

CHAPTER IV.

Religious and Political Condition of the Borough—Wigan Marriages during the Commonwealth—Guest's Charity—Borough Assessments in 1654—Cromwellian Taxes—Election of 1658-9—Signs of Political Reaction—Free Parliament—Results of Election in Wigan—The Members—Religious Divisions of Lancashire—Election of 1661—Return of the King—Evan Price—Honours to the Borough—The New Charter—Officers of the Town and their Oaths—The Recorder—Sword to be Carried before the Mayor—Pied Powder Court—Liberty to Purchase Lands—No Quo Warrant—Copy of the Charter—Markland's Charity.

GREAT and various had been the changes in Wigan during the previous ten years (1641—1651). On the 7th May, 1504—27th of Queen Elizabeth—the town had received its seventh royal charter, so it was not to be wondered at that it was a loyal borough, and malignant in the eyes of radical rebels. The king's arms had always been religiously fixed on the Parish Church, and considered as sacred as the building itself. There they were as proudly and defiantly displayed as the regimental colours of an army on the field of battle. The established forms of religion—whether Roman Catholic or Episcopalian—had been devoutly carried out in the ancient edifice of All Saints. Volunteers had gone from the town to do duty for the king whenever required as a matter of course. The town had ever acted as if the burghal motto had been “for God and the king.” Wigan had been dismayed, attacked, dismantled, and taken possession of by the rebels. Her episcopalian priest had been expelled, and the church sacked of images and everything with a Papal appearance or connection, and handed unceremoniously to canting Puritans. The inhabitants had been persecuted and imprisoned both for their religion and politics. The great Cromwell had trod the streets of the malignant town, and associated his undying name with the borough that had shown so much opposition to his cause and his followers. He had rested there for the night and penned letters from its midst that are now historical English documents. Proclamations affecting the history

of all England had been recited in the Market Place by his orders, Papists had once been masters of the town, Episcopalians had overpowered them and reigned in their stead, and now Puritanism has usurped the places of both Episcopalians and Papists. Old established customs had been swept away within ten years, and many that had taken their place had already become obsolete. The town bellman had become a more important individual than ever he had been before. All local and national news were made known by him at the Market Place. His work on weekly market days was like the public reading of the advertising columns of a modern newspaper. Scandal, sales, good news and bad, as well as proclamations of marriages were announced by him in the streets. During the Commonwealth marriages were civil contracts, and not religious ceremonies, and proclamations of banns had to be three times publicly announced by the town's bellman on three market days in the Market Place before the ceremony before the Mayor or other magistrate could be legally performed. It was the fortune of the Mayor himself, Ambrose Jolly, in 1655, to be joined in holy matrimony, and he was three times proclaimed in the Market Place before he could be married to Anne Massey, widow, late of Warrington, on March 10th, 1655. It was not, however, illegal to be proclaimed in the church, for Charles Hotham, Rector of Wigan, was there proclaimed and there married on the 15th September, 1656, before Duran Hotham, Justice of the Peace. Three examples of this part of the contracting ceremonial are here cited from the registers:—

December ye 28th, 1655.	Adam Richardson, yeoman, and Mary Corless, widdow, both of Abram, this day first published, with second and third, in Markett, according to Act of Parliament. Married the 14th day of January, by Justice Standish, of Juxbury.
March ye 10th, 1655.	Ambrose Jolly, gent., Maior of this town and Borrow of Wigan, and Anne Massey, late of Warrington, widdow, this day first published, with second and third time, according to Act of Parliament, three severall Market dayes.
October ye 5th, 1656.	Ralph Hoolme, husbandman, and Ellen Masson, both of Wigan, this day first published in Markett, with second and third time, according to Act of Parliament, were Married before Edward Sumner, Gent., being Maior of Wigan, the 17th day of January, 1656.

A valuable Wigan charity was founded in 1653 by John Guest, who, in the kindness of his heart, in the midst of personal prosperity and the national adversity, was not forgetful of the poverty or interest of his town. The following epitome of the Report of the Commissioners of 1828 and 1839 gives full particulars of his bequest and its history. John Guest, by his will bearing date 28th September, 1653, gave to the ministers of the Parish Church of Wigan and six other places the annual sum of £3 15s. each, charged upon his lands in Abram, with which sum the respective ministers for the time being should buy yearly one hundred and twelve yards of linen cloth, to be

bestowed on 45 of the poorest people within each parish, such as the respective ministers should conceive to stand in the greatest need of the same. The Commissioners of 1839 "stated the purport of an Act of Parliament passed 15th Car. II., whereby it was provided that until the sum of £500 should be laid out as therein directed, the premises in Abram should stand charged with the yearly sum of £3 10s. and no more to each of the said parishes. The proportionable part of the sum of £500 was probably never paid to the parish of Wigan, as the yearly sum of £3 10s. is still received as a rent charge issuing out of a farm in Abram, called Bolton House, now (1839) the property of Edward Ackers, of Widnes, and in the occupation of the widow of the late Thomas Stirrup. The other townships in the parish formerly received a small portion of this charity, but this practice was discontinued, probably on account of the smallness of the sum to be divided." The Commissioners further found that by dividing the income of the charity "a great portion is distributed in such small sums that the poor derive little or no benefit from it. It seems advisable that the whole should be laid out in linen, and that some article of clothing should be given to such poor persons of any part of the parish as may be thought by the rector most in distress."

When the Hundred of West Derby was assessed in 1654 there was only one parish (Prescot) rated higher than Wigan. Winwick parish and Wigan were rated alike. Warrington was rated at half. The parish of Wigan consisted of six townships. The following table will best show the taxations and relative assessments:—

	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
When the Hundred had to pay	192	0	0	96	0	0	48	0	0	24	0	0	12	0	0
Then Warrington Parish had to pay	12	0	0	6	0	0	3	0	0	1	10	0	0	15	0
Wigan Parish had to pay	24	0	0	12	0	0	6	0	0	3	0	0	1	10	0
Prescot had to pay	28	0	0	14	0	0	7	0	0	3	10	0	1	15	
And Wigan Borough had to pay ...	7	6	10½	3	14	5½	1	6	8¾	0	18	4½	0	9	2½

—(From old MS. printed in *Leigh Chronicle*.)

However much the Protector may have grumbled against the expensive luxuries of a monarchy, no ruler could possibly have had his eyes more widely open to the fact that no government can be carried on without money. If it be granted that his government was a legitimate one, then it follows that his taxes were legal; but they were not the less inferior in amount, nor was he less strict in exacting them, than those of the most unconstitutional Stuart. The Receiver-General of the Commonwealth held his annual audit in the borough of Wigan in 1658, of which the following official notice was given:—

Lanc. S.S. These are to give Notice to all persons concerned that his Highnesse Receipt for the County of Lancaster aforesaid is to bee kept at the house of Mr. Rowe, being the Rose and Crowne, in Wiggan, beginning Monday, the 19th day of July, 1658, and there to continue until Friday at night

following, and such persons as have any rents or other dues to pay, and due to his Highness the Lord Protector, from Michaelmas last past to the 25th day of June, 1658, are hereby required to appear and pay theyr money at the time and place aforesaid, and to cleare the same with his Highnesse Receivers at theyr pills, bringing with them theyr former acquittances, and alsoe all those as are to receive any money, by order for his or theyr augmentations, or otherwise, are to appear at the place aforesaid upon Saturday, being the 24th of July aforesaid, where they shall receive what in right belongeth to them, or any of them, by vertue of the same orders.

Dated the 10th day of June, 1658.

JOHN BARKEE, Receiver-General.

Ver. Cop. Concord Cu Original.

Examinat. p. WILL. GRICE, 1658.

Cromwell was still the omnipotent power in England—the great barrier that in himself excluded the English monarchy, and guided and governed the Parliament. He, supported by his worshipping Ironsides, commanded, and the whole country obeyed. His Parliament might justly be called a packed one. During his Protectorate he had not called upon the boroughs to return representatives. Wigan had not returned a member since the bye-election of 1645, when Mr. Holcroft was elected in place of the expelled Mr. Bridgeman. But like all men, great and small, he passed away to his long home, and his son Richard, at the age of thirty-two, assumed the reins of government with all regal pomp. A change was immediately apparent in the political aspect of affairs. The son was entirely unfitted to fill his father's shoes, nor did he seem to have any ambition to do so. Things went from bad to worse, and he summoned a Parliament, not according to the reformed style, but after the ancient custom of issuing writs to all counties and boroughs, and thus Wigan was again (1658) called upon to return two members.

Men of Wigan who were not old could remember the prolonged discontent of the people at having no Parliament from 1627 to 1639, and who also could easily recall the joyful enthusiasm of the masses on the assembly of Parliament at the latter date. During the long unrepresented period there was deep-rooted discontent at having no Parliament, and now in 1660 there is a more deeply-rooted prejudice against the stubborn one-sidedness of an overpowering and self-fettered Parliament that had not really been dissolved for twenty years. The beauty of the political mirage that had existed dazzlingly before men's eyes in the lifetime of the great Cromwell had passed away with that hero, for, as there could only be one Cromwell, so public affairs could exist under him alone as they had done. A charm was again being thrown over dismantled monarchy, and the people were beginning to long for the good old monarchical times to which they and their fathers had been accustomed; but it was legally wrong and punishable to express even a wish for the welfare of the exile over the sea, and so people long kept within the legal restriction of simply and silently wishing. But heartfelt wishes had their limits of suppression, and the

universal wish, first expressed in the national countenance, was whispered with a still small voice, and then loudly re-echoed over the length and breadth of the land. Monk, the general of the forces in Scotland, was lured, on hearing the intelligible echo, not, it would appear, from motives of patriotism so much as from those of self-aggrandisement, to pander, with bewildering strategy, to the public will, and, having overcome the Parliamentarians and secured himself, proclaimed for a free Parliament, to the unbounded joy of the people. Never was good news in England received with greater goodwill. Every man, except such as had cause to fear the revival of constitutional monarchy, of whatever social station or degree, was "hail, fellow, well met," to every Englishman. There was a national excess of joy at the dim prospect of a free Parliament, and it might be said that the very army got drunk, not with excitement, but with the spirits supplied by the overjoyed citizens. This statement is no libel on even the staunch teetotal Ironsides of Cromwell. Ale, the national beverage, could be had to repletion for nothing, so unrestrained were the liberalities of overjoyed Englishmen with the still looming prospect of approaching true liberty and the end of the civil confusions that had darkly reigned so long. Every village and borough tasted the sweet intoxication of national joy, and Wigan, of course, shared the delirium.

The most frequently adopted method of expressing joy in Wigan was the general English one of drinking beer and ringing bells, both of which tended to give good cheer. The chimes of the Parish Church, all day long, on the reception of the news, made the welkin ring, as when the mirthful marriage bells rejoice the lightsome heart. As the day advanced the enthusiasm of the ringers increased, for not only were Wigan ringers heartily and even passionately fond of pulling their mystic ropes at the tuneful time, but a good deal of public money administered to them in the form of home-brewed ale by the churchwardens enlivened their energies to please the delighted crowds of inhabitants collected in the Market Place, whilst they themselves appreciated more and more, as they drank and rang, the glorious privileges that were about to be bestowed on their native land. News of importance was indeed scarce, but this intelligence was gospel to the malignant town. Parliamentarians feared a reaction, and Royalists in the ancient borough were found bold enough to whisper their hopes that the results of the "horrid" rebellion, as the Cromwellian period is called in the Wigan churchwardens' minute book, would be cancelled, and every man have his own again, although as yet there was no open mention of recalling the king. To the timid there was the dreadful prospect of a renewal of civil war, but this was quite eclipsed by the good news of a free Parliament, which was fully expected to represent and respect the national wish. This Parliament of 1660 has most properly been styled the Convention. When it was known there was to be an election, a

political campaign began in the town. Such electioneering never had been known. A bitter contest was carried on between the burgesses proper and the non-burgess inhabitants, and local orators were busy declaiming and denouncing on the side of the inhabitants, whilst the burgesses felt assured that the victory would be theirs, because the ancient custom of voting, confined to themselves, would decide everything in their favour. The inhabitants determined they should have a vote, the burgesses resolutely refused their claims, as they had done on previous occasions, and the unyielding inhabitants resolved to have an election of their own. The voting day came round, the burgess-roll was called, according to custom, in the Moot Hall, and the votes were duly registered; but in opposition to this the other party, on the same day, were as busily and solemnly registering votes for their own candidates. What the numbers of votes were, either at the one hustings or the other, I have been unable to find; but it is a certainty that each party sent up two representatives to the House of Commons, and thus four members instead of two were returned for Wigan. Up to London went the gallant four, whilst all the borough wondered what would happen. Each party felt assured that its two members would be retained, but especially confident were the duly enrolled burgesses. What arguments were laid before the House for and against the strange phenomenon, and led Parliament to come to the conclusion which it did, are, unfortunately, unknown; but, to the consternation of the whole town, all the four members were sent home again, a new writ issued, and the work of the election all gone over again. Some understanding seems to have been arrived at agreeable to both parties, for not only was there apparently no dispute, but the proper number of members was duly returned, and the following new clause added to a subsequent Royal charter received by the town, from which I am inclined to believe that the persevering inhabitants gained their point, and were allowed to vote at elections for members of Parliament, although they were not duly enrolled burgesses:—

Voluimus ordinavimus constituimus concessimus et declaravimus ac per presentes pro nobis Hæredibus et Successoribus nostris volumus ordinamus constituimus et concedimus et declaramus quod Burgus noster de Wigan in Comitatu nostro Lancastriæ sit et permaneat imposterum imperpetuum Burgus de se Et quod Inhabitantes Burgi de Wigan prædicti de cætero imperpetuum sint et permaneant vigore presentium unum Corpus Corporatum et Politicum in re facto et nomine per nomen Majoris Ballivorum et Burgensium Burgi de Wigan in Comitatu nostro Lancastriæ, Ac eos et Successores suos per nomen Majoris Balivorum et Burgensium Burgi de Wigan in Comitatu nostro Lancastriæ Corpus Corporatum et Politicum in re facto et nomine realiter et ad plenam, pro nobis Hæredibus et Successoribus nostris erigimus facimus ordinamus confirmamus constituimus et declaramus per presentes, et quod per idem nomen habeant successionem perpetuam.

The four members returned at the first election were Hugh Forth, William Gardiner, John Molyneux, and Roger Stoughton, and at the re-election John Molyneux and Roger Stoughton were the returned representatives.

The Earl of Ancrum in Scotland sat for Wigan in five successive Parliaments. His nephew and heir was first Marquis of Lothian and ancestor of the present and ninth marquis. His first colleague in Parliament was much impoverished in purse and enfeebled in body by his sufferings for adhering to the king. At the Restoration "the Red-hot Royalist" was made Governor of Chester Castle, and died 1696, aged 78 years.—(Much of the information printed in this History about the members for Wigan has been collected and published in "Lanc. and Ches. : Historical and Genealogical Notes," by the Rev. Mr. Beaven, M.A., head-master of the Preston Grammar School, and Mr. W. D. Pink, of Leigh).

Under the Protector, Richard Cromwell, the members for Wigan were Hugh Forth and Robert Markland (1659). Forth was a London merchant, who had married the daughter of John Rigby, of Middleton. He also sat for the borough in the next Parliament. Markland was a Wigan manufacturer, whose family had been long resident in the borough, the chief branch living in the Manor House, near the Parish Church.

"Dugdale, the herald, has, in the Visitation of Lancashire in 1664, a descent of five generations of the Marklands of Wigan. The chief representative living in 1664 was Ralph Markland, of Wigan Woodhouses, then aged 40, who entered the family record at Ormskirk, 22nd September, 1664. He would be the same person with "Ralph Markland of the Meadows, gent.," of the list of 1673 as above. Robert Markland of Wigan, gent., may have been a brother of Ralph (not noticed by Dugdale), or possibly his second son Robert, who was only a boy in 1664. Robert Markland occurs in 1705, as a trustee of the Free School in Up-Holland, founded in 1667 by Robert Walthew of Pemberton, gent., whose daughter and heir married, about 1647, the above Ralph Markland of the Meadows, gent., and was mother of Robert Markland, living in 1705."—(*Wigan Observer* Local Original Notes).

In the Parliamentary period Lancashire was divided into nine Presbyterian classes. The fourth *Classis* consisted of Warrington, Winwick, Leigh, Wigan, Holland, and Prescott. The subjoined is a partial list of ministers and elders fit to be of this classis:—

MINISTERS :

Mr. Charls Herl of Winwick.
 Mr. Thomas Norman of Newton.
 Mr. Iames Wood of Ashton.
 Mr. Wil: Leigh of New-church.
 Mr. Henry Atherton of Hollinkaire.
 Mr. Bradley Hayhurst of Leigh.
 Mr. Tho: Crompton of Astley.
 Mr. Iames Bradshaw of Wigan.
 Mr. Tho: Tonge of Hindley.
 Mr. Henry Shaw of Holland.
 Mr. Wil: Plant of Farnworth.
 Mr. Richard Modesley of Ellins [St. Helens].
 Mr. Timothy Smith of Raineforth.
 Mr. Iohn Wright of Billing.

History of Wigan.

OTHERS FIT TO BE OF THE FOURTH CLASS :

Esquires :

William Ashhurst of Ashhurst, and
Peter Brook of Sanky.

Gentlemen :

William Vernon of Shakerley.
John Dumbabin of Warrington.
Thomas Risley of Warrington.
Robert Watmough of Winwick.
Gilbert Eden of Winwick.
John Ashton of Newton.
James Pilkington of Ashton.
Richard Ashtley of Tildsley.
Henry Morrice of Atherton.
Alexander Tompeon of Wigan.
Peter Harrison of Hinley.
Thomas Sephton of Skerndsedale [Skelmersdale].
Jeffery Birchall of Orrel.

"Husbands' Folio Collection, 1646, page 920."

At the general election of 1661 (May) every voice in Wigan was raised in favour of the king and royalty, for the voice of anyone otherwise minded dared not be heard. Wigan was more malignant and loyal than ever it had been. All the grief and humiliation it had suffered at the hands of the Royalists were forgotten. All execrations were vented on the Roundheads and the Long Parliament, and every sob of sympathy and smile of joy, every expression of contentment and laudation were for the king. The anti-royalists were the scapegoats that were hunted into the wilderness with all the evil memories of the past twenty years, and Wigan showed its loyalty by returning two staunch Royalist representatives, Charles, Earl of Ancrum, and Geoffrey Shackerley.

At last the nation had become soured of revolution, rebellion, and, indeed, of reformation. No doubt much good had been done in the country, but at such an exorbitant price that wise men questioned whether it would not have been better if it had never been done. England discovered that complete reformation in the political world is as difficult to obtain as a perfect reformation of human nature, and so concluded that to pursue the almost unattainable was a madness that could only bring disaster and shame on the nation, if not, indeed, annihilation. The political conversion set the country into convulsions of joy, and no place, in proportion to its size and importance, rejoiced more than malignant Wigan. The town awoke as from a dream that left deeply impressed memories of real disaster. The troubles that it had endured only began to be realised when peace brought its opportunities for reflection. Its former military importance and present impotence and humiliation now showed the inhabitants how near they had approached to the brink of utter destruction, and the feeling that danger was averted and a new state of honour and

peace, with prospects of prosperity, entered upon, begot unrestrained joys which impelled them to the extremes of hilarious excitement. Their lawful king was publicly proclaimed, and they felt in their hearts that the happiness which that longed-for event should bring them was worthy of every symptom of devotion and gratitude. The whole borough was amicably combined: grudges and jealousies for the moment were forgotten, and the loving-cup emptied of its very dregs. The bells of the Parish Church were merrily tolled, and the ringers paid extra for their labours of love and joy. An address of congratulation and good wishes, with the principal names in the borough appended, "for your Majesty's happy restoration to your crown, kingdoms, and us," was presented, with the assurance added that the inhabitants would, as they always had done, demonstrate with their lives and interests a ready zeal in his service.

A headstrong democracy and the red-handed demon of anarchy had desolated the land, dethroned monarchy, and revelled in its egotistical supremacy, while royalty and loyalty were afraid or ashamed to lift their heads, until, at last, the inevitable political reaction set in, and the day of reckoning came. Democracy was hurled from the usurped heights of honour, and hissed from the arena of its former sanguinary conquests; the bodies of its dead minions were unearthed from their graves, exposed to public scorn, and ignominiously cast into unconsecrated ground, whilst its living devotees were brought to the bar of justice. The national constitution was freed from bondage, true liberty and its guardian, monarchy, the praise, protection, and glory of the people, were universally welcomed with regal honours, for revolution was at an end and the king restored. Fountains running wine were erected in the public streets. Now was the time to remember and reward friends who had endured tribulation, and to dole out to enemies the rewards of their deeds. Nobles had been impoverished and towns degraded when submission to the rebels might have enriched them. In times of need they had proved themselves to be friends indeed, and, now that the cause they had fought for was victorious, they reasonably hoped for not less than restitution, although even in this many were disappointed, for, where thousands had to be attended to, the requests of not a few were disregarded or overlooked. Wigan had been faithful, and suffered ignominy in consequence: from it had marched the first army in the great revolution to defend the cause of the King, the Crown, and the Constitution: it had been stamped with the opprobrious name of "malignant" by an oppressive commonwealth: it had been assaulted and taken by the enemy after stubborn opposition: its church had been desecrated and its walls thrown down: the rebels held it, pompously paraded its streets, and publicly abused its inhabitants: its great chief, Derby, had suffered martyrdom in the cause: one of its duly elected representatives had been

debarred from attending the House of Parliament for his loyalty : many of its neighbouring gentry had been reduced to poverty, and the property of loyal subjects and suspects had been confiscated : yet it remained malignant still, and, having sown in tears, it expected to reap with joy at the restoration.

Although the king had been crowned in London with the honours of a conquering hero, there never yet happened anything that pleased everybody, and there were those who, in the midst of national joy, threatened the life of the king and the safety of the realm. These were religious zealots, who feared the Catholicism of the sovereign, and who deemed it a sacred duty, if not privilege, to destroy everything that had a Papal connection. The secret designs of the extreme Puritan party of Lancashire and the North were feared, and executions of plots daily expected. The extraordinary methods adopted to find out plotters by those in the neighbourhood of Wigan are almost incredible. Though the spy system be despicable, there are emergencies in which it is necessary ; but the necessity for perjury can never arise, and yet the chiefs of the neighbourhood in the early reign of Charles II. offered large and tempting bribes to respectable men of needy circumstances to perjure themselves against suspected persons of influence. One of the justices of the peace for the county, Nicholas Mosely, invited a working man to have a glass of beer with him in Manchester, and then divulged to him that he could have a thousand pounds to bear false witness in the service of the king. His refusal to comply brought on him all the vengeance of the justice, who threatened to have him hanged. He was given in charge and accused of being a party to a secret plot. People more readily believed the justice than the poor working man, who was thrown into the dungeon and carried from prison to prison, and finally tried at Lancaster Assizes, after repeated proffers of the previous bribes. He was remanded, and, after long suffering, released, and, unfortunately for him, came to Wigan, where his old adversary, Sir Roger Bradshaigh, of Haigh, set eyes on him, and enticed him into a public-house. Sir Roger here treated him to no social cup, but accused him of having in his possession letters of conspiracy. The poor man turned out his pockets, and opened the seams of his clothes ; but, whether from some private malice or conviction, Sir Roger would not believe him, but requested six or seven of his men to secure him and strip every rag from his body, which was instantly done, the men being paid for this barbarous service by 20s. which were found in the prisoner's pockets. No document was found, but Sir Roger kept him in Wigan prison for fourteen days without any thought of the existence of a Magna Charta. There he refused to take the oath of allegiance at the hands of Sir Roger, who immediately sent him to the common jail at Lancaster, where he lay all that winter in a cold room and damp bed, was remanded at the Spring Assizes, and acquitted in autumn.—("Evan Price's Narrative").

Suffering, valour, and loyalty of one generation bring honour to succeeding ones. The king now held his own again, refugees and exiles came forth from their lurking places, and commercial confidence was restored. Such services as Wigan had rendered were worthy of recognition. If the claims of individuals were great, surely the claims of an ancient and loyal borough were greater still. Honours were showered on those who had suffered, although too many who ought to have been honoured had their hopes indefinitely deferred by the fallibility of human government and oversights consequent on the multitude of claimants. Estates and liberties were restored, ancient privileges that had been cancelled were renewed, and Wigan came in for its share of well-merited honour and reward. The loyal, debased, but not disgraced, head of the malignant borough was raised from the dust, and the joys of special honours at the king's own hand obliterated the sorrowful memories of former martyrdom and temporary degradation. All former rights and privileges were restored and augmented. The Royalist member for Wigan, Sir Orlando Bridgman, had previously been created a baronet on the 7th June, 1660, for his manly adherence to the martyr king and the Stuart cause as well as for his attainments as a scholar and ability as a lawyer.

Charles II., petitioned by the Wigan burgesses, was not allowed to forget or overlook the "malignancy" of the ancient borough, so he granted it a special charter, and thereby acknowledged his indebtedness to it. Like all the other charters, there is a long preamble in it, reciting the liberties, franchises, privileges, and immunities to which the town had been entitled from time immemorial, and showing that sufficient evidence had been given to prove it to have been a body corporate, consisting of mayor, bailiffs, and burgesses, who had at his accession formally besought the gracious favour of the king, after reciting their services to the Crown in the late time of trouble, to exhibit and extend to them his royal countenance and munificence. Wigan congratulated the king on acquiring his regal rights, and by the petition prayed that the town in turn might have its charters confirmed, and, after learning the history of the town, the king willingly granted their prayers, with additional honours, in the fourteenth year of his reign (1663). The charter contains a pleasing expression of good wishes towards the borough and an acknowledgment of the seasonable services rendered to his serene father of blessed memory, and a desire to foster the affection and fidelity of the ancient borough. The liberties that had been purchased or granted in former reigns, immunities and exemptions that were burdensome to other towns, local government, fairs, markets, and feasts, with their contingent customs, franchises of the burgesses, and guilds of the town were confirmed and granted without being in any wise annihilated, changed, or diminished. Such is the nature of the long legal preamble, and then follow particulars of the mayor, recorder, aldermen, bailiffs, common clerk,

and all other officers and burgesses, and the oaths to be taken by each. All officers and even burgesses had to take, before the proper authorities, the oaths of *obedience* and *supremacy* upon the sacred holy Gospel. No person could hold a municipal office unless he were a member of the Church of England. It was necessary that the Recorder should be a discreet man, learned in the laws of England, that he should take the oaths before the mayor and not less than three aldermen, and that, after he was once approved of and installed in office, he could not be removed during his natural life, unless for what the majority of the Corporation believed to be bad behaviour. So also the town clerk held his office.

Sir Roger Bradshaigh, of Haigh, was the representative for Wigan during twelve different Parliaments, having in that time had thirteen different colleagues. During this long period of 52 years he was seven several times Mayor of Wigan, viz., in 1661, 1679, 1684, 1698, 1703, 1719, and 1729. During that time no person held the office of mayoralty for two successive years, but several were re-appointed after an interval of some years, among whom was the Earl of Barrymore for 1725 and 1734. The office of bailiff, like the mayoralty, was held for one year, two bailiffs being appointed with the mayor. The chief Acts passed by the Parliaments in which Sir Roger sat were the Declaration of Indulgence, Declaration of Rights in the reign of James, the Act of Settlement in William's reign, and the occasional Conformity Bill in Anne's reign. He entered Parliament when the nation still settled their disputes in the field, and left it when the Whigs and Tories fought their battles on the floor of the House. He was member when England and Scotland were locked in deadly strife; but he lived to see the two kingdoms amicably united. Wars in Scotland, England, and France had given place to a quiet and steady trade, prosperity being accompanied by the rapid growth of the influence of an opulent middle class. This man of honour and famous family was mayor when the new charter was granted to Wigan. By this charter "our beloved Roger Bradshaigh, Knight, now mayor of our borough of Wigan," is to remain mayor during the accustomed time of holding that office. When he was Mayor on this occasion (1663) Jeffrey Shackerley and Lord Ancrum were members for the borough. Richard Pennington was recorder; Miles Turner and Thomas Houghton were bailiffs. William Daniel, Joseph Rigby, Nicholas Pennington, Ambrose Jolley, James Molineux, Robert Baron, William Glover, Gerard Bancks, Edward Sumpner, Richard Markland, and Matthew Markland were aldermen, each of whom had also been, or lived to be, mayor and bailiff; and John Anderton was town clerk. The mayor was appointed annually from the list of aldermen, before whom (or not less than three of whom) and the bailiffs he took his oaths. He and his predecessors were appointed justices of the peace for the borough, and the mayor for the time being a justice of the peace for the county. A justice of the peace for the

county was specially and strictly prohibited from entering the borough or its precincts to do anything which the justices of the peace of the borough were, by virtue of the charter, entitled or required to do.

