

DOMINE REX⁷³ [the lord king]. R. Regis: I grant and promise

Sir King we ask of you to be perfectly given and granted unto us that ye shall keep to us and to each of us and to all the churches that be given and committed unto us and to each of us the privileges of law canon and of holy church and due law and rightfulness and us and them defend as a devout Christian king ought to do and in like wise to grant and do through all your realm to every bishop abbot and to all the churches to them committed.

R. Regis (ANIMO LIBENTI⁷⁴ [with a willing spirit]):

With glad will and devout soul I promise and perfectly grant that to you and to every of you and to all the churches to you committed I shall keep the privileges of law canon and of holy church and due law and rightfulness, AND I shall inasmuch as I may by reason and right with God's grace defend you and every [one] of you, every bishop and abbot thorough my realm and all the churches to you and them committed. ALL these things and every of them I Richard king of England promise and confirm to keep and observe, so help me god and by these holy Evangelis [Gospels] by me bodily touched upon this holy altar.

Henry VII: Act of Succession (1485)

[Reproduced above, Section 6C.]

G. ORDER, SOCIAL STRUCTURE, AND THE LAW

Chronology:

- 1305 — “Statute of Conspirators”
- 1348–9 — Black Death (also 1361–2, 1369, 1379 in north)
- 1349 — Ordinance of Labourers
- 1351 — Statute of Labourers (below)
- 1363 — Statute, 37 Edw. III, cc. 8–15, concerning dress of various ranks of society (below)
- 1377 — Statute against maintenance
- 1381 — Peasants’ Revolt
- 1390 — Ordinance concerning livery and maintenance (below)
- 1399 — Statute on the same (below)
- 1413 — “Statute of Additions”
- 1429 — Statute excepts liveries for soldiers in the king’s war
- 1461 — Statute excepts liveries at king’s commandment
- 1468 — Statute excepts lawful service (below)
- 1483 — Sumptuary law (below)
- 1504 — Statute of liveries (below)
- 1536 — Beggars Act (below)
- 1598 — Poor Relief Act (below)
- 1601 — Statute of Charitable Uses (below))

Wage Rates, 1300–1460

from R.H. Hilton, *The Decline of Serfdom in Medieval England* (London, 1969), pp. 39–40

The background to these incidents [leading up to the Peasants’ Revolt] was, of course, the mobility of the rural population to which we have referred, and fierce competition between all types of employers of labour, ranging from the powerful estate owners to the small master craftsmen who were warned in 1376 not to take apprentices from any township where there was a shortage of agricultural labour.¹ The Government was powerless to keep wages down indefinitely, in spite of the enthusiastic and rigorous enforcement of the

⁷³ In right-hand margin.

⁷⁴ In right-hand margin.

¹ *Rot. Parl.* II, p. 340.

Statutes. Wages of all workers rose, but it is interesting to note that the more striking increase in real wages took place after 1380. The following wage figures have been calculated in terms of wheat so as to take into account the movement in food prices.²

| | <i>artisans</i> | <i>agricultural labourers</i> |
|---------|-----------------|-------------------------------|
| 1300–09 | 100 | 100 |
| 1310–19 | 109 | 121 |
| 1320–39 | 121 | 140 |
| 1340–59 | 136 | 148 |
| 1360–79 | 147 | 159 |
| 1380–99 | 190 | 235 |
| 1400–19 | 192 | 210 |
| 1420–39 | 182 | 200 |
| 1440–59 | 241 | 236 |

It must, however, be appreciated that contemporaries probably thought more in terms of wages actually paid over in money than in terms of real wages. Agricultural wages on the Winchester Bishopric estates in pence moved as follows (piece rates, quarter of grain, threshed and winnowed):

| | | | |
|---------|------|---------|------|
| 1300–19 | 3.85 | 1400–19 | 7.33 |
| 1320–39 | 4.78 | 1420–39 | 7.32 |
| 1340–59 | 5.12 | 1440–59 | 7.29 |
| 1360–79 | 6.55 | 1460–79 | 7.22 |
| 1380–99 | 7.22 | | |

These figures show a less striking jump after 1380, the big rise appearing after 1360. Both sets of figures all the same suggest that to begin with wages were held down to some extent, and this may have been partly due to the enforcement of the Statute of Labourers. It also seems to be the case that there was something of an offensive against the landholding as well as against the labouring peasants. Can we say, then, that there was a general seigneurial reaction between the first plague and the 1370s, showing itself in the successful depression of wages below their natural level and in a relative increase in revenues from land? A reaction which would have its consequences in peasant unrest, culminating in the 1381 rising?

Statutes

THE ORDINANCE OF LABOURERS (1349)

Statutes of the Realm, I, 307–308 (Latin)

trans. in *Statutes of the Realm* with capitalization modernized and two typos corrected by CD.

[Preamble] The king to the sheriff of Kent, greeting. Because a great part of the people, and especially of workmen and servants, late died of the pestilence, many seeing the necessity of masters, and great scarcity of servants, will not serve unless they may receive excessive wages, and some rather willing to beg in idleness, than by labor to get their living; we, considering the grievous incommodities, which of the lack especially of ploughmen and such laborers may hereafter come, have upon deliberation and treaty with the prelates and the nobles, and learned men assisting us, of their mutual counsel ordained:

[1] That every man and woman of our realm of England, of what condition he be, free or bond, able in body, and within the age of threescore years, not living in merchandise, nor exercising any craft, nor having of his own whereof he may live, nor proper land, about whose tillage he may himself occupy, and not serving any other, if he in convenient service, his estate considered, be required to serve, he shall be bounden to serve him which so shall him require; and take only the wages, livery, meed, or salary, which were accustomed to

² Figures from M. M. Postan, 'Some Economic Evidence of Declining Population in the Later Middle Ages', *Ec.H.R.* 2nd ser. II, pp. 233, 226. See E. A. Kosminsky's interesting comment on these figures in 'Feudal Rent in England', *Past and Present*, 7.

be given in the places where he oweth to serve, the twentieth year of our reign of England, or five or six other common^e [typo] years next before. Provided always, that the lords be preferred before other in their bondmen or their land tenants, so in their service to be retained; so that nevertheless the said lords shall retain no more than be necessary for them; and if any such man or woman, being so required to serve, will not the same do, that proved by two true men before the sheriff or the constables of the town where the same shall happen to be done, he shall anon be taken by them or any of them, and committed to the next gaol, there to remain under strait keeping, till he find surety to serve in the form aforesaid.

[2] Item, if any reaper, mower, or other workman or servant, of what estate or condition that he be, retained in any man's service, do depart from the said service without reasonable cause or license, before the term agreed, he shall have pain of imprisonment. And that none under the same pain presume to receive or to retain any such in his service.

[3] Item, that no man pay, or promise to pay, any servant any more wages, liveries, meed, or salary than was wont, as afore is said; nor that any in other manner shall demand or receive the same, upon pain of doubling of that, that so shall be paid, promised, required, or received, to him which thereof shall feel himself grieved, pursuing for the same; and if none such will pursue, then the same to be applied to any of the people that will pursue; and such pursuit shall be in the court of the lord of the place where such case shall happen.

[4] Item, if the lords of the towns or manors presume in any point to come against this present ordinance either by them, or by their servants, then pursuit shall be made against them in the counties, wapentakes, tithings, or such other courts, for the treble pain paid or promised by them or their servants in the form aforesaid; and if any before this present ordinance hath covenanted with any so to serve for more wages, he shall not be bound by reason of the same covenant, to pay more than at any other time was wont to be paid to such person; nor upon the said pain shall presume any more to pay.

[5] Item, that saddlers, skinners, white-tawers, cordwainers, tailors, smiths, carpenters, masons, tilers, [shipwrights], carters, and all other artificers and workmen, shall not take for their labor and workmanship above the same that was wont to be paid to such persons the said twentieth year, and other common years next before, as afore is said, in the place where they shall happen to work; and if any man take more, he shall be committed to the next gaol, in manner as afore is said.

[6] Item, that butchers, fishmongers, hostellers, breweres, bakers, pul^lters [i.e., sellers of poultry], and all other sellers of all manner of victual, shall be bound to sell the same victual for a reasonable price, having respect to the price that such victual be sold at in the places adjoining, so that the same sellers have moderate gains, and not excessive, reasonably to be required according to the distance of the place from whence the said victuals be carried; and if any sell such victuals in any other manner, and thereof be convict in the manner and form aforesaid, he shall pay the double of the same that he so received, to the party damnified, or, in default of him, to any other that will pursue in this behalf: and the mayors and bailiffs of cities, boroughs, merchant-towns, and others, and of the ports and places of the sea, shall have power to inquire of all and singular which shall in any thing offend the same, and to levy the said pain to the use of them at whose suit such offenders shall be convict; and in case that the same mayors or bailiffs be negligent in doing execution of the premises, and thereof be convict before our justices, by us to be assigned, then the same mayors and bailiffs shall be compelled by the same justices to pay the treble of the thing so sold to the party damnified, or to any other in default of him that will pursue; and nevertheless toward us they shall be grievously punished.

[7] Item, because that many valiant beggars, as long as they may live of begging, do refuse to labor, giving themselves to idleness and vice, and sometime to theft and other abominations; none upon the said pain of imprisonment shall, under the color of pity or alms, give any thing to such, which may labor, or presume to favor them toward their desires, so that thereby they may be compelled to labor for their necessary living.

[8] We command you, firmly enjoining, that all and singular the premises in the cities, boroughs, market towns, seaports, and other places in your bailiwick, where you shall think expedient, as well within liberties as without, you do cause to be publicly proclaimed, and to be observed and duly put in execution aforesaid;

and this by no means omit, as you regard us and the common weal of our realm, and would save yourself harmless. Witness the king at Westminster, the 18th day of June. By the king himself and the whole council.

