thomas Phipps ; [both] Esqrs. John Blatch, yeoman ; Richard Parsons, joiner ; Edmund Eyres, clothier ; William Fuidge, innholder ; Robert Tucker, gent. ; Thomas Hill, gent. ; William Earnly, innholder ; John Greenhill, malster.

Bratton. Jonathan Ballard ; John Aldridge Ballard ; William Whittaker—Steps ; William Whittaker, senior ; John Whittaker—King ; John Whittaker—Steps ; John Whittaker—Hinton ; John Whittaker, senior ; Henry Whittaker ; John Blatch ; John Brown ; John Prior ; John Hooper ; Jonathan Aldridge ; John Drewett ; Thomas Olden ; John Nevill.

Brook. [No names]

Chapmanslade. William Turner ; George Turner ; Daniel Watts ; Eluathan Holloway ; Harris Burgess.

Chantry tything of Westbury. William Whittaker, tanner ; Samuel Hales, victualler ; Charles Hood, shoemaker ; Joseph Ford, yeoman ; Roger Catter, yeoman.

Dilton. [No names]

Hawkeridge. [No names]

Heywood. William Phipps, Esqr.

Leigh. Stephen Rendall ; Anthony Wilkins ; Henry Blatch.

Penley. John Watts ; George Turner ; [both] Esqrs. Robert Wilkins.

Shortstreet. John Turner, clothier.

Burrough of Westbury. John Withers ; John Edwards ; John Adlam ; Samuel Gibbs ; Richard Gibbs ; James Matravers ; William Simbs ; Henry Barker.

Tything of Westbury Priory. Nicholas Edwards, yeoman ; John Hayter, gent. ; John Lanfear, weaver.

Westbury Town tything. John Gowen, tanner ; William Gaisford, clothier ; John Matravers, gent. ; William Taylor, victualler ; Thomas Gaisford, clothier ; Stephen Gaisford, surgeon.

Whorlesdown

Coulston. William Goddolphin, Esqr. ; John Long, Esqr. ; John Whatley.

Edington. Richard Bowman ; John Moss ; John Hooper ; Solomon Gunstone ; Benjamin Bristow ; John Toghell.

Hinton. William Hill, yeoman ; Robert Crook, carpenter ; Edward Allen, labourer ; William Mayer, labourer.

Keevil. Edward Blagden, Esqr. ; Thomas Gilbert ; James Prior ; Samuel Ferris of Wick ; Mathew Burgess of Wick ; John Sherrill of the Mill ; Ambrose Turner, taylor ; John Hill ; James Wordly.

APPENDICES

Littleton. James Hill.

North Bradley. John Greenhill, gent. ; John Hurne, gent. ; William Whereatt, yeoman ; James Whereatt, yeoman ; Thomas Hurne.

Semington. Meaton Drinkwater ; Robert Bayly ; Drew Hewlett ; Thomas Brugess ; John Rutt.

Southwick. Richard Greenhill ; Richard Parsons ; Benjamin Edwards ; [all] F. Anthony Bissie—C. ; John Carpenter—L.

Steeple Ashton. William Stillman, gent. ; Francis Rogers ; Richard Brown ; George Togwell ; Thomas¹ Gerrish ; Martin Taylor ; Anthony Pyett ; Henry Brown ; John Brown ; Francis Long ; William Dundsdon ; John Dundsdon ; John Turner ; Daniel Prior.

Tinhead. Edward Weston ; William Bartle ; Blackburrough Friend.

West Ashton. Richard Long, Esqr. ; Thomas Beach, Esqr. ; William Silverthorn, gent. ; James Randolph, gent. ; John Fryer, gent. ; Thomas Rawlins.²

¹ *George* first written.

² *Thomas Rawlins* struck out.

APPENDIX III

THE CRAVINGS OF RICHARD BASKERVILLE, HIGH SHERIFF OF WILTSHIRE, FOR ALLOWANCE AT THE EXCHEQUER OF MONEY EXPENDED AT THE ASSIZES AND FOR OTHER MATTERS 1735-1736 :¹

Paid to Mr. William Hillman for the Judge's lodgings at both assizes 3*l.* ; to Mr. Robert Cruse for other necessaries for their lordships in the lodgings 28*l.* 17*s.* ; for carpets, cushions and other furniture for the Courts where the judges sat at both the assizes and at the four quarter sessions of the peace 10*l.* 10*s.* ; for fitting up the court at both the assizes and making several alterations 12*l.* 12*s.* ; for candles at assizes and quarter sessions 3*l.* ; for two boxes with locks and drawers required by the late act of Parliament² to be provided for balloting juries 2*l.* ; for making a book and entering therein alphabetically the names of all persons within the county returned as qualified to serve as jurors and for writing certificates for such jurors as served at both assizes pursuant to the said act, 7*l.* 10*s.* ; for dispersing acts of Parliament for the land tax 14*l.* 14*s.* and for reading in the several boroughs and towns five bundles of proclamations 12*l.* 12*s.* ; for the wages of the Justices of the Peace over and above the fines received at Quarter Sessions 17*l.* 1*s.* 6*d.*

For the diet and guarding of Benjamin Hiscitt, otherwise Hiscott, and William Webb under sentence of death and reprieved for transportation at 2*s.* 6*d.* each per week, Jan. 19 to Apr. 7. 2*l.* 15*s.* ; for the like for John Andrews and Edward Moore the younger under sentence of death, Jan. 19 to Aug. 2. 7*l.* ; for the like for Christopher Bendall under sentence of death for felony for returning from transportation and reprieved in order to be transported, Mar. 10 to Oct. 26. 4*l.* 2*s.* ; for the like for Henry Cater and Samuel Haynes convicted of felony and ordered for transportation, Mar. 10 to 7 Apr., 20*s.* ; for conveying Joseph Deal, charged with horse-stealing, removed by writ of habeas corpus from the gaol at Fisherton Anger to Gloucester gaol, under a strong guard, 10*l.* 10*s.*, and for returning the habeas corpus, with cause of detention 13*s.* 4*d.* ; for conveying William Burnet, charged with highway robbery, removed from the county gaol to Reading gaol, under a like writ and for its return, 11*l.* 3*s.* 4*d.* ; for conveying Edward Sympkins, charged with perjury, to Wells Assizes under a like writ, and for its return, 9*l.* 3*s.* 4*d.* ; for the diet and guarding of Margaret Hodges, under sentence of death and reprieved, Aug. 3-Feb. 3. 3*l.* 5*s.* ; for the like for Richard Early, under sentence of death, for 14 days and for conveying him to the place of execution under a strong guard, 2*l.* 7*s.* ; for conveying James Marlow and James Brooke, charged with highway robbery, removed from the county gaol under a writ of habeas corpus to Winchester, under strong guard, they being very dangerous persons, 10*l.*, and for returning the writ 13*s.* 4*d.* ; for whipping and burning in the hand several criminals pursuant to their respective sentences at the several assizes and quarter sessions, 3*l.* Total 204*l.* 12*s.* 4*d.*³

¹ Public Record Office, Exchequer, Lord Treasurer's Remembrancer's Department Memoranda Rolls [E.368/723], Michaelmas 10 George II, States and Views of Accounts Wiltshire.

² 3 George II c.25 : an act for the better regulation of juries.

³ The Barons of the Exchequer allowed Baskerville 139*l.* 14*s.* of this amount.

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