All the old rights and privileges, which were originally granted to the rector, were given to the Corporation in connection with the annual three days' fair, beginning on the 16th July, unless that were Sunday, in which case it should begin on Monday, the 17th. The town was in no wise to be taxed, rented, or rated for the privileges and emoluments of the fair. Foreigners or strangers had to pay their fixed dues. Stallage, peccage, fines, amerciements, and profits were to go for the use, benefit, and advantage of the mayor, bailiffs, and burgesses. A new source of profit was now first granted by charter. In this charter it is called the Court of Pie Powder, and in the following one the Piedpowder Court. This Court is now, like many other old institutions, defunct, but nevertheless was a useful and profitable one in its day. Not only Wigan, but English crowds are remarkable for their general good behaviour. They are often noisy and excited, but the excitement is generally kept within the bounds of good-natured "chaff." Still there are exceptions to all rules, especially when the crowds are composed of strangers slightly inebriated. Even at fairs of the present day the Corporation finds it necessary to warn the unwary public to beware of "pickpockets and bad money." Such visitors have always been the concomitants of Wigan fairs. Visitors to the fairs were not all honest tradesmen who came to the market to buy or sell, but many came to get money by "hook or by crook." Knaves, cheats, and vagabonds lived by their sleight-of-hand or wit at these fairs. Moreover, many litigations arose amongst honest men about their mercantile transactions, and it was to settle all such disputes and to punish "fair" rogues that the Court of Pie Powder was instituted. The justices had the power of settling all disputes, of inflicting and appropriating fines, at fair times. The name Piedpowder is of Norman-French origin, from *pied*, a foot, and *pouldreux*, powdery, and thus originated from the fact that the litigants, being for the most part from the country, had generally very dirty feet.

A new and special honour was conferred on the town in recognition of its valuable services during the late turbulent times. The mayor, the representative of town, was from henceforth and for ever to be allowed to have carried before him, as a special mayoral distinction, a sword inscribed or adorned with the royal arms. This could be carried in or about the whole borough or its precincts at the pleasure of the mayor. One of the present municipal insignia is a handsome cross-hilted two-edged sword, which, judging from its massive size, might have been intended for a Goliath. It is of unknown date, but may not unlikely have been acquired by the Corporation at this period. When not in processional use it is

carefully locked in the strong room of the Corporation buildings, and protected in a velvet and gilt-mounted scabbard, emblazoned with the arms of Great Britain and the motto—*Dieu et mon droit*.

By this new charter the liberties of the inhabitants were extended, the liberties of the burgesses confirmed and enlarged, and the honours of the Corporation increased. Liberty was given to the Corporation to buy or sell property with public money, to the extent of £50 a year. In a new country, such as in most parts of America, the prosperity of public institutions can be assured by a wise foresight, so that the necessity of precarious, but praiseworthy methods of upholding large institutions by voluntary contributions is debarred. Where towns are proposed to be built in the States and Colonies plans are drawn up, and different parts of the prospective city set apart for the endowment for scholastic or charitable purposes. In an old country like England this is a pecuniary impossibility, yet opportunities often occur when Corporations, as well as individuals, may make valuable speculative investments. If a town can wisely and profitably invest its money, it is right and proper to do so. Legal power was given to Wigan, with this end in view, to buy up manors, messuages, tenements, pastures, feedings, boscages, sub-boscages, rectories, tithes, revenues, or other hereditaments, not only in Wigan or England, but any part of the British dominions.

As this is a complete, interesting, and important charter, it is subjoined in full:—

14th. CAROLI II.

Carolus Secundus Dei gratia Angliæ Scotiæ Franciæ et Hiberniæ Rex fidei defensor et cætera *Omnibus* ad quos præsentis Literæ pervenerint *Salutem* Cum nobis satis constat quod Villa sive Burgus noster de Wigan in Comitatu nostro Lancastriæ est antiquus Burgus quodque Inhabitantes et Burgenses Villæ sive Burgi illius sunt et a tempore cujus contrarii memoria hominis non existit fuerunt unum Corpus Corporatum per nomen Majoris Ballivorum et Burgensium Burgi de Wigan in Comitatu nostro Lancastriæ quodque ipsi et prædecessores sui per idem nomen diversis Libertatibus franchisesis privilegiis et immunitatibus temporibus retroactis habuerunt tenuerunt et gavisi fuerunt et adhuc habent tenent et gaudent. Cumque delicti Subditi nostri modo Major Ballivi et Burgenses Burgi prædicti nobis humillime supplicaverunt, quatenus nos, eisdem Majori Ballivis et Burgensibus gratiam et munificentiam nostram *Regiam* tam in ratificatione et confirmatione Corporis Corporati prædicti et antiquorum libertatum et privilegiorum ejusdem quam in concessione taliorum aliorum libertatum et privilegiorum qualiorum pro bono publico et meliori regimine Burgi illius nobis melius videbitur expediri, gratiose exhibere et extendere volumus. Scitis igitur quod nos, meliorem rationem Burgi prædicti et prosperam Conditionem populi nostri ibidem gratiose affectantes ac multa et magna Servicia per Burgum illum *Serenissimo Patri nostro beate memoriæ* in nuperrimis temporibus maxime calamitosis tam tempestive impensa necnon continuatam fidem et promptum admodum affectum Inhabitantium ejusdem Burgi erga nos et pro Servitio nostro recolligentes et benigne acceptantes, de gratia nostra speciali ac ex certa scientia et mero motu nostris voluimus ordinavimus concessimus et confirmavimus ac per Præsentes pro nobis Hæredibus et Successoribus nostris volumus ordinamus concedimus et confirmavimus præfatis Majori Ballivis et Burgensibus Burgi prædicti et Successoribus suis Corpus Corporatum prædictum ac omnes et omnimodas libertates liberas consuetudines franchisesias immunitates exemptiones quietantias et

Jurisdictiones Burgi illius quascunque necnon omnia et singula eadem et hujusmodi terras tenementa nundinas mercato ferias vendiciones omnium Catalorum quoruncunque Consuetudines libertates privilegia franchises immunitates quietancias exemptiones Jurisdictiones et Hæreditamenta quascunque quæ Burgenses Villæ sive Burgi de Wigan prædicti aut quæ Burgenses et Communitas Villæ sive Burgi de Wigan prædicti aut quæ Major Ballivi et Burgenses Villæ sive Burgi de Wigan prædicti et prædecessores sui quicunque quibuscunque nominibus censabantur seu vocabantur vel per quodcunque nomen vel quamcunque incorporationem vel prætextum cujuscunque incorporationis antehac incorporati fuerunt legitime habuerunt tenuerunt usi vel gavisus fuerunt aut habere tenere uti vel gaudere debuerunt aut habuit tenuit usus vel gavisus fuit aut habere tenere uti vel gaudere debuit aut debuerunt ratione seu prætextu aliquarum Chartarum aut Literarum Patentium per nos aut per aliquem progenitorum nostrorum vel alicujus alterius Personæ sive aliquarum aliarum personarum quarumcunque quo modo antehac factarum confirmatarum vel concessarum seu quocunque alio legali modo Jure Consuetudine usu præscripto sive titulo antehac legitime usitata habita gavisus ac consueta per Præsentes minime annihilata mutata sive diminuta. Et quod licitum sit et erit præfatis Majori Ballivis et Burgensibus Burgi nostri de Wigan prædicti et Successoribus suis habere tenere exercere uti et gaudere omnibus et omnimodis hujusmodi libertatibus liberis consuetudinibus franchises Immunitatibus exemptionibus Jurisdictionibus et cæteris præmissis prædictis superius per præsentem in forma prædicta confirmatis in tam amplissimo modo et forma et ad omnia intenta et proposita quali temporibus retroactis habuerunt tenuerunt usi vel gavisus fuerunt seu habere tenere uti vel gaudere debuerunt. Et pro meliori Executione et exercitio inde assignavimus nominavimus constituimus et confirmavimus ac per præsentem pro nobis Hæredibus et Successoribus nostris assignamus nominamus constituimus et confirmamus delictum nostrum Rogerum Bradshaigh Militem, modo Majorem Burgi nostri de Wigan prædicti, fore et continuare Majorem Burgi illius pro et durante præscripto tempore continuacionis suæ in officio illo secundum usum et consuetudinem infra Burgum illum in ea parte temporibus retroactis usitatas Assignavimus etiam nominavimus constituimus et confirmavimus ac per præsentem pro nobis Hæredibus et Successoribus nostris assignamus nominamus constituimus et confirmamus delictum Subditum nostrum Ricardum Pennington Armigerum, modo Recordatorem Burgi nostri de Wigan prædicti, fore et continuare Recordatorem ejusdem Burgi juxta usum et consuetudinem infra Burgum illum temporibus retroactis in ea parte usitatas. Ac similiter assignamus nominamus constituimus et confirmamus delictos Subditos nostros Willhelmum Daniell Armigerum Josephum Rigby Armigerum Nicholaum Pennington Generosum Jacobum Mollineux Generosum Ambrosium Jolly Generosum Robertum Baron Generosum Willhelmum Glover Generosum Gerardum Banck Generosum Edwardum Sompner Generosum Ricardum Markland Generosum et Mattheum Markland Generosum, modo Aldermannos Burgi illius, fore et continuare Aldermannos ejusdem Burgi ac delictos Subditos nostros Milonem Turner et Thomam Houghton, modo Ballivos Burgi prædicti, fore et continuare Ballivos Burgi illius et delictum Subditum nostrum Johannem Anderton, Commune Clericum ejusdem Burgi, fore et continuare Commune Clericum Burgi illius. Ac etiam omnes et quamlibet Personam et Personas, modo Burgenses Burgi illius, fore et continuare Burgenses ejusdem Burgi, in talibus modo et forma ac pro tali tempore et temporibus respective qualibus secundum usum aut usus consuetos aut consuetudines infra Burgum illum in ea parte respective temporibus retroactis usitate extitissent vel eorum aliquis extitisset et in officiis sive locis illis et eorum quolibet sive aliquo respective continuare usi fuissent vel eorum aliquis usus fuisset. Et Ulterius Volumus quod omnes et quilibet officarius et officarii Burgi prædicti modo nominati sive constituti aut in posterum nominandi et constituendi Sacramenta sua Corporalia pro fideli executione separalium officiorum sive locorum suorum respective infra Burgum illum præstabant et præstabit in talibus modo et forma et coram talibus persona et personis qualibus temporibus retroactis juxta consuetudinem Burgi illius hujusmodi Sacramenta præstare consueverint vel consueverit nisi in talibus casu et casibus tantum qualibus per præsentem aliter ordinatum et constitutum existit: Et Ulterius Volumus ac per præsentem pro nobis Hæredibus et Successoribus nostris ordinamus et firmiter injungendo præcipimus quod Major