Like writs are directed to the sheriffs throughout England.

The king to the reverend father in Christ W. by the same grace bishop of Winchester, greeting. "Because a great part of the people," as before, until "for their necessary living," and then thus: And therefore we entreat you that the premises in every of the churches, and other places of your diocese, which you shall think expedient, you do cause to be published; directing the parsons, vicars, ministers of such churches, and others under you, to exhort and invite their parishioners by salutary admonitions, to labor, and to observe the ordinances aforesaid, as the present necessity requireth: and that you do likewise moderate the stipendiary chaplains of your said diocese, who, as it is said, do now in like manner refuse to serve without an excessive salary; and compel them to serve for the accustomed salary, as it behooveth them, under the pain of suspension and interdict. And this by no means omit, as you regard us and the common weal of our said realm. Witness, etc. as above. By the king himself and the whole council.

Like letters of request are directed to the several bishops of England, and to the keeper of the spiritualities of the archbishopric of Canterbury, during the vacancy of the see, under the same date.

THE STATUTE OF LABOURERS (1351)

Statutes of the Realm, I, 311 (French)

in *English Historical Documents* IV, A.R. Myers ed. (London, 1969), no. 562, pp. 993-4[†]

WHEREAS it was lately ordained by our lord the king and by assent of the prelates, earls, barons, and others of his council, against the malice of servants, who were idle, and not willing to serve after the pestilence, without excessive wages, that such manner of servants, as well men as women, should be bound to serve, receiving the customary salary and wages in the places where they ought to serve in the 20th year of the reign of the king that now is, or five or six years before, and that the same servants refusing to serve in such a manner should be punished by imprisonment of their bodies, as is more plainly contained in the statute. Whereupon commissions were made to divers people in every shire to enquire and punish all those who offend against the same; And now for as much as it is given to the king to understand in the present parliament by the petition of the commons that the servants, having no regard to the ordinance, but to their ease and singular covetousness, do withdraw themselves from serving great men and others, unless they have livery and wages double or treble of what they were wont to take in the 20th year and earlier, to the great damage of the great men and impoverishment of all the commonalty; whereof the commonalty prays remedy. Wherefore in the parliament by the assent of the prelates, earls, barons, and those of the commonalty assembled there, in order to refrain the malice of the servants, there are ordained and established the underwritten articles:

First, that carters, ploughmen, drivers of the plough, shepherds, swineherds, daymen,³ and all other servants, shall take the liveries and wages accustomed in the 20th year or four years before; so that in the countryside where wheat was wont to be given, they shall take for the bushel 10*d*, or wheat at the will of the giver until it be otherwise ordained. And that they be hired to serve by a whole year, or by other usual terms, and not by the day; and that none pay at haymaking time more than a penny a day; and a mower of meadows for the acre 5*d*, or 5*d* by the day; and reapers of corn in the first week of August 2*d*, and the second 3*d*, and so till the end of August, and less in the country where less was wont to be given, without meat or drink, or other courtesy to be demanded, given, or taken; and that all workmen bring openly in their hands to the merchant towns their tools, and they shall be hired there in a common place and not privately.

2. Also, that none take for the threshing of a quarter of wheat or rye over 2½*d*, and the quarter of barley, beans, peas, and oats, 1½*d*, if so much were wont to be given. ...

3. Also that carpenters, masons, and tilers, and other workmen of houses, shall not take by the day further work except in manner as they were wont, that is to say: A master carpenter 3*d*, and other carpenters, 2*d*; a

[†] © Copyright 1969 Eyre & Spottiswood (Publishers) Ltd.

³ I.e., 'dairyman'; see OED s.v. 'dey'.

master mason *4d*, other masons *3d* and their servants *1½d*; tilers *3d* and their boys *1½d*; and other coverers of fern and straw *3d* and their boys *1½d*; plasterers and other workers of mud walls and their boys, in the same manner, without meat or drink, that is from Easter to Michaelmas, and from that time less, according to the rate and discretion of the justices who shall be thereto assigned. And those who carry, by land or by water, shall take no more for such carriage to be made than they were wont to do the said 20th year and 4 years before. ...

4. [All other workmen, artificers, labourers and servants not specified must swear before the justices assigned to use their crafts and do their work as they were wont to do in the 20th year and earlier.]

5. [Stewards and bailiffs shall certify offenders to justices assigned for this purpose, and the justices shall enquire and punish them.]

6. Also, that the justices make their sessions in all the shires of England at least 4 times a year, that is to say, at the Feast of the Annunciation of Our Lady, St Margaret, St Michael, and St Nicholas; and also at all times that shall be necessary, according to the discretion of the justices; and those who speak in the presence of the justices or do other things in their absence or presence in encouragement or maintenance of the servants, labourers or craftsmen against this ordinance shall be grievously punished by the discretion of the justices. And if any of the servants, labourers, or artificers flee from one shire to another, because of this ordinance, then the sheriffs of the shires where such fugitive persons shall be found, shall cause them to be taken at the commandment of the justices of the shires whence they flee, and bring them to the chief gaol of the shire, there to abide till the next sessions of the justices ... and that this ordinance be held and kept as well in the city of London as in other cities and boroughs, and other places throughout the land, within franchises as well as without.

For an example of a letter close appointing justices of labourers under the ordinance of labourers of 1349, with a statement of their duties, see Rymer, *Foedera* (Hague edn, 1740), 3, 1, 61. [S&M, p. 226 n.8, add: “The ordinance [of 1349] had fixed wages as here stated, at the same time prohibiting increased prices for victuals above the standard of the same years, forbidding alms to sturdy beggars, etc. The statute merely added details concerning the wages of agricultural labourers and of artisans, together with measures to secure the enforcement of the ordinance. See B.H. Putnam, *The Enforcement of the Statutes of Labourers*.”]

STATUTE, 37 EDW. III, CC. 8–15 (1363)⁴

from *Statutes at Large*, II (Cambridge, 1762) 164–67

CAP. VIII. *The diet and apparel of servants.*

ITEM, *for the outrageous and excessive apparel of divers people, against their estate and degree, to the great destruction and impoverishment of all the land:* it is ordained, That grooms, as well servants of lords, as they of mysteries and artificers shall be served to eat and drink once a day of flesh or of fish, and the remnant of other victuals, as of milk, butter and cheese, and other such victuals, according to their estate. And that they have cloths for their vesture, or hosing, whereof the whole cloth shall not exceed two marks, and that they wear no cloth of higher price, of their buying, nor otherwise, nor nothing of gold nor of silver embroidered, aimeled,⁵ nor of silk, nor nothing pertaining to the said things. And their wives, daughters, and children of the same condition in their clothing and apparel, and they shall wear no veils passing xii. d. a veil.

CAP. IX. *The apparel of handicraftsmen and yeomen, and of their wives and children.*

ITEM, That people of handicraft, and yeomen, shall take nor wear cloth of an higher price for their vesture or hosing, than within forty shillings the whole cloth, by way of buying, nor otherwise, nor stone, nor cloth of silk, nor of silver, nor girdle, knife, button, ring, garter, nor ouche,⁶ ribband, chains, nor no such other things

⁴ These chapters were repealed by Stat., 38 Edw. 3, c. 2 (1365): “as to that which was ordained at the last parliament, of living and of apparel, ... it is ordained, that all people shall be as free as they were at all times before the said ordinances, and namely as they were in the time of the king’s grandfather, and his other good progenitors.”

⁵ I.e., enameled.

⁶ I.e., a brooch or setting for a precious stone.

of gold nor of silver, nor no manner of apparel embroidered, aimelet, nor of silk by no way. And that their wives, daughters, and children, be of the same condition in their vesture and apparel. And that they wear no veil of silk, but only of yarn made within the realm, nor no manner of furr, nor of budge,⁷ but only lamb, cony, cat, and fox.

CAP. X. *What apparel gentlemen under the estate of knights, and what esquires of two hundred mark-land, &c. may wear, and what their wives and children.*

ITEM, That esquires and all manner of gentlemen, under the estate of a knight, which have no land nor rent to the value of an hundred pounds by year, shall not take nor wear cloth for their clothing or hosing of an higher price, than within the price of four marks and an half the whole cloth by way of buying, nor otherwise, and that they wear no cloth of gold, nor silk, nor silver, nor no manner of clothing imbroidered, ring, buttons, nor owche of gold, ribband, girdle, nor none other apparel, nor harness, of gold nor of silver, nor nothing of stone, nor no manner of furr, and that their wives, daughters, and children be of the same condition, as to their vesture and apparel, without any turning up or purfle.⁸ And that they wear no manner of apparel of gold, or silver, nor of stone, but that esquires, which have lands or rent to the value of ii.C. marks by year and above, may take and wear cloths of the price of v. marks the whole cloth, and cloth of silk and of silver, ribband, girdle, and other apparel reasonably garnished of silver. And that their wives, daughters, and children may wear furr turned up of miniver,⁹ without ermins or letuse,¹⁰ or any manner of stone, but for their heads.

CAP. XI. *The apparel of merchants, citizens, burgesses, and handicraftsmen.*

ITEM, That merchants, citizens and burgesses, artificers, people of handycraft, as well within the city of *London*, as elsewhere, which have clearly goods and chattels, to the value of v.C. pounds, and their wives, and children, may take and wear in the manner as the esquires and great men, which have land or rent to the value of C.li. by year. And that the same merchants, citizens, and burgesses, which have clearly goods and chattels, to the value of M.li. and their wives and children may take and wear in the manner as esquires and gentlemen, which have land and rent to the value of ii.C.li. by year, and no groom, yeoman, or servant of merchant, artificer or people of handycraft shall wear otherwise in apparel than is above ordained of yeomen of lords.