Ballivi et Burgenses Burgi prædicti ac Recordator Aldermani Communis Clericus et omnes alii officarii et ministri Burgi illius et eorum deputati necnon omnes Justiciarii ad pacem nostram Hæredum et Successorum nostrorum infra Burgum illum conservandum in aut per has Literas nostras patentes nominati constituti sive confirmati aut imposterum virtute inde seu aliter secundum consuetudinem Burgi prædicti nominandi eligendi sive constituendi, antequam ipsi ad executionem sive exercitium officii seu officiorum loci vel Locorum cui vel quibus, sicut præfertur, respective nominati constituti sive confirmati modo existunt aut imposterum debite et secundum veram intencionem præsentium nominati electi sive constituti fuerunt, admittantur seu eorum aliquis admittatur aut aliquid in ea parte se intromittant vel intromittat tam Sacramentum Coporale *Anglicè* communiter vocatum (*the Oath of Obedience*) quam Sacramentum Coporale communiter vocatum (*the Oath of Supremacy*) super Sacro sancto Evangelio præstabit et eorum quilibet præstabit coram tali persona sive talibus personis quilibet et quæ ad hujusmodi Sacramenta dandum et præstandum per Legem et Statuta hujus Regni nostri Angliæ ad præsentanea appanotuantur et designantur aut imposterum appanotuatæ et designatæ fuerint. Proviso semper et volumus ac per præsentis pro nobis Hæredibus et Successoribus nostris concedimus ordinamus et declaramus quod nos Hæredes et Successores nostri de tempore in tempus quandoquoties locus sive officium Recordatoris Burgi prædicti per mortem prædicti Ricardi Pennington seu alicujus alius Recordatoris ejusdem Burgi imposterum nominandi et constituendi vel aliter quovismodo vacatum foret et deveniret tunc et toties ad humilem petitionem Majoris Ballivorum et Burgensium Burgi prædicti pro tempore existentium nobis Hæredibus et Successoribus nostris in ea parte exhibendam assignabimus nominabimus et constituemus unum alium discretum virum in Legibus Angliæ eruditum fore et esse Recordatorem ejusdem Burgi quique idem vir eruditus sic nominatus et constitutus et de tempore in tempus sic nominandus et constituendus in officium illud Sacramentum suum Coporale super Sacro Sancto Evangelio coram Majore Burgi illius pro tempore existente in Præsentia Aldermannorum ejusdem Burgi pro tempore existentium, vel trium eorum ad minus, ad officium illud bene et fideliter in omnibus officio illo tangentibus exequendum præstabit. Et Quod post tale Sacramentum sic præstitum quilibet talis vir eruditus in officium illud sic nominatus et constitutus aut nominandus et constituendus sit et erit Recordator Burgi prædicti pro et durante vita sua naturali respective (nisi interim per mala gestura facta in officio illo vel aliqua alia rationabili causa abinde per Majorem Ballivos et Burgenses Burgi prædicti, pro tempore existentes, vel Majorem partem eorum, quorum Majorem pro tempore existentem unum esse volumus, debito modo amovetur). Et Ulterius volumus ac per præsentis pro nobis Hæredibus et Successoribus nostris Concedimus ordinamus et declaramus quod nos Hæredes et Successores nostri de tempore in tempus quando et quoties locus sive officium Communis Clerici Burgi prædicti per mortem sive debitam amoveacionem prædicti Johannis Anderton seu alicujus alius Communis Clerici ejusdem Burgi imposterum nominandi et constituendi seu aliter quovismodo vacuum fore contigerit tunc et toties ad humilem petitionem Majoris Ballivorum et Burgensium Burgi illius pro tempore existentium nobis Hæredibus vel Successoribus nostris in ea parte exhibendam assignabimus nominabimus et constituemus unum alium discretum virum fore et esse Communem Clericum ejusdem Burgi continuandum in officio suo durante vita sua naturali nisi abinde debito modo, ut præfertur, amotus fuerit. Et volumus quod omnis et quælibet persona et persone ad hujusmodi officium Communis Clerici Burgi prædicti sic nominatæ et constitutæ nominandæ et constituendæ Sacramentum suum Coporale super Sacro Sancto Dei Evangelio coram Majore Burgi illius pro tempore existente in præsentia Aldermanorum ejusdem Burgi pro tempore existentium, vel trium eorum ad minus, ad officium illud bene et fideliter in omnibus officio illo tangentibus exequendum præstabit et eorum quilibet præstabit antequam ad officium illud exequendum respective admittantur seu eorum aliquis admittatur. Et quod ab et post tale Sacramento sic præstito quælibet talis persona in officium illud sic nominata et constituta nominanda et constituenda sit et erit communis Clericus Burgi prædicti pro et durante vita sua naturali respective nisi interim, per mala gesta acta sua in officio illo aut aliqua alia rationabili causa, abinde per Majorem Ballivos et Burgenses Burgi

prædicti pro tempore existentes vel majorem partem eorum (quorum Majorem ejusdem Burgi pro tempore existentem unum esse volumus) debito modo, ut præfertur, amovetur. Quibusque dictis Majori Ballivis et Burgensibus Burgi prædicti pro tempore existentibus et majori parti eorum (quorum Majorem ejusdem Burgi pro tempore existentem unum esse volumus) plenam potestatem et auctoritatem ad omnes et quælibet hujusmodi Recordatorem et Recordatores Communem Clericum et Communes Clericos Burgi illius imposterum in forma prædicta nominatos et constitutos aut nominandos et constituendos pro causa et causis prædictis ab officio et officiis suis prædictis aut eorum aliquo respective amovendi damus et concedimus per præsentem. Cuique dicto Majori Burgi prædicti pro tempore existenti ad separalia Sacramenta prædicta omnibus et cuilibet Recordatori et Recordatoribus Communi Clerico et Communibus Clericis Burgi prædicti imposterum in forma prædicta nominatis et constitutis aut nominandis et constituendis in præsentis Aldermanorum Burgi illius pro tempore existentium seu aliquorum trium vel plurium eorum de tempore in tempus dandum et administrandum plenam potestatem et auctoritatem pro nobis Hæredibus et Successoribus nostris damus et concedimus per præsentem aliquo in præsentibus contento seu aliquo usu consuetudine sive præscriptione infra Burgum prædictum temporibus retroactis habitis vel usitatis in contrarium inde in aliquo non obstante. Et Ulterius, in tesseram favoris nostri Burgo de Wigan prædicto pro fidelitate sua nobis et Percharissimo Patri nostro per totam flagitiosam illam Subditorum hujus Regni nostri nuperam defeccionem constanter manifesta, de uberiori Gratia nostra speciali et ex certa scientia et mero motu nostris dedimus et concessimus ac per præsentem pro nobis Hæredibus et Successoribus nostris damus et concedimus præfatis Majori Ballivis et Burgensibus Burgi nostri de Wigan prædicti plenam potestatem et auctoritatem et quod de cætero imperpetuum licitum sit et erit eisdem Majori Ballivis et Burgensibus ejusdem Burgi et Successoribus suis habere uti et portari causare coram Majore Burgi illius pro tempore existente unum gladium armis nostris Hæredum aut Successorum nostrorum inscriptum sive ornatum in et per totum Burgum illum et limites et præcinctus ejusdem ad libitum Majoris ejusdem Burgi pro tempore existentis. Concessimus insuper pro nobis Hæredibus et Successoribus nostris per præsentem præfatis Majori Ballivis et Burgensibus Burgi nostri de Wigan prædicti et Successoribus suis quod Modernus Major Burgi illius ac ultimus de prædecessoribus suis in officio illo pro et durante tempore continuacionis ipsius moderni Majoris ejusdem Burgi in officio suo Majoris Burgi illius et quilibet alius Major Burgi illius pro tempore existens pro et durante tempore continuacionis sue in officio illo respective et quilibet ultimus prædecessor cujuslibet hujusmodi Majoris per spatium unius anni ab et post exitum et decessum suum ab officio Majoris ejusdem Burgi respective sint et erint et quilibet eorum sit et erit Justiciarii nostri Hæredum et Successorum nostrorum ad pacem nostram Hæredum et Successorum nostrorum infra Burgum prædictum libertates et præcinctus ejusdem custodiendum et conservandum et custodiri et conservari faciendum et ad omnia Statuta et ordinationes pro bono pacis nostræ Hæredum et Successorum nostrorum ac pro preservacione ejusdem et pro quieto Regimine et gubernacione populi nostri Hæredum et Successorum nostrorum edita et edenda in omnibus suis Articulis infra Burgum prædictum Libertates et Præcinctus ejusdem juxta vim formam et effectum eorundem custodiendum et custodiri faciendum. Ac ad omnes illos quos contra formam et effectum ordinationum et statutorum prædictorum aut eorum alicujus in Burgo illo et Præcinctibus ejusdem delinquentes invenerint castigandum et puniendum per et secundum formam ordinationum et Statutorum illorum fuerit faciendum. Necnon ad omnia alia secundum Leges et Statuta hujus Regni nostri Angliæ infra Burgum illum Limites et Præcinctus ejusdem faciendum et inquirendum quæ coram aliquibus Justiciariis sive custodibus pacis nostræ Hæredum vel Successorum nostrorum in aliquo Comitatu Regni nostri Angliæ ut Justiciarii pacis fieri aut inquiri poterint aut debent. Ita tamen quod ad determinationem alicujus prodicionis misprisionis prodicionis murderii seu felonie vel alicujus alterius materie tangentis amissionem vite vel membrorum infra Burgum prædictum limites et præcinctus ejusdem absque Speciali mandato nostro Hæredum vel Successorum nostrorum quoquo modo non procedant. Et ulterius pro nobis Hæredibus et Successoribus nostris firmiter injungendo præcipimus et per præsentem prohibemus quod Justiciarii pacis nostræ

Hæredum vel Successorum nostrorum pro Comitatu nostro Lancastriæ modo constituti seu imposterum constituendi infra Burgum prædictum aut Præcinctus ejusdem ad aliquid ibidem faciendum quod Justiciarii pacis nostræ Hæredum vel Successorum nostrorum pro Burgo illo virtute harum literarum nostrarum patentium ibidem facere possuerint aut debent nullo modo ingrediantur nec se in aliquo intromittant seu intromittere præsumant. Et ulterius volumus et per præsentem ordinamus et constituimus quod modernus Major Burgi nostri de Wigan prædicti et ultimus prædecessor suus in officio illo ac quilibet alius Major Burgi illius et ultimus prædecessor cujuslibet hujusmodi Majoris in eodem officio respective pro tempore existentis, antequam ipsi ad executionem officii Justiciarii pacis infra Burgum illum admittantur seu eorum aliquis admittatur, Sacramentum suum Corporale super Sacro sancto Dei Evangelio ad officium Justiciarii pacis infra eundem Burgum, Limites et Præcinctus ejusdem in omnibus et per omnia officio illo tangentia et fideliter exequendum, necnon Juramenta in ea parte per leges et Statuta hujus Regni nostri Angliæ provisa a Justiciariis pacis præstari requisita, coram Aldermanis et Ballivis Burgi prædicti pro tempore existentibus sue aliquibus tribus eorum præstabunt et eorum quilibet præstabit. Quibusque dictis Aldermanis et Ballivis Burgi prædicti pro tempore existentibus et aliquibus tribus eorum ad Sacramenta et Juramenta prædicta in forma prædicta de tempore in tempus dandum et administrandum plenam et auctoritatem damus et concedimus per præsentem. Et ulterius volumus ac per præsentem pro nobis Hæredibus et Successoribus nostris damus et concedimus præfatis Majori Ballivis et Burgensibus Burgi de Wigan prædicti et Successoribus suis quod modernus Major Burgi illius et quilibet alius Major ejusdem Burgi pro tempore existens imposterum nominandus et eligendus respective sit et erit sint et erint Justiciarii nostri Hæredum et Successorum nostrorum ad pacem nostram Hæredum et Successorum nostrorum in Comitatu nostro Lancastriæ custodiendum et conservandum et ad omnia alia faciendum exequendum et confirmandum que per Justiciarios pacis nostræ Hæredum vel Successorum nostrorum infra eundem Comitatum per Leges et Statuta hujus Regni nostri Angliæ modo edita vel imposterum edenda fieri exequi aut performari possint aut debent. Et modernum Majorem Burgi prædicti ac omnes et quemlibet Majorem et Majores Burgi illius pro tempore existentes imposterum nominandos et eligendos Justiciarium et Justiciarios nostros Hæredum et Successorum nostrorum ad pacem nostram Hæredum et Successorum nostrorum infra Comitatu nostro Lancastriæ prædicto custodiendum et conservandum et ad omnia alia prædicta que per Justiciarios pacis infra Comitatum illum, ut præfertur, fieri et exequi possint aut debent faciendum et exequendum facimus ordinamus et constituimus ac per præsentem. Et ulterius volumus quod quilibet hujusmodi Major Burgi prædicti pro tempore existens, antequam ipse ad executionem officii Justiciarii pacis infra Comitatum nostrum Lancastriæ prædictum admittatur, Sacramentum suum Corporale super Sacro Sancto Dei Evangelio ad officium illud bene et fideliter exequendum necnon Juramenta in ea parte per Leges et Statuta hujus Regni nostri Angliæ provisa a Justiciariis pacem preservandis præstabit in talibus modo et forma qualibus alii Justiciarii pacis nostræ Hæredum vel Successorum nostrorum pro eodem Comitatu modo constituti vel imposterum constituendi Sacramenta et Juramenta sua in ea parte præstabunt seu præstare debent. Et ulterius de uberiori gratia nostra ac ex certa scientia et mero motu nostris damus et concedimus præfatis Majori Ballivis et Burgensibus Burgi nostri de Wigan prædicti et Successoribus suis quod ipsi et Successores sui de cætero imperpetuum habeant teneant et custodiant ac habere tenere et custodire valeant et possint annuatim in Villa sive Burgo de Wigan prædicto unam Feriam incipiendam in et super decimum sextum diem Julii, si non sit dies Dominicus, et, si ita sit, tunc in Die proximo sequente, ac per totum hujusmodi diem inceptionis inde prædictum et per duos dies proximos sequentes annuatim custodiendam et duraturam. Una Cum Curia Pedis-pulverizati tempore eju^ddem feriæ ac simul cum Stallagio piccagio finibus amerciamenti et omnibus aliis profitibus commoditatibus et emolumentis quibuscunque hujusmodi feriæ et Curie Pedis-pulverizati spectantibus pertinentibus accidentibus emergentibus sive contingentibus ac cum omnibus libertatibus et liberis consuetudinibus ad hujusmodi feriam spectantibus sive pertinentibus ad proprium opus et usum commodum et commoditatem dictorum Majoris Ballivorum et Burgensium

Burgi prædicti et Successorum suorum pro tempore existentium imperpetuum capiendis accipiendis et custodiendis et hæc absque compositionem vel aliquod aliud nobis Hæredibus vel Successoribus nostris pro inde rediendo solvendo vel faciendo ac absque molestacione perturbacione gravamine seu contradicione nostri Hæredum vel Successorum nostrorum aut aliquorum Vicecomitum Escaetorum Ballivorum Officiariorum sive Ministrorum nostrorum Hæredum vel Successorum nostrorum quorumcunque ac absque alio Warranto Breve vel præcepto a nobis Hæredibus vel Successoribus nostris imposterum in hac parte procurandis vel obtinendis dum tamen feria illa non sit ad nocumentum vicinarium feriarum. Ac ulterius de uberiori gratia nostra speciali ac ex certa Scientia et mero motu nostris concessimus ac per præsentem pro nobis Hæredibus et Successoribus nostris concedimus et licentiam specialem liberamque et licitam facultatem potestatem et auctoritatem damus præfatis Majori Ballivi et Burgensibus Burgi nostri de Wigan prædicti et Successoribus suis habendi recipiendi et perquirendi sibi et Successoribus suis imperpetuum Maneria Messuagia Terras Tenementa Prata Pascuas Pasturas Boscos Subboscos Rectorias Decimas redditus revenciones et alia hæreditamenta quæcunque infra Regnum nostrum Angliæ seu alibi infra Dominia nostra tam de nobis Hæredibus vel Successoribus nostris quam de aliqua alia persona sive aliquibus aliis personis quibuscunque dummodo eadem Muneria Messuagia Terræ Tenementa Prata Pascuas Pasturæ Bosci Subbosci Rectoriæ Decimæ redditus revenciones servitia et alia Hæreditamenta sic, ut præfertur, per ipsos habenda recipienda, et perquirenda, non excedunt in toto clarum annualem valorem quinquaginta librarum per Annum ultra omnia onera et reprisas Statutis de terris et tenementis ad Manus mortuas non ponendis aut aliquo alio Statuto actu ordinatione vel provisione antehac habitis factis ordinatis sive provisus aut aliqua alia re causa vel materia quæcunque in contrarium inde in aliquo non obstante. Damus etiam ac per præsentem pro nobis Hæredibus et Successoribus nostris concedimus cuicumque Subdito nostro et quibuscunque Subditis nostris Hæredum et Successorum nostrorum licentiam specialem liberamque et licitam potestatem et facultatem et auctoritatem quod ipsi et eorum aliquis sive aliqui Maneria Messuagia Terras Tenementa Prata Pascuas Pasturas Boscos Subboscos Rectorias Decimas redditus revenciones servitia et alia hæreditamenta quæcunque præfatis Majori Ballivi et Burgensibus Burgi prædicti et Successoribus suis dare vendere concedere legare vel alienare possint et valeant. Ita tamen quod omnia prædicta Maneria Messuagia Terræ Tenementa Prata Pascuas Pasturæ Bosci Subbosci Rectoriæ Decimæ redditus revenciones servitia et alia hæreditamenta eisdem Majori Ballivi et Burgensibus Burgi illius et Successoribus suis virtute præsentium sic, ut præfertur, danda concedenda leganda non excedunt in toto clarum annualem redditum sive valorem Quinquaginta Librarum per annum ultra omnia onera et reprisas Statutis de terris et tenementis ad manus mortuas non ponendis aut aliqua alia re causa vel materia antehac habitis factis editis ordinatis sive provisus in contrarium inde in aliquo non obstante Habendum Tenendum et Gaudendum omnia et singula præmissa prædicta superius per præsentem data concessa sive confirmata aut mencionata fore data concessa sive confirmata præfatis Majori Ballivi et Burgensibus Burgi nostri de Wigan prædicti et Successoribus suis imperpetuum. Ac Reddendum et Solvendum pro inde nobis Hæredibus et Successoribus nostris annuatim tot tanta talia eadem et hujusmodi redditus Servitia denariorum summas et demanda quæcunque quot quanta qualia et quæ pro eisdem seu eorum aliqua vel aliquibus antehac reddi seu solvi consueverunt aut de Jure debuerunt. Quare volumus ac per præsentem firmiter injungendo præcipimus pro nobis Hæredibus et Successoribus nostris quod prædicti Major Ballivi et Burgenses Burgi prædicti et Successores sui teneant utantur et gaudeant ac habere tenere uti exercere et gaudere valeant et possint imperpetuum omnibus Libertatibus auctoritatibus Jurisdictionibus consuetudinibus Concessionibus franchisesis quietanciis terris tenementis et Hæreditamentis prædictis ac omnibus bonis et catallis suis quibuscunque secundum tenorem formam et effectum harum litterarum nostrarum patentium sine occasione molestacione vel impedimento nostro Hæredum vel Successorum nostrorum Justiciariorum Vicecomitum Escaetorum Ballivorum aut aliorum Ministrorum nostrorum Hæredum aut Successorum nostrorum quorumcunque. Nolentes quod iidem Major Ballivi et Burgenses aut Successores sui vel eorum aliquis vel aliqui racione præmissorum sive