CAP. XII. *The apparel of knights which have lands within the yearly value of two hundred marks, and of knights and ladies which have four hundred mark land.*

ITEM, That knights, which have land or rent within the value of ii.C.li. shall take and wear cloth of vi. marks the whole cloth, for their vesture, and of none higher price. And that they wear not cloth of gold, nor cloths, mantle, nor gold furred with miniver nor of ermins, nor no apparel broidered of stone, nor otherwise: and that their wives, daughters, and children be of the same condition. And that they wear no turning up of ermins, nor of letuses, nor no manner of apparel of stone, but only for their heads. *But that all knights and ladies, which have land or rent over the value of iv.C. marks by year, to the sum of M.li. shall wear at their pleasure, except ermins and letuses, and apparel of pearl and stone, but only for their heads.*

CAP. XIII. *The apparel of several sorts of clerks.*

ITEM, That clerks, which have degree in any church cathedral, collegial, or schools, or clerk of the King, that hath such estate that requireth furr, shall do and use according to the constitution of the same. And all other clerks, which have ii.C. marks of land by year, shall wear and do as knights of the same rent. And other clerks within the same rent, shall wear as the esquires of C.li. of rent. And that all those, as well knights as clerks, which by this ordinance may wear furr in the winter, in the same manner shall wear linure in the summer.

⁷ I.e., a fur prepared from lambskin but dressed with the wool outward.

⁸ I.e., a decorated or embroidered border of a garment.

⁹ I.e., fur of white squirrel.

¹⁰ I.e., lettuce, a whitish gray fur.

CAP. XIV. *The apparel of ploughmen, and other of mean estate; and the forfeitures of offenders against this ordinance.*

ITEM, That carters, ploughmen, drivers of the plough, oxherds, cowherds, shepherds, deyers, and all other keepers of beasts, threshers of corn, and all manner of people of the estate of a groom, attending to husbandry, and all other people, that have not forty shillings of goods, nor of chattels, shall not take nor wear any manner of cloth, but blanket, and russet wool of twelve pence, and shall wear the girdles of linen according to their estate, and that they come to eat and drink in the manner as pertaineth to them, and not excessively. And it is ordained, that if any wear or do contrary to any of the points aforesaid, that he shall forfeit against the King all the apparel that he hath so worn against the form of this ordinance.

CAP. XV. *Clothiers shall make cloths sufficient of the foresaid prices, so that this statute for default of such cloths be in no wise infringed.*

ITEM, *to the intent that this ordinance, for the taking and wearing of cloths be maintained and kept in all points without blemish:* it is ordained, that all the makers of cloths within the realm, as well men as women, shall confirm them to make their cloths according to the price limited by this ordinance. And that all the drapers shall buy and purvey their sorts according to the same price. So that so great plenty of such cloths be made and set to sale in every city, borough, and merchant town, and elsewhere within the realm, that for defaults of such cloths the said ordinance be in no point broken. And to that shall the said clothmakers and drapers be constrained by any manner way that best shall seem to the King and his council. And this ordinance of new apparel shall begin at Candlemas [2 February] next coming.

STATUTE(S) CONCERNING MAINTENANCE (1377)

from *Statutes of the Realm*, II (s.1., 1816) 2, 3, 3-4¹¹

[c. 4] ITEM, It is ordained and established, and the King our Lord straitly commands That none of his counsellors, officers, or servants, nor any other person within the realm of England, of whatsoever estate or condition they be, shall from henceforth take nor sustain any quarrel by maintenance in the country, nor elsewhere, upon a grievous pain; that is to say, the said counsellors and the king's great officers, upon a pain which shall be ordained by the king himself, by the advice of the lords of his realm; and other less officers and servants of the king, as well in the Exchequer, and all his other courts and places, as of his own meiny [household], upon pain to lose their offices and services, and to be imprisoned, and then to be ransomed at the King's Will, every of them according to their degree, estate, and desert; and all other persons through the realm upon pain of imprisonment, and to be ransomed as the other aforesaid.

[c. 7] ITEM, Because that divers people of small revenue of land, rent, or other possessions, do make great retinue of people, as well of esquires as of others, in many parts of the realm, giving to them hats and other liveries, of one suit by year, taking of them the value of the same livery, or per case [in some situations] the double value, by such covenant and assurance, that every of them shall maintain other in all quarrels, be they reasonable or unreasonable, to the great mischief and oppression of the people; It is ordained and assented, That the statutes and ordinances made in such case before this time, be kept and duly executed; and moreover the King doth straitly defend [prohibit], that from henceforth no such livery be given to any man for maintenance of quarrels, nor other confederacies, upon pain of imprisonment and grievous forfeiture to the King; and the justices of assises shall diligently enquire of all them that gather them together in fraternities by such livery to do maintenance; and they which thereof shall be found guilty, shall be duly punished, every man after the quantity of his desert.

[c. 9] ITEM, Because it is complained to the King that many people of the realm, both great and small, having right and true title as well to lands, tenements, and rents, as well as in other personal actions, be wrongfully delayed of their right and actions, by means that the occupiers or defendants, in order to be maintained and sustained in their wrong, do commonly make gifts and feoffments of their lands and tenements

¹¹ Statute 1 Ric. II (1377). The original is in French. The language of the translation in SR is archaic. The modernized translation of c.9 given here is mine, that of c. 4 and 7 is probably mine. If not, I will acknowledge the source if it is notified to me.

which be in debate, and of their other goods and chattels, to lords and other great men of the realm, against whom the said pursuants, for great menace that is made to them, cannot nor dare not make their pursuits; and also on the other part complaint is made [to the King] that oftentimes many people do disseise others of their tenements, and immediately after the disseisin done, they make divers alienations and feoffments, sometimes to lords and great men of the realm to have maintenance, and sometimes to many persons of whose names the disseisee can have no knowledge, to the intent to defer and delay by such frauds the said disseisees, and the other demandants and their heirs, of their recovery; to the great hindrance and oppression of the people: It is ordained and established, That from henceforth no gift or feoffment of lands, tenements, or goods be made by such fraud or maintenance; and if any be in such wise made, they shall be held for naught and of no value; and the said disseisees shall from henceforth have their recovery against the first disseisors, both of the lands and tenements and of their double damages, without having regard to such alienations; so that the disseisees commence their suits within the year next after the disseisin done: And It is ordained and established, That the same statute shall hold place in every other action or plea of land where such feoffments be made by fraud or collusion, to have their recovery against the first such feoffor: And it is to be known, that this statute ought to be understood where such feoffors thereof take the profits.

ORDINANCE CONCERNING LIVERY AND MAINTENANCE (1390)¹²S&M, pp. 243–4 (No. 64C)

Whereas ... in many of our parliaments previously held ... grievous complaint and great clamour has been made to us by the lords spiritual and temporal, as well as by the commons of our kingdom, concerning the great and outrageous oppression of maintenance, carried on to the damage of us and our people in various parts of the same kingdom by divers supporters ... of suits and inquests ... , among whom many are the more encouraged and emboldened in their aforesaid maintenance and wrongdoing because they are in the retinues of lords and others of our said kingdom [and are provided] with fees, robes, and other liveries called company liveries: [therefore] by the advice of our great council, we have ordained and straitly enjoined that neither prelate nor other man of Holy Church, nor bachelor, nor squire, nor other man of less estate shall bestow any sort of such livery as is called company livery; and that no duke, earl, baron, or banneret shall bestow such company livery on knight or squire, unless he is retained for the term of his life during peace and war and through indenture [made] without fraud or malice, or unless he is a domestic and family retainer living in the household; nor [shall such a nobleman bestow such livery] on any valet called “yeoman archer,” or on any person of less estate, unless he is similarly a family retainer living in the household. ... And [it is ordained] that no lord spiritual or temporal or other person, who has or shall have men in his retinue, shall suffer any who are with him to be in any way supporters ... of suits and inquests in the localities; but, as aforesaid, he shall oust them from his service and retinue as soon as it can be perceived [that they are wrongdoers of this sort] ... ; and that none of our lieges, great or small, of whatsoever condition he may be, whether he is the retainer of some lord or is any other sort of person belonging to no retinue, shall undertake any quarrel other than his own or shall maintain it by himself or through others, either openly or in secret; and that all those who, contrary to this our ordinance, use or wear such livery as is called company livery shall utterly abandon it within ten days after the proclamation of this same ordinance. ...

Given under our great seal at Westminster, May 12.

By the king himself and the council.

(French) *Statutes of the Realm*, II, 74 f.

STATUTE, 1 HENRY IV, c.7 (1399)

from *Statutes at Large*, II (Cambridge, 1762) 391

CAP. VII. *The penalty for unlawful giving or wearing of liveries. Who may wear the King's liveries, and in what places. To what persons only liveries may given.*

¹² This ordinance was one of many futile efforts to check the practice of keeping bands of uniformed retainers, organized like the notorious free companies in the French wars. [Another translation may be found in EHD 4:1116. CD]

ITEM, to eschew maintenance, and to nourish love, peace, and quietness, of all parts through the realm: it is ordained and established, by the King and his lords spiritual and temporal, and the commons aforesaid in the full parliament; That no lord, of what estate or condition soever he be, shall use nor ordain any livery of sign of company, to no knight, esquire, nor yeoman, within the realm aforesaid: saving always that our sovereign lord the King shall give only his honourable livery to his lords temporal, whom shall please him: saving also that our sovereign lord shall give his honourable livery to his knights and esquires menial, and also to his knights and esquires, which be of his retinue, and do take of him their yearly fee for term of life. Moreover it is accorded and assented by the King, his lords and commons aforesaid, That the knights & esquires shall not in any wise wear their said liveries in their countries or counties where they be resident or dwelling, nor in none other place within the realm out of the King's presence. And if any lord do the contrary, and that duly proved, he shall make fine and ransom at the King's will. And if any knight or esquire do the contrary, and be thereof duly attainted, he shall lose his said livery, and forfeit his fee for ever. And that no yeoman take nor wear any livery of the King, nor of none other lord upon pain of imprisonment, and to make fine and ransom at the King's will: provided alway That the constable and marshal of *England*, for the time being, in their retinue of knights and esquires, may wear the said livery of the King, upon the borders and marches of the realm in time of war: provided also, That all they that will travel, and pass over the parts beyond the sea to seek honour, may wear the same livery in those parts, without being thereof any wise grieved or impeached. Moreover it is accorded and assented, That no archbishop, bishop, abbot, nor prior, nor none other man of holy church, or temporal, of what estate or condition he be within the said realm, shall give any livery of cloth to any man, but only to his menial servants and officers, or to them that be of his council, as well spiritual as temporal, learned in the one law or the other, upon pain to make fine and ransom at the King's will. Ant this statute or ordinance shall begin to hold place, from the feast of Candlemas next to come.