eorum alicujus per nos Hæredes vel Successores nostros Justiciarios Vicecomites Escheatores Ballivos sive alios Ministros Hæredum vel Successorum nostrorum quorumcunque occidentur molestentur vexentur seu graventur vel in aliquo perturbentur. Volentes etiam ac per præsentés pro nobis Hæredibus et Successoribus nostris mandantes et præcipientes tam Thesaurario Cancellario Barronibus Scaccarii nostri Westmonasteriensis ac aliis Justiciariis nostris Hæredum et Successorum nostrorum quam Attornato et Sollicitatori nostro Generali pro tempore existentibus et eorum cuilibet et omnibus aliis Ministris et Officiariis nostris Hæredum et Successorum nostrorum quorumcunque pro tempore existentibus quod nec ipsi nec eorum aliqui vel aliquis aliquid Breve sive Summonicionem de quo Warranto sive aliquid Breve Brevia vel Processus nostras quascunque versus præfatum Majorem Ballivos et Burgenses Burgi prædicti aut eorum aliquem vel aliquos pro aliquibus causis rebus materiis offensis clameis et usurpationibus aut eorum aliquo per ipsos aut aliquos attemptatis clameatis usitatis habitis factis sive usurpatis ante confeccionem harum literarum nostrarum patentium impetrantur prosequantur aut continuantur vel impetrari prosequi aut continuari faciant aut causant seu eorum aliquis facit aut causat. Volentes etiam quod iidem Major Ballivi et Burgenses Burgi prædicti vel eorum aliqui per aliquem vel aliquos Justiciarios Vicecomites Officiarios vel Ministros prædictos in aut pro debito seu clameo vel abusu aliquorum aliorum libertatum privilegiorum franchesiarum aut jurisdictionum infra Burgum prædictum libertates limites et præcinctus ejusdem ante diem confeccionis harum literarum nostrarum patentium minime molestentur aut impediuntur aut ad ea seu eorum aliquid vel aliqua respondere compellantur. Volumus etiam ac per præsentés pro nobis Hæredibus et Successoribus nostris concedimus præfatis Majori Ballivi et Burgensibus Burgi prædicti quod habeant et habebunt has literas nostras patentes sub Magno Sigillo nostro Angliæ in debito modo factas et sigillatas absque fine seu feodum, magnum sive parvum, nobis in Hanoperio Cancellariæ nostræ seu alibi ad usum nostrum proinde quoquo modo reddendo solvendo vel faciendo. Eo quod expressa mentio de mero valore annuo vel de certitudine præmissorum sive eorum alicujus aut de aliis donis sive concessibus per nos seu per aliquem progenitorum sive prædecessorum nostrorum præfatis Majori Ballivi et Burgensibus Burgi prædicti ante hæc tempora factis in præsentibus minime facta existit aut aliquo Statuto Actu Ordinacione Provisione Proclamatione sive Restrictione in contrarium inde antehac habitis factis editis ordinatis sive provisus aut aliqua alia re causa vel materia quacunque in aliquo non obstat. In Cujus Rei Testimonium has Literas nostras fieri fecimus *Patentes*. Teste meipso apud Westmonasterium decimo sexto die Maii anno Regni nostri decimo quarto.

HOWARD.

Per Breve de Privato Sigillo.—(*Sine Fine vel Feodo.*)

14TH CHARLES II.

Charles the Second, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. To all to whom these present Letters shall come greeting: Whereas it sufficiently appears to us that our Vill or Borough of Wigan, in our county of Lancaster is an ancient borough and that the inhabitants and burgesses of that vill or borough are and from time to time, whereof the memory of man is not to the contrary, have been one body corporate by the name of Mayor, Bailiffs, and Burgesses of the borough of Wigan, in our county of Lancaster, and that they and their predecessors by the same name in times past have had, held, and enjoyed, and do yet have, hold, and enjoy diverse liberties, franchises, privileges, and immunities. And whereas our beloved subjects, the now mayor, bailiffs, and burgesses of the borough aforesaid, have most humbly besought us, so far as we may be graciously willing to exhibit and extend to the same mayor, bailiffs, and burgesses, our royal favour and munificence, as well in the ratification and confirmation of the body corporate aforesaid, and the ancient liberties and privileges thereof, as in granting such other liberties and privileges as to us shall seem more expedient for the public good and better government of that borough. Know ye therefore that we, graciously desiring the improvement of the borough aforesaid, and the prosperous

condition of our people there, and revising and taking in good part the many and great services so seasonably bestowed by that borough to our Most Serene Father of blessed memory in the late most calamitous times, and also the continued fidelity and exceeding willing affection of the inhabitants of the same borough towards us and for our service, of our special grace and of our certain knowledge and mere motion have willed, ordained, granted, and confirmed, and by these presents for ourselves, our heirs, and successors do will, ordain, grant, and confirm to the aforesaid mayor, bailiffs, and burgesses of the borough aforesaid, and their successors, the aforesaid body corporate, and all manner of liberties, free customs, franchises, immunities, exemptions, easements, and jurisdictions of that borough whatsoever, and all and singular the same and such like lands, tenements, fairs, markets, feast-days, sales of chattels whatsoever, customs, liberties, privileges, franchises, immunities, quittances, exemptions, jurisdictions, and hereditaments whatsoever which the burgesses of the vill or borough of Wigan aforesaid, or which the burgesses and community of the vill or borough of Wigan aforesaid, or which the mayor, bailiffs, and burgesses of the vill or borough of Wigan aforesaid, and their predecessors whomsoever, by whatsoever names they were rated or called, or by whatsoever name or incorporation or pretence of whatsoever incorporation they have heretofore been incorporated, lawfully had, held, used, or enjoyed, or ought to have, hold, use, or enjoy, or it hath, had, held, used, or enjoyed, or it or they ought to have, hold, use, or enjoy by reason or pretence of any charters or letters patent by us or any of our progenitors, or any other person or any other persons whomsoever in anywise heretofore made, confirmed, or granted, or by whatsoever other lawful means, right, custom, use, prescription, or title heretofore lawfully used, had, or enjoyed, or accustomed, by these presents in no wise annihilated, changed, or diminished; and that it may and shall be lawful to and for the aforesaid mayor, bailiffs, and burgesses of our borough of Wigan aforesaid, and their successors, to have, hold, exercise, use, and enjoy all and all manner of this sort of liberties, free customs, franchises, immunities, exemptions, jurisdictions, and other the premises aforesaid above, by these presents in form aforesaid, confirmed in such ample manner and form to all intents and purposes, as in times past they have, had, held, used, or enjoyed, or ought to have, hold, use, or enjoy. And for the better execution and exercise thereof we have appointed, nominated, constituted, and confirmed, and by these presents for us, our heirs, and successors do appoint, nominate, constitute, and confirm our beloved Roger Bradshaigh, Knight, now the mayor of our borough of Wigan aforesaid, to be and continue mayor of that borough for and during the accustomed time of his continuing in that office according to the use and custom within that borough in that behalf in times past accustomed. We have also appointed, nominated, constituted, and confirmed, and by these presents for us and our heirs and successors do appoint, nominate, constitute, and confirm our beloved subject, Richard Pennington, Esquire, now the recorder of our borough of Wigan aforesaid, to be and continue recorder of the same borough according to the use and custom within that borough in times past in that behalf accustomed. And in like manner we do appoint, nominate, constitute, and confirm our beloved subjects, William Daniel, Esquire, Joseph Rigby, Esquire, Nicholas Pennington, Gentleman, James Molyneux, Gentleman, Ambrose Jolly, Gentleman, Robert Baron, Gentleman, William Glover, Gentleman, Gerard Banck, Gentleman, Edward Sompner, Gentleman, Richard Markland, Gentleman, and Matthew Markland, Gentleman, now the aldermen of that borough, to be and continue aldermen of the same borough; and our beloved subjects, Miles Turner and Thomas Houghton, now the bailiffs of the borough aforesaid, to be and continue bailiffs of that borough; and our beloved subject, John Anderton, now the common clerk of the same borough, to be and continue common clerk of that borough. And also all and whatsoever person and persons, now burgesses of that borough, to be and continue burgesses of the same borough in such manner and form and for such time and times respectively, as according to the use or uses or customs within that borough in that behalf respectively in usual times past they usually have been, or any of them hath been in those offices or places and whatsoever, or any of them respectively, they may have used, or any of them may have used to continue. And we are further willing that all and whatsoever