SUMPTUARY STATUTE, 3 EDWARD IV, c.5 (1463)

from *Statutes of the Realm*, II 399–401 (French).¹³

ITEM, Prayen the Commons in the said Parliament assembled, to our said Sovereign Lord the King, to [call] to his [gracious] Remembrance, that in the Times of his noble Progenitors divers Ordinances and Statutes were made in this Realm [of England] for the Apparel and Array of the Commons of the same [Realm,] as well of Men as of Women, so that none of them [ought to] use nor wear any inordinate [and excessive] Apparel, but only according to their Degrees; which Statutes and Ordinances notwithstanding, for Default of Punishment and putting them in due Execution, the Commons of the said Realm, as well Men as Women, have worn and daily do wear excessive and inordinate Array [and Apparel,] to the great Displeasure of God, and impoverishing of this Realm [of England] and to the enriching of [other] strange Realms and Countries, to the final Destruction of the Husbandry of this said Realm:

Our said Sovereign Lord the King, by the Advice and Assent of the said Lords, [and at the special Request] of the said Commons assembled in the said Parliament, and by Authority of the same, hath ordained and established, That no Knight under the Estate of a Lord, other than Lords' Children, nor no Wife of such Knight, from the Feast of the Purification of our Lady [25 March], which shall be in the Year of our Lord God One thousand four hundred sixty-five, shall wear any manner Cloth of Gold, or any Corses wrought with Gold, or any Furr of Sables; and if any such Knight do the contrary, or suffer his Wife or Child, the same Child being under his Rule or Governance, to do the contrary, that then he shall forfeit for every such Default xx li. to the King.

And also that no Bachelor Knight, nor his Wife, from the said Feast, shall wear any Cloth of Velvet upon Velvet, but such Knights which be of the Order of the Garter, and their Wives, upon Pain to forfeit to the King's Use] for every [such] Default Twenty Marks.

¹³ This item is new in 2023. I include it because it is the first English sumptuary statute that lasted for any length of time. The translation is from the *Statutes of the Realm* and is older than that edition, which itself dates from early 19th century. Items in square brackets are, for the most part, indications that the translation is departing from or interpreting the French text. There is also a text in the *Rolls of Parliament* that is somewhat different. All three texts are a mess. It would make a great topic for a paper. CD.

And also that no Person under the State of a Lord, from the said Feast, wear any manner Cloth of Silk, being of the Colour of Purple; upon Pain to forfeit to the King for every Default x li.

And also that no Esquire nor Gentleman, nor none other under the Degree of a Knight, nor none of their Wives, except Sons of Lords and their Wives, and the Daughters of Lords, Esquires for the King's Body, and their Wives, [shall] wear from the said Feast any Velvet, Satin [branched,] nor any counterfeit Cloth of Silk resembling to the same, or any Corses wrought like to Velvet or to Satin [branched,] or any Furr of Ermine; upon Pain to forfeit for every Default Ten Marks to the King's Use.]

And also that no Esquire nor Gentleman, nor none other under the Degrees above rehearsed [shall] wear, from the said Feast, any Damask or Satin, except [the menial Esquires,] Sergeants, Officers of the King's House, Yeomen of the Crown, Yeomen of the King's Chamber, and Esquires and Gentlemen having Household, Possessions to the yearly Value of xl li. and their Wives and Widows having like Possessions, and the Daughters unmarried of Persons having Possessions to the Value of a Hundred Pounds by Year; upon Pain to forfeit to the King for every Default a Hundred Shillings.

Provided always, That the Steward, Chamberlain, Treasurer, and Comptroller of the King's House, and Knights for his Body and their Wives, may wear Furr of Sables and Ermines; [p. 400] And that the Mayors of the City of London, which be or have been, or hereafter for the Time shall be, and their Wives, may wear such Array as before is limited to Bachelor Knights, and to their Wives: And that such which be or have been, or for the Time shall be, Aldermen or Recorders of the same City, and all Mayors and Sheriffs of Cities, Towns, and Boroughs of this Realm [of England,] such as be Counties corporate, and all Mayors and Bailiffs of all other Cities, and of every of the Five Ports, and the Barons of the same Ports, such as have been chosen and assigned, or hereafter shall be chosen and assigned to do their Service at the Coronation of the King our Sovereign Lord, or of [my Lady] the Queen, And Mayors of Boroughs Corporate, being Shire Towns, and the Mayors Recorders and Bailiffs of Colchester and Lynn, and the Recorders of the said Cities, Boroughs, and Towns, being Counties Corporate, and of all other Cities, now being Recorders, or which have been or in Time to come shall be, and the Aldermen of the same, and their Wives in like manner, may use and wear such Array as before is limited to Esquires and Gentlemen before specified, having Possessions to the yearly Value of Forty Pounds.

And also [our said Sovereign Lord the King] hath ordained and stablished [in this present Parliament,] That no Man but such as have Possessions to the yearly Value of Forty Pounds or above, [shall] wear, from the said Feast, any Furr of Martrons Letuse [pure gray or pure myniver;] nor no Wife, Son, Daughter, nor Servant of any Man, the same Son and Daughter being in his Rule and Governance, nor no Widow but such as hath Possessions of the said yearly Value of Forty Pounds, shall use nor wear any of the said Furrs, or any Girdle garnished with Gold [or Silver, in any Part of the same Gilt] or any Corse of Silk made out of this Realm [of England,] or any [Coverchiefs,] whereof the Price of a Plite shall exceed the Sum of iij. Shillings four-pence; upon Pain to forfeit to the King for every Default thereof Five Marks.

Provided always, That the said [menial Esquires,] Sergeants, Officers of the Household, King's House, Yeomen of the Crown, Yeomen of the King's Chamber, and Esquires and Gentlemen having Possessions of the said yearly Value of Forty Pound, and the aforesaid Mayors, Recorders, Aldermen, Sheriffs, and Bailiffs of every of the said Cities Towns and Boroughs, and the said Barons of the Five Ports [of the Realm of England,] and their Wives may wear the said Furrs of Martrons, [Foyns,] Letuse, [pure Gray, or pure Miniver,] and also that their said Wives may use and wear gilt Girdles, and [Coverchiefs,] of Persons not the Price of Five Shillings the Plite.

And Moreover, he hath ordained and stablished, That no Man but such as hath Possessions of the yearly Value of xl s. [shall wear] in Array for his Body, from the said Feast, any Fustian, Bustian, nor Fustian of Naples, scarlet Cloth in Grain, nor no [Furr] but black or white Lamb; all Mayors, Aldermen, Sheriffs, Barons of the Five Ports, Bailiffs of Cities and Boroughs, and other before provided, and their Wives, and the menial Servants of Yeomens Degree, of Lords, Knights, Esquires, and other Gentlemen having Possessions of the

said yearly Value of Forty Pounds except; upon Pain of Forty Shillings to be forfeit to the King for every such Default.

[p. 401] And also he hath ordained and stablished, That no Yeoman, nor none other Person under [the same] Degree, from the said Feast of Saint Peter called ad vincula [1 Aug.], which shall be in the Year of our Lord M CCCC lxxv. shall use nor wear in Array for his Body, any Bolsters nor stuffing of Wool, Cotton, nor Cadas, nor [any] stuffing in his Doublet, but only Lining according to the same; upon Pain to forfeit to the King's Use for every such Default Six Shillings and Eight-pence.

Also [our said Sovereign Lord the King, by the Advice and Assent aforesaid,] hath ordained and established, That no Knight under the Estate of a Lord, Esquire, Gentleman, nor none other Person, shall use or wear from the Feast of All Saints [1 Nov.], which shall be in the Year of our Lord MCCCC lxxv. any Gown, Jacket, or [Coat,] unless it be of such Length that the same may cover his privy Members and Buttocks; upon Pain to forfeit to the King for every Default Twenty Shillings.

[Also by the Assent aforesaid, it is ordained, That] no Taylor after the said Feast shall make to any Person, any Gown, Jacket, or [Coat'] of less Length, or Doublet stuffed, contrary to the Premises, upon the same Pain for every Default.

And also [our Lord the King] hath ordained and established, [in the said Length of present Parliament,] That no Knight under the State of a Lord, Esquire, Gentleman, nor other Person, shall use nor wear, after the said Feast of Saint Peter, any Shoes or Boots having Pikes passing the Length of Two Inches; upon Pain to forfeit to the King for every Default Three Shillings and Four-pence.

And if any [Shoemaker] make any Pikes of Shoes or Boots after the said Feast of Saint Peter, to any of the said Persons, contrary to this Ordinance, he shall likewise forfeit to the King for every Default [Four Shillings Four-pence].

Also he hath ordained and established, [by the Advice and Assent aforesaid,] That no Servant of Husbandry nor no common Labourer nor Servant [nor] any Artificer dwelling out of a City or Borough, after the said Feast of All Saints, shall use nor wear in their Clothing any Cloth, whereof the broad Yard shall pass the Price of Two Shillings; nor that any of the said Labourers nor Servants suffer any of their Wives to wear after the same Feast, any Cloathing of higher Price than before is limited to their Husbands; nor that they suffer any of their said Wives, after the same Feast, to wear any [Coverchiefs,] whereof the Price of the Plite shall pass Twelve-pence; nor that none of the same Servants nor Labourers, after the same Feast, shall wear any close [Hosen,] whereof the Pair shall pass in Price Fourteen-pence; nor that the same Servants nor Labourers, nor none of their Wives, from the said Feast, shall wear any Girdle garnished with Silver; upon Pain to forfeit for every Default to the King, Three Shillings Four-pence.

And because that Price of [Coverchiefs] daily brought into this Realm do induce great Charge and Cost in the same, and in Effect in Waste, our said Sovereign Lord the King, by the Authority aforesaid, hath ordained and stablished, That no Person, after the Feast of Saint Michael the Archangel [29 Sep.], which shall be in the Year of our Lord [One thousand five hundred sixty-five,] shall sell in any Part within this Realm, any Lawn, Niefles, Umple, or any other manner of [Coverchiefs,] whereof the Plite shall exceed Ten Shillings, upon Pain to forfeit to the King for every Plite sold at an higher Price, xij s. iij d.

[p. 402] And also he hath ordained and stablished, That the Justices of the Peace of every County, Mayors of Cities and Boroughs within this Realm, shall have Authority and Power to enquire, hear, and determine all and every of the said Defaults and Forfeitures, as well by Enquiry as by due Examination of every of the said Offenders contrary to this Ordinance; and the Matters and Causes, concerning the said Offences and Forfeitures, to determine by like Process and in like Manner and Form before Attainder in this Behalf, as is commonly used by them of Trespass done with Force and Arms against the King's Peace, after the Attainder like Execution. And if any Matter, touching any of the said Offences, be removed [of] any of the said Justices of Peace or Mayors, before the King, that then the Justices [assigned for] Pleas before the King to be holden, shall have Power to award such Process and Execution in this Behalf, as Application before is limited.

Also he hath ordained and stablished, That all the said Forfeitures, and every of them, shall be levied, applied, and employed to the Use and Expences of the King's House.

Provided always, That this [Statute] of Array be in no wise prejudicial or hurtful to any Person, of and for wearing of any [Ornament,] Vesture, or Apparel in doing of Divine Service, and attending to the same; nor that this Ordinance extend to the Justices of any Bench of our Sovereign Lord the King, Master or [Warden] of the Rolls, [Master] of the King's Chancery, Barons of the King's Exchequer, nor Chancellor of the same, which now be, or hereafter shall be, nor to any of them.

Provided also, That the Scholars of the Universities of this Realm, and Scholars of any University out of this Realm, may wear such Array as they may wear by the Rule of the said Universities, notwithstanding this Ordinance.

Provided also, That Henchmen, Heralds, Pursuivants, Sword-bearers to Mayors, Messengers, and Minstrels, nor none of them, nor Players in their Interludes, shall not be comprised within this [Statute]; nor no Persons as for wearing of any [Purses, Broches,] or Crowns for Caps of Children, shall be comprised within the same.

Provided also, That this [Ordinance] do in no wise extend to any manner of Array necessarily to be [worn] in War, or in [the Feats] of the same.

STATUTE, 8 EDWARD IV, C.2 (1468)

from *Statutes at Large*, III (Cambridge, 1762) 399–402 (slightly modernized).

CAP. II. *An act concerning liveries of company.*¹⁴

ITEM, our sovereign lord the King, remembering that where in times past divers statutes have been made for the punishment of such persons, which give or receive liveries, with divers pains and forfeitures comprised therein: and that yet divers persons in great number, having no dread of the said pains and forfeitures, do daily offend against the form of the same: by the advice and assent of the lords spiritual and temporal, and at the prayer of the commons of this realm, being in the said parliament, and by authority of the same, hath ordained and established, that all statutes and ordinances made before this time against any persons for giving or receiving of liveries and badges, shall be fully observed and kept. And moreover, that no person of what estate, degree or condition that he be, by himself or any other for him, from the feast of the nativity of *Saint John the Baptist*, which shall be in the year of our Lord God, M.CCCC.lxviii, shall give any such livery or badge, or retain any person other than his menial servant, officer, or learned man in the one law or the other, by any writing, oath, or promise, and if any do the contrary, that then he shall run in pain and forfeiture for every such livery or badge, giving a C. s. and the retainer or taker of such oath, writing or promise or retainer by indenture, for every such retaining or taking of any such oath or promise or retaining by indenture, shall incur the pain and forfeiture of one hundred shillings for every month that any such person is so retained with him, by oath, writing, indenture, or promise. And also that every person so retained, by writing, indenture, oath, or promise, for every such month that he is so retained, shall forfeit and lose one hundred shillings.

And moreover the King, by the advice, assent, and authority aforesaid, hath ordained and established, That as well before the King in his bench, as before the justices of the common place, justices of peace in their sessions, justices of *Oyer* and *Terminer*, and gaol delivery; the King's justices in his counties palatine of *Lancaster* and *Chester*, for the time being, in every of those the King's courts aforesaid, before them or any of them; and in the regalty and court of the archbishop of *York* in *Hexhamshire* before the justices there: and in the court of the bishop of *Durham*, in the county palatine of *Durham*, before the justices there, every person that will sue or complain against any person or persons offending or doing against the form of this ordinance, or any other of the premisses, shall be admitted by the discretion of the judges in every of the said courts, to give information for the King therein, of any of the premisses within the jurisdiction of every of the said courts done or committed. And every such informer, if he will, shall be admitted to sue for the King and himself,

¹⁴ Repealed 3 Car. 1, c. 4.

action for action upon the same by information to be given or made in any of the said courts, against as many such offenders in one bill or information to be named as liketh him, which so informeth. And this information so given shall stand and be instead of a bill, or original writ. And that thereupon all such process shall be had and made, as is had and made upon an original writ of trespass done against the King's peace. And if any of the offenders be present in any of the said courts, he by the commandment of every of the judges in the same courts, shall be brought in and put answer to such bill or bills by such information, by an oath first to be made upon a book by the informer, before any of the said judges, that this complaint is rightful without any other or further process therein. And that the same judges and every of them, in every of the said courts, shall have power in their several jurisdiction, to examine all persons defendants, and every of them, upon every such information, and to judge him or them convicted or attainted as well by such examination as by trial, as the case requireth, after the discretion of the judges: and also shall be charged by the judgment in the same to the person complainant or informer in this behalf, of all the costs had in the same, by the discretion of the judges and judge in the same. And also the same party complainant to have the one half of the said forfeitures, and the King the other half.¹⁵ And all such execution to be had for the informer in this behalf, as is had, or ought to be had in recoveries of debt or trespass at his pleasure. And that no protection nor essoin be allowed upon any such information. And that no sheriff nor coroner return upon any defendant being a person sufficient, in any suit grounded upon any of the premisses returned sufficient, any less issues than twenty shillings at the first day of the distress: and at the second day xxx. s. and at the third day forty shillings, and so at every day after, more by ten shillings in issues. And if any sheriff or coroner do the contrary, that then he shall forfeit for every such return against the form aforesaid, twenty shillings.

And also by the advice, assent, and authority aforesaid, it is ordained, That in every city, borough, town, and port of this realm corporate, wherein the mayor, sheriffs, bailiff or bailiffs, or other chief officer of such city, borough, town or port, have power to hear and determine personal pleas: the same mayor, sheriffs, sheriff, bailiff or bailiffs, or chief officer in the court holden before them or any of them, within any such city, borough, town, or port, shall have all like and such authority to receive such information as to hear and determine as well by examination, as by trial by their discretion; all things done concerning the premisses, by, or to the inhabitants within the jurisdiction of the same court. And to make and to put this ordinance in execution, in like manner and form as is above ordained. And that our sovereign lord the King, shall have the one half of the forfeiture, and the informer therein, and the mayor, sheriffs, sheriff, bailiff or bailiffs, or chief officer of such city, borough, town or port, to have the other half equally to be divided betwixt them: whereof the part pertaining to the mayor, sheriffs, sheriff, bailiff or bailiffs, or chief officer, shall be applied to the use of such city, borough, town, or port. And that all retainings, and every retaining by indenture or other writing oath or promise of any person made before the said feast, other than to be menial servants or officer, or of his council, or for lawful service done or to be done, shall be from the said feast utterly void and of no force nor effect.

And it is ordained and established, by the advice, assent, and authority aforesaid; That our sovereign lord the King, shall have the one half of all the said pains and forfeitures, in manner and form before ordained: except in cities, boroughs, towns, and divers other places, where any person or persons have by reason of their privileges, liberties, franchises or grants, like forfeitures and pains: and that every such person or persons, shall have the half of the said forfeitures and pains made by this act, according to their privileges, liberties, franchises and grants, as the King should have, if the said privileges, liberties, franchises and grants had not been had, granted, nor made.

Provided always, that this act extend not, nor be prejudicial to any gift, grant, or confirmation made, or to be had of any fee, annuity, pension, rent, lands, or tenements, by the King, or any other person or persons, to any person or persons for their council given or to be given, and their lawful service done or to be done, and for none other unlawful cause, nor none other unlawful intent: although that the person or persons to whom such gift, grant, or confirmation is or shall be made, be not learned in the one law or in the other.¹⁶

¹⁵ Compare the process that became known as a *qui tam* action.