officer or officers of the borough aforesaid, now nominated or constituted, or hereafter to be nominated and constituted, shall take their corporal oaths for the faithful execution of their several offices or places respectively within that borough in such manner and form, and before such person and persons, as in times past they have been accustomed, or he hath been accustomed, to take the oaths of this sort according to the custom of that borough, except in such case and cases only as by these presents it is otherwise ordained and constituted. And we are further willing, and by these presents for us, our heirs, and successors we do ordain and by firmly enjoining do command that the mayor, bailiffs, and burgesses of the borough aforesaid, and the recorder, aldermen, and common clerk, and all other officers and ministers of that borough, and their deputies, and also all justices nominated, appointed, or confirmed in or by these, our letters patent, or hereafter, by virtue thereof, or otherwise, according to the custom of the borough aforesaid, to be nominated, elected, or appointed to keep the peace of us and our successors within that borough, before that they may be admitted or any of them may be admitted, or in anywise in that behalf they may introduce themselves or he may introduce himself to the execution or exercise of the office or offices, place or places, to which they now are, as is aforesaid, respectively nominated, constituted, or confirmed, or hereafter shall be duly and according to the true intention of these presents nominated, elected, or constituted, shall take, and each of them shall take as well, the corporal oath in English commonly called *The oath of obedience*, as also the corporal oath commonly called *The oath of supremacy*, upon the Sacred Holy Gospel, before such person or before such persons as and who by the laws and statutes of this our kingdom of England are at present appointed and designed, or hereafter to be appointed and designed, to give and yield oaths of this sort. Provided always, and it is our will and by these presents for us, our heirs and successors, we do grant, ordain, and declare, that we, our heirs and successors, from time to time, when and so often as the place or office of recorder of the borough aforesaid, by the death of the aforesaid Richard Pennington, or any other recorder of the same borough hereafter to be nominated and constituted, or otherwise howsoever may become or happen to be vacant; then and so often, at the humble petition of the mayor, bailiffs, and burgesses of the borough aforesaid for the time being to us, our heirs and successors, in that behalf to be exhibited, we will appoint, nominate, and constitute one other discreet man learned in the laws of England to be recorder of the same borough, and which learned man so nominated and constituted, and from time to time to be so nominated and constituted into that office, shall take his corporal oath upon the Sacred Holy Gospel before the mayor of that borough for the time being, in the presence of the aldermen of the same borough for the time being, or three of them at the least, well and faithfully to execute that office in all things touching that office. And that after such oath so taken every such learned man into that office so nominated and constituted, or to be nominated or constituted, may be and shall be recorder of the borough aforesaid for and during his natural life respectively, unless in the meantime, for his bad behaviour in that office, or any other reasonable cause, he be from thence in due manner removed by the mayor, bailiffs, and burgesses of the borough aforesaid for the time being, or the major part of them, whereof it is our will that the mayor for the time being be one. And further it is our will, and by these presents, for us, our heirs and successors, we do grant, ordain, and declare that we, our heirs and successors, from time to time, when and as often as the place or office of common clerk of the borough aforesaid, by the death or due removal of the aforesaid John Anderton or any other common clerk of the same borough hereafter to be nominated and constituted, or otherwise howsoever shall happen to be vacant; then and so often, at the humble petition of the mayor, bailiffs, and burgesses of that borough for the time being, to us, our heirs or successors, in that behalf to be exhibited, we will assign, nominate, and constitute one other discreet man to be common clerk of the same borough, to be continued in his office during his natural life, unless from thence in due manner, as aforesaid, he shall be removed. And we are willing that all and every and each person and persons to this sort of office of common clerk of the borough aforesaid so nominated and constituted, or to be nominated or constituted, shall take and

each of them shall take their corporal oath upon the said Sacred Holy Gospel of God, before the mayor of that borough for the time being, in the presence of the aldermen of the same borough for the time being, or any three of them at the least, well and faithfully to execute that office in all things touching that office before that they may respectively be admitted or any of them be admitted to execute that office. And that from and after such oath so taken every such person to that office so nominated and constituted, or to be nominated and constituted, may be and shall be common clerk of the borough aforesaid for and during the term of his natural life respectively, unless in the mean time for his bad behaviour in that office or any other reasonable cause he be from thence in due manner as is aforesaid removed by the mayor, bailiffs, and burgesses of the borough aforesaid for the time being or the greater part of them (of whom it is our will that the mayor for the time being be one). And to which said mayor, bailiffs, and burgesses of the borough aforesaid for the time being and the greater part of them (whereof it is our will that the mayor of the said borough be one) we do give and grant by these presents full power and authority for the cause or causes aforesaid from their office or offices aforesaid, or any of them respectively, to remove all and every recorder and recorder's common clerk and common clerks of the borough aforesaid of this sort hereafter in form aforesaid nominated and constituted, or to be nominated or constituted. And also to which said mayor of the borough aforesaid, for us, our heirs and successors, we do give and grant by these presents full power and authority, in the presence of the aldermen of that borough for the time being, or any three or more of them, from time to time, to give and administer the several oaths aforesaid to all and every recorder and recorder's common clerk and common clerks of the borough aforesaid hereafter in form aforesaid nominated and constituted, or to be nominated and constituted (anything in these presents contained, or any use, custom, or prescription within the borough aforesaid in times past had or used to the contrary thereof in anywise notwithstanding). And further, as a token of our favour to the borough of Wigan aforesaid for its fidelity to us and our most dear father, constantly manifested throughout that late infamous revolt of the subjects of this our realm, of our more abundant special grace, and from certain knowledge and mere motion unto us, we have given and granted, and for us and our heirs and successors do give and grant, to the aforesaid mayor, bailiffs, and burgesses of our borough of Wigan aforesaid, full power and authority, and that for the time to come for ever it may and shall be lawful for the same mayor, bailiffs, and burgesses of the same borough and their successors to have, use, and cause to be carried before the mayor of that borough for the time being one sword inscribed or adorned with the arms of us and our heirs or successors in and throughout the whole borough and the limits and precincts thereof at the pleasure of the mayor for the time being. We have granted, moreover, for us, our heirs, and successors, by these presents, to the aforesaid mayor, bailiffs, and burgesses of our borough of Wigan aforesaid and their successors that the present mayor of that borough and his last predecessor in that office for and during the time of the continuance of that present mayor of the same borough in his office of mayor of that borough, and every other mayor of that borough for the time being, for, and during the time of his continuance in that office respectively, and every last predecessor of every such mayor for the space of one year from and after his going out of and departure from the office of mayor of the same borough respectively, may and shall be and each of them may and shall be justices of us, our heirs, and successors, to keep and preserve and cause to be kept and preserved the peace of us, our heirs, and successors within the borough aforesaid, the liberties and precincts thereof, and to keep and cause to be kept in all their articles all the statutes and ordinances published or to be published for the good of the peace of us, our heirs, and successors, and for the preservation thereof, and for the quiet rule and government of the people of us, our heirs, and successors within the borough aforesaid, the liberties and precincts thereof, according to the power, form, and effect thereof, and to chastise and punish all those whom they shall find within that borough and the precincts thereof offending against the form and effect of the ordinances and statutes aforesaid, or any of them in such sort as it shall be

to be done according to the form of those ordinances and statutes. And also to do and inquire all other things within that borough, the limits and precincts thereof, according to the laws and statutes of this our kingdom of England, which may or ought to be done or inquired before any justices or keepers of the peace of us, our heirs, or successors, in any county of our kingdom of England as justices of the peace. So nevertheless as that they do not in any manner proceed to the determination of any treason, misprison of treason, murder, felony, or any other matter touching to loss of life or limbs, within the borough aforesaid, the limits and precincts thereof, without the special command of us, our heirs, or successors. And we do further, for us, our heirs, and successors, by firmly injoining command and by these presents, prohibit that the justices of the peace of us, our heirs, or successors, for our county of Lancaster now constituted, or hereafter to be constituted, do by no means enter, nor may in anywise introduce or presume to introduce themselves within the borough aforesaid or the precincts thereof to do anything there which the justices of the peace of us, our heirs, or successors, for that borough may or ought to do there by virtue of these our letters patent. And further it is our will, and by these presents we do ordain and constitute, that the present mayor of our borough of Wigan aforesaid, and his last predecessor in that office, and every other mayor of that borough, and the last predecessor of every such mayor in the same office respectively for the time being, before that they may be admitted or any of them may be admitted to the execution of the office of justice of the peace within that borough, shall take and every of them shall take their corporal oath upon the Sacred Holy