¹⁶ Does this proviso negate the statute?

Also it is ordained by the advice, assent, and authority aforesaid, That every such gift, grant, or confirmation, shall be of like force and effect, and as good, effectual, and available, as they and every of them were, if this act had not been made.

And by the said authority it is ordained, That no *Exigend* shall be awarded by any of the justices for the time being, within the said counties palatine of *Lancaster* and *Chester*, or either of them, or in the said bishoprick of *Durham*, against any person or persons, upon any information, suit, or process to be made by force of this ordinance and statute. And if any *Exigend* be awarded, or an outlawry thereupon pronounced, in any information, suit, or process to be made by virtue of this ordinance, as before is said, that then such outlawry shall be utterly void and of no force nor effect, without any suit or writ of error or otherwise.

Provided also, That this ordinance do not extend to any livery given or to be given, at the King's or Queen's coronation, or at the stallation of an archbishop or bishop, or erection, creation, or marriage of any lord or lady of estate, or at the creation of knights of the bath, or at the commencement of any clerk in any university, or at the creation of serjeants of the law, or to give by any guild fraternity or mystery corporate, or by the mayor and sheriffs of the city of *London* or any other mayor, sheriff, or other chief officer of any city, borough, town, or port of this realm of *England*, for such time being, during that time, and for executing their office, or occupation, nor to any badges or liveries to be given in defence of the King, and of his realm of *England*, nor to the constable and marshal, nor to any of them for giving any badge, livery, or token for any such feat of arms to be done within his realm, or to any wardens of the marches toward *Scotland* for any livery, badge, or token of them to be given from *Trent* northward, at such time only as shall be necessary to levy people for defence of the said marches or any of them.

SUMPTUARY STATUTE (1483)

Statutes of the Realm, II, 468–70

in *English Historical Documents* IV, no. 692, p. 1178.

[A sumptuary law had already been passed in 1463 (*ibid.* 399–401); but this act of 1483 was more stringent, except that, unlike its predecessor, it exempted women from its operation, save for the wives of servants and labourers.]

BECAUSE our sovereign lord the king has understood, by a petition made to him by his commons, that divers statutes and ordinances touching the restraint of the excessive apparel of the people of his realm were made and ordained, and that for the lack of execution of the same statutes his said realm was fallen into great misery and poverty, and likely to fall into greater, unless the better remedy be provided, [he] ... has ordained ... that no manner of person of whatever estate, degree, or condition he may be, shall wear any cloth of gold or silk of purple colour, except the king, the queen, the king's mother, the king's children, his brothers and sisters, upon pain of forfeiture for every default, £20. And that no one under the estate of a duke shall wear any cloth of gold of tissue, on pain of forfeiture for every default 20 marks. And that no man under the estate of a lord shall wear plain cloth of gold, upon pain of forfeiture for every default, 10 marks. And that no man under the degree of a knight shall wear any velvet in their doublets or gowns. And that no man under the same degree wear any damasks or satin in their gowns but only esquires for the king's body, upon pain of forfeiting for every default, 40s. And that no yeoman of the crown or any other men under the degree of an esquire or a gentleman shall wear in their doublets damask or satin, or gowns of chamlet,¹⁷ upon pain to forfeit for every default, 40s. And that no man under the estate of a lord shall wear any kind of woollen cloth made outside this realm of England, Ireland, Wales, and Calais, nor wear any furs of sables, upon pain to forfeit for every default £10. And also it is ordained and established by the same authority that no servant of husbandry or any common labourer, nor servant to any artificer outside a city or borough shall wear in their clothing any cloth, of which the broad yard exceeds the price of two shillings; nor that any of the servants or labourers shall suffer their wives to wear any clothing that is of higher price than is allowed to their husbands; and they shall not allow their wives to wear any piece of cloth called a kerchief, of which the price exceeds 20d; and none of the

¹⁷ Originally a fabric which included camel's hair; but by this time used more loosely to mean a fine woollen stuff, silky to the touch.

servants or labourers shall wear any hose, of which the pair exceeds in price 18*d*; upon pain of forfeiting for every default, 40*d*.

[Like the previous act, this law also regulated the length of coats; no man below the estate of a lord was to wear any gown or mantle which did not cover his body to below the hips, on pain of forfeiting 20*s* for each offence.]

STATUTE OF LIVERIES (1504)

S&M, pp. 302–3 (No. 73F)

De retentionibus illicitis. The king our sovereign lord calleth to his remembrance that, where before this time divers statutes for punishment of such persons that give or receive liveries, or that retain any person or persons or be retained with any person or persons ... , have been made and Established ... ,¹⁸ and little ... is or hath been done for the punishment of the offenders in that behalf: wherefore our sovereign lord the king, by the advice of the lords spiritual and temporal and of his commons of his realm in this parliament being, and by the authority of the same, hath ordained, stablished, and enacted that all his [such] statutes and ordinances afore this time made ... be ... put in due execution. And over that ... , the king ordaineth, stablisheth, and enacteth, by the said authority, that no person, of what estate or degree or condition he be ... , privily or openly give any livery or sign or retain any person, other than such as he giveth household wages unto without fraud or colour, or that he be his manual servant or his officer or man learned in the one law or in the other,¹⁹ by any writing, oath, promise, livery, sign, badge, token, or in any other manner ... unlawfully retain; and if any do the contrary, that then he run and fall in the pain and forfeiture for every such livery and sign, badge, or token, 100*s*., and the taker and acceptor of every such livery, badge, token, or sign [is] to forfeit and pay for every such livery and sign, badge or token, so accepted, 100*s*.

Moreover, the king, our sovereign lord, by the advice, assent, and authority aforesaid, hath ordained, stablished, and enacted that every person that will sue or complain before the chancellor of England or the keeper of the king 2Ds great seal in the star chamber, or before the king in his bench, or before the king and his council attending upon his most royal person wheresoever he be—so that there be three of the same council at the least, of the which two shall be lords spiritual or temporal—against any person or persons offending or doing against the form of this ordinance or any other of the premises, be admitted by their discretion to give information ... ; and that upon the same all such persons be called by writ, subpoena, privy seal, or otherwise, and the said chancellor [etc.] ... [are] to have power to examine all persons defendants ... as well by oath as otherwise, and to adjudge him or them convict or attain, as well by such examination as otherwise in such penalties ... as the case shall require. ... And also the same party, plaintiff, or informer shall have such reasonable reward of that that by his complaint shall grow to the king as shall be thought reasonable by the discretion of the said chancellor [etc.] ...

And also it is enacted by the said authority that the said chancellor [etc.] ... have full authority and power by this statute to ... send by writ, subpoena, privy seal, warrant, or otherwise by their discretion, for any person or persons offending or doing contrary to the premises, without any suit or information made or put before them or any of them 2D and the same person or persons to examine by oath or otherwise by their discretions, and to adjudge all such persons as shall be found guilty in the premises by verdict, confession, examination, proofs, or otherwise, in the said forfeitures and pains as the case shall require, as though they were condemned therein after the course of the common law, and to commit such offenders to ward, and to award execution accordingly. ...

Statutes of the Realm, II, 658 f.: 19 Henry VII, c. 14.

¹⁸ Cf no. 64C.

¹⁹ That is to say, the civil or the canon law.

BEGGARS ACT (1536)

S&M, pp. 302–3 (No. 74I)

An act for punishment of sturdy vagabonds and beggars. ... And forasmuch as it was not provided in the said act²⁰ how and in what wise the said poor people and sturdy vagabonds should be ordered at their repair and at their coming into their countries, nor how the inhabitants of every hundred should be charged for the relief of the same poor people, nor yet for the setting and keeping in work and labour of the aforesaid valiant vagabonds at their said repair into every hundred of this realm: it is therefore now ordained and established and enacted ... that all the governors and ministers of ... cities, shires, towns, hundreds, wapentakes, lathes, rapes, ridings, tithings, hamlets, and parishes, as well within liberties as without, shall not only succour, find, and keep all and every of the same poor people by way of voluntary and charitable alms ... , in such wise as none of them of very necessity shall be compelled to wander idly and go openly in begging to ask alms in any of the same cities, shires, towns, and parishes, but also to cause and to compel all and every the said sturdy vagabonds and valiant beggars to be set and kept to continual labour, in such wise as by their said labours they and every of them may get their own livings with the continual labour of their own hands. ...

Item, it is ordained and enacted ... that all and every the mayors, governors, and head officers of every city, borough, and town corporate and the churchwardens or two others of every parish of this realm shall in good and charitable wise take such discreet and convenient order, by gathering and procuring of such charitable and voluntary alms of the good Christian people within the same with boxes every Sunday, holy day, and other festival day or otherwise among themselves, in such good and discreet wise as the poor, impotent, lame, feeble, sick, and diseased people, being not able to work, may be provided, holpen, and relieved; so that in no wise they nor none of them be suffered to go openly in begging, and that such as be lusty, or having their limbs strong enough to labour, may be daily kept in continual labour, whereby every one of them may get their own substance and living with their own hands. ...

And for the avoiding of all such inconveniences and infections as oftentime have and daily do chance amongst the people by common and open doles, and that most commonly unto such doles many persons do resort which have no need of the same, it is therefore enacted ... that no manner of person or persons shall make or cause to be made any such common or open doles, or shall give any ready money in alms, otherwise than to the common boxes and common gatherings ... , to and for the putting in ... due execution ... this present act, upon pain to ... forfeit ten times the value of all such ready money as shall be given in alms contrary to the tenor and purport of the same; and that every person or persons of this realm, bodies politic corporate, and others that be bound or charged yearly, monthly, or weekly to give or to distribute any ready money, bread, victual, or other sustentation to poor people in any place within this realm, shall ... give and distribute the same money or the value of all such bread, victual, or sustentation unto such common boxes, to the intent the same may be employed towards the relieving of the said poor, needy, sick, sore, and indigent persons, and also towards the setting in work of the said sturdy and idle vagabonds and valiant beggars. ...

Ibid., III, 558 f.: 27 Henry VIII, c. 25.

STATUTE OF ARTIFICERS (1563)

S&M, pp. 348–51 (No. 81C)

An act containing divers orders for artificers, labourers, etc. Although there remain and stand in force presently a great number of acts and statutes concerning the retaining, departing, wages, and orders of apprentices, servants, and labourers, as well in husbandry as in divers other arts, mysteries, and occupations, yet, partly for the imperfection and contrariety that is found and do appear in sundry of the said laws, and for the variety and number of them, and chiefly for that the wages and allowances limited and rated in many of the said statutes are in divers places too small and not answerable to this time, respecting the advancement of prices of all things belonging to the said servants and labourers, the said laws cannot conveniently, without the great grief and burden of the poor labourer and hired man, be put in good and due execution; and as the

²⁰ 22 Henry VIII, c. 12.

said several acts and statutes were at the time of the making of them thought to be very good and beneficial for the commonwealth of this realm, as divers of them yet are, so if the substance of as many of the said laws as are meet to be continued shall be digested and reduced into one sole law and statute, and in the same an uniform order prescribed and limited concerning the wages and other orders for apprentices, servants, and labourers, there is good hope that it will come to pass that the same law, being duly executed, should banish idleness, advance husbandry, and yield unto the hired person both in the time of scarcity and in the time of plenty a convenient proportion of wages ... : be it ... enacted that no person which shall retain any servant shall put away his or her said servant, and that no person retained according to this statute shall depart from his master, mistress, or dame before the end of his or her term ... , unless it be for some reasonable and sufficient cause or matter to be allowed before two justices of peace, or one at the least, within the said county, or before the mayor or other chief officer of the city, borough, or town corporate wherein the said master, mistress, or dame inhabiteth, to whom any of the parties grieved shall complain; which said justices or justice, mayor or chief officer, shall have and take upon them or him the hearing and ordering of the matter between the said master, mistress, or dame, and servant according to the equity of the cause. ...

And for the declaration and limitation what wages servants, labourers, and artificers, either by the year or day or otherwise, shall have and receive, be it enacted ... that the justices of peace ... shall yearly, at every general sessions first to be holden and kept after Easter ... , assemble themselves together; and they so assembled, calling unto them such discreet and grave persons of the said county or of the said city or town corporate as they shall think meet, and conferring together respecting the plenty or scarcity of the time and other circumstances necessary to be considered, shall have authority ... to limit, rate, and appoint the wages ... of ... artificers, handicraftsmen, husbandmen, or any other labourer, servant, or workman ... , and shall ... certify the same, engrossed in parchment with the considerations and causes thereof under their hands and seals, into the queen's most honourable court of chancery, whereupon it shall be lawful to the lord chancellor of England ... , upon declaration thereof to the queen's majesty, her heirs, or successors, or to the lords and others of the privy council for the time being attendant upon their persons, to cause to be printed and sent down ... into every county, to the sheriff and justices of peace there ... , ten or twelve proclamations or more, containing in every of them the several rates appointed by the said justices ... , with commandment by the said proclamations to all persons in the name of the queen's majesty ... straitly to observe the same, and to all justices, sheriffs, and other officers to see the same duly and severely observed. ...

Provided always, and be it enacted ... , that in the time of hay or corn harvest, the justices of peace and every of them, and also the constable or other head officer of every township, upon request and for the avoiding of the loss of any corn, grain, or hay, shall and may cause all such artificers and persons as be meet to labour ... to serve by the day for the mowing, reaping, shearing, getting, or inning of corn, grain, and hay, according to the skill and quality of the person; and that none of the said persons shall refuse so to do, upon pain to suffer imprisonment in the stocks by the space of two days and one night. ...

And be it further enacted ... that two justices of peace, the mayor ... of any city, borough, or town corporate, and two aldermen ... shall and may, by virtue hereof, appoint any such woman as is of the age of twelve years and under the age of forty years and unmarried and forth of service, as they shall think meet to serve, to be retained or serve by the year or by the week or day, for such wages and in such reasonable sort and manner as they shall think meet. And if any such woman shall refuse so to serve, then it shall be lawful for the said justices of peace, mayor, or head officers to commit such woman to ward until she shall be bounden to serve as aforesaid.

And be it further enacted that, if any person shall be required by any householder, having and using half a ploughland at the least in tillage, to be an apprentice and to serve in husbandry or in any other kind of art, mystery, or science before expressed, and shall refuse so to do, that then, upon the complaint of such housekeeper made to one justice of peace of the county wherein the said refusal is or shall be made ... , the said justice or the said mayor ... shall have power and authority by virtue hereof, if the said person refuse to be bound as an apprentice, to commit him unto ward, there to remain until he be contented and will be bounden to serve as an apprentice should serve, according to the true intent and meaning of this present act.

And if any such master shall misuse or evil intreat his apprentice, or ... the said apprentice shall have any just cause to complain, or the apprentice do not his duty to his master, then the said master or prentice being grieved and having cause to complain shall repair unto one justice of peace within the said county, or to the mayor ... Of the city, town corporate, market town, or other place where the said master dwelleth, who shall by his wisdom and discretion take such order and direction between the said master and his apprentice as the equity of the cause shall require. And if for want of good conformity in the said master, the said justice of peace or ... mayor ... cannot compound and agree the matter between him and his apprentice, then the said justice or ... mayor ... shall take bond of the said master to appear at the next sessions then to be holden in the said county or ... town ... , and, upon his appearance and hearing of the matter before the said justices or the said mayor ... , if it be thought meet unto them to discharge the said apprentice of his apprenticeship, that then the said justices or four of them at the least ... , or the said mayor ... , with the consent of three other of his brethren or men of best reputation within the said ... town ... , shall have power ... , in writing under their hands and seals, to pronounce and declare that they have discharged the said apprentice of his apprenticeship, and the cause thereof; and the said writing, so being made and enrolled by the clerk of the peace or town clerk amongst the records that he keepeth, shall be a sufficient discharge for the said apprentice against his master, his executors, and administrators. ... And if default shall be found to be in the apprentice, then the said justices or ... mayor ... , with the assistants aforesaid, shall cause such due correction and punishment to be ministered unto him as by their wisdom and discretions shall be thought meet. ...

Ibid., IV, 414 f.: 5 Elizabeth, c. 4

POOR RELIEF ACT (1598)²¹

S&M, pp. 356–8 (No. 81H)

An act for the relief of the poor. Be it enacted by the authority of this present parliament that the churchwardens of every parish and four substantial householders there ... , who shall be nominated yearly in Easter week under the hand and seal of two or more justices of the peace in the same county ... dwelling in or near the same parish, shall be called overseers of the poor of the same parish; and they, or the greater part of them, shall take order from time to time, by and with the consent of two or more such justices of peace, for setting to work of the children of all such whose parents shall not by the said persons be thought able to keep and maintain their children, and also all such persons married or unmarried as, having no means to maintain them, use no ordinary and daily trade of life to get their living by; and also to raise weekly or otherwise, by taxation of every inhabitant and every occupier of lands in the said parish in such competent sum and sums of money as they shall think fit, a convenient stock of flax, hemp, wool, thread iron, and other necessary ware and stuff to set the poor on work, and also competent sums of money for and towards the necessary relief of the lame, impotent, old, blind, and such other among them being poor and not able to work, and also for the putting out of such children to be apprentices, to be gathered out of the same parish according to the ability of the said parish; and to do and execute all other things, as well for disposing of the said stock as otherwise concerning the premises, as to them shall seem convenient. Which said churchwardens and overseers so to be nominated, or such of them as shall not be let by sickness or other just excuse, to be allowed by such two justices of peace or more, shall meet together at the least once every month in the church of the said parish, upon the Sunday in the afternoon after divine service, there to consider of some good course to be taken and of some meet orders to be set down in the premises; and shall, within four days after the end of their year ... , make and yield up to such two justices of peace a true and perfect account of all sums of money by them received ... , upon pain that every one of them absenting themselves without lawful cause as aforesaid from such monthly meeting for the purpose aforesaid, or being negligent in their office or in the execution of the orders aforesaid, being made by and with the assent of the said justices of peace, to forfeit for every such default 20s.

²¹ The provision in this act that local officials should supply the poor with raw materials had appeared in a statute of 1576 to supplement Henry VIII's Beggars Act (no. 74I). The present statute was re-enacted in 1601, with extension of the tax-paying group and other minor changes. Later poor laws normally cite the revised act, because this one expired of its own terms in 1602.

And be it also enacted that, if the said justices of peace do perceive that the inhabitants of any parish are not able to levy among themselves sufficient sums of money for the purposes aforesaid ... the said justices shall and may tax, rate, and assess as aforesaid any other [persons] of other parishes, or out of any parish within the hundred where the said parish is ... , [and] pay such sum and sums of money to the churchwardens and overseers of the said poor parish for the said purposes as the said justices shall think fit, according to the intent of this law. And if the said hundred shall not be thought to the said justices able and fit to relieve the said several parishes not able to provide for themselves as aforesaid, then the justices of peace at their general quarter sessions, or the greater number of them, shall rate and assess as aforesaid ... other parishes ... , as in their discretion shall seem fit. ...

And to the intent that necessary places of habitation may more conveniently be provided for such poor impotent people, be it enacted by the authority aforesaid that it shall and may be lawful for the said churchwardens and overseers, or the greater part of them, by the leave of the lord or lords of the manor whereof any waste or common within their parish is or shall be parcel ... , to erect, build, and set up ... in such waste or common, at the general charges of the parish or otherwise of the hundred or county as aforesaid ... , convenient houses of dwelling for the said impotent poor; and also to place inmates or more families than one in one cottage or house. ...

And be it further hereby enacted that the mayors, bailiffs, or other head officers of every corporate town within this realm, being justice or justices of peace, shall have the same authority by virtue of this act within the limits and precincts of their corporations, as well out of sessions as at their sessions, as is herein limited, prescribed, and appointed to any of the justices of peace in the county for all the uses and purposes in this act prescribed, and no other justice of peace to enter or meddle there. ...

And forasmuch as all begging is forbidden by this present act, be it further enacted by the authority aforesaid that the justices of peace of every county or place corporate, or the more part of them, in their general sessions to be holden next after the end of this session of parliament, or in default thereof at the quarter sessions to be holden about the feast of Easter next, shall rate every parish to such a weekly sum of money as they shall think convenient; so as no parish be rated above the sum of sixpence nor under the sum of an halfpenny weekly to be paid, and so as the total sum of such taxation of the parishes in every county amount not above the rate of twopence for every parish in the said county. Which sums so taxed shall be yearly assessed by the agreement of the parishioners within themselves, or in default thereof by the churchwardens and constables of the same parish or the more part of them, or in default of their agreement by the order of such justice or justices of peace as shall dwell in the same parish or, if none be there dwelling, in the parts next adjoining. ...

Statutes of the Realm, IV, 896 f.: 39 Elizabeth, c 3.

THE STATUTE OF CHARITABLE USES, 42 ELIZ. I, c. 4 (1601)

in *Statutes at Large* (London, 1811), IV, pp. 559–62 (spelling somewhat modernized)

An Act to redress the Misemployment of Lands, Goods and Stocks of Money heretofore given to Charitable Uses

Whereas lands, tenements, rents, annuities, profits, hereditamentes, goods, chattels, money and stocks of money, have been heretofore given, limited, appointed and assigned, as well by the Queen's most excellent Majesty and her most noble progenitors, as by sundry other well disposed persons, some for relief of aged impotent and poor people, some for maintenance of sick and maimed soldiers and mariners, schools of learning, free schools and scholars in universities, some for repair of bridges, ports, havens, causeways, churches, seabanks and highways, some for education and preferment of orphans, some for or towards relief, stock or maintenance of houses of correction, some for marriages of poor maids, some for supportation, aid and help of young tradesmen, handicraftsmen and persons decayed, and others for relief or redemption of prisoners or captives, and for aid or ease of any poor inhabitants concerning payment of fifteens, setting out of soldiers and other taxes; Which lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money and stocks of money nevertheless have not been employed according to the charitable intent of the givers and founders thereof, by reason of frauds, breaches of trust and negligence in those that should pay

deliver and employ the same: For redress and remedy whereof, Be it enacted by Authority of this present Parliament, That it shall and may be lawful to and for the Lord Chancellor or Keeper of the Great Seal of England for the time being, and for the Chancellor of the Duchy of Lancaster for the time being for lands within the County Palatine of Lancaster, from time to time to award commissions under the Great Seal of England, or the Seal of the County Palatine as the case shall require, into all or any part or parts of this Realm respectively, according to their several jurisdictions as aforesaid, to the bishop of every several diocese and his chancellor, in case there shall be any bishop of that diocese at the time of awarding of the same commissions, and to other persons of good and sound behavior, authorizing them thereby, or any fewer or more of them, to inquire, as well by the oaths of twelve lawful men or more of the county, whereunto the said parties interested shall as by all other good and lawful ways and means, of all and singular such gifts limitations, assignments and appointments aforesaid, and of the abuses, breaches of trusts, negligences, misemployments, not employing, concealing, defrauding, misconverting or misgovernment, of any lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money and stocks of money heretofore given, limited, appointed or assigned, or which hereafter shall be given, limited, appointed or assigned, to or for any the charitable and goodly [this may be 'godly'] uses before rehearsed: And after the said commissioners or any fewer or more of them, upon calling the parties interested in any such lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money and stocks of money, shall make inquiry by the oaths of twelve men or more of the said county, whereunto the said parties interested shall and may have and take their lawful challenge and challenges; and upon such inquiry, hearing and examining thereof, set down such orders, judgments and decrees, as the said lands, tenements, rents, annuities, profits, goods, chattels, money and stocks of money may be duly and faithfully employed, to and for such of the charitable uses and intents before rehearsed respectively, for which they were given, limited, assigned or appointed by the donors and founders thereof: which orders judgments and decrees, not being contrary or repugnant to the orders, statutes or decrees of the donors or founders, shall by the authority of this present Parliament stand firm and good according to the tenor and purport thereof, and shall be executed accordingly, until the same shall be undone or altered by the Lord Chancellor of England or Lord Keeper or the Great Seal of England, or the Chancellor of the County Palatine of Lancaster, respectively within their several jurisdictions, upon complaint by any party grieved, to be made to them.

II. Provided always, That neither this Act, nor any thing therein contained, shall in any wise extend to any lands, tenements, rents, annuities, profits, goods, chattels, money or stocks of money, given, limited, appointed or assigned, or which shall be given, limited, appointed or assigned, to any college, hall or house of learning within the Universities of Oxford or Cambridge, or to the Colleges of Westminster, Eaton or Winchester, or any of them, or to any cathedral or collegiate church within this Realm.

III. And provided also, That neither this Act nor any thing therein shall extend to any city or town corporate, or to any the lands, tenements given the uses aforesaid within any such city or town corporate, where there is a special governor or governors, appointed to govern or direct such lands tenements or things disposed to any the uses aforesaid; neither to any college, hospital or free school which have special visitors or governors or overseers appointed them by their founders.

IV. Provided also and be it enacted by the Authority aforesaid, That neither this Act nor any thing therein contained shall be any way prejudicial or hurtful to the jurisdiction or power of the ordinary; but that he may lawfully in every cause execute and perform the same as though this Act had never been had or made.

V. Provided also and be it enacted, That no person or persons that hath or shall have any of the said lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money or stocks of money in his hands or possession, or doth or shall pretend title thereunto, shall be named commissioner or a juror for any the causes aforesaid, or being named shall execute or serve in the same.

VI. And provided also, That no person or persons which hath purchased or obtained, or shall purchase or obtain, upon valuable consideration of money or land, any estate or interest, of in to or out of any lands, tenements, rents, annuities, hereditaments, goods or chattels that have been or shall be given, limited or appointed to any the charitable uses above mentioned, without fraud or covin, having no notice of the same

charitable use, shall not be impeached by any decrees or orders of commissioners above mentioned for or concerning the same his estate or interests. And yet nevertheless Be it enacted, That the said commissioners, or any fewer or more of them, shall and may make decrees and orders for recompense to be made by any person or persons who, being put in trust or having notice of the charitable uses above mentioned, hath or shall break the same trust, or defraud the same uses, by any conveyance, gift, grant, lease, demise, release or conversion whatsoever, and against the heirs, executors and administrators of him them or any of them, having assets in law or equity, so far as the same assets will extend.

VII. Provided always, That this Act shall not extend to give power or authority to any commissioners before mentioned: to make any orders, judgments or decrees for or concerning any manors, lands, tenements or other hereditaments assured, conveyed, granted or come unto the Queen's Majesty, to the late King Henry the Eighth, King Edward the Sixth, or Queen Mary, by Act of Parliament, surrender, exchange, relinquishment, escheat, attainder, conveyance or otherwise. And yet nevertheless Be it enacted, That if any such manors, lands, tenements or hereditaments, or any of them, or any estate, rent or profit thereof or out of the same or any part thereof, have or hath been given, granted, limited, appointed or assigned to or for any the charitable uses before expressed, at any time since the beginning of her Majesty's Reign, that then the said commissioners or any fewer or more of them shall and may, as concerning the same lands, tenements, hereditaments, estate, rent or profit so given, limited, appointed or assigned, proceed to enquire and to make orders, judgments and decrees according to the purport and meaning of this Act as before is mentioned: The said last Proviso notwithstanding.

VIII. And be it further enacted, That all orders, judgments and decrees of the said commissioners, or of any fewer or more of them, shall be certified under the seals of the said commissioners or any fewer or more of them, either into the Court of the Chancery of England, or into the Court of the Chancery within the County Palatine of Lancaster, as the case shall require respectively according to their several jurisdictions, within such convenient time as shall be limited in the said commissions.

IX. And that the said Lord Chancellor or Lord Keeper, and the said Chancellor of the Duchy, shall and may, within their said several jurisdictions, take such order for the due execution of all or any of the said judgments, decrees and orders as to either of them shall seem fit and convenient.

X. And that if after any such certificates made any person or persons shall find themselves grieved with any of the said orders, judgments or decrees that then it shall and maybe lawful to and for them or any of them to complain in that behalf unto the said Lord Chancellor or Lord Keeper, or to the Chancellor of the said Duchy of Lancaster, according to their several jurisdictions, for redress therein; and that upon such complaint the said Lord Chancellor or Lord Keeper, or the said Chancellor of the Duchy may, according to their said several jurisdictions, by such course as to their wisdoms shall seem meetest, the circumstances of the case considered, proceed to the examination, hearing and determining thereof; and upon hearing thereof shall and may annul, diminish, alter or enlarge the said orders, judgments and decrees of the said commissioners, or any fewer or more of them, as to either of them, in their said several jurisdictions, shall be thought to stand with equity and good conscience, according to the true intent and meaning of the donors and founders thereof; and shall and may tax and award good costs of suit by their discretions against such persons as they shall find to complain unto them, without just and sufficient cause, of the orders, judgments and decrees before mentioned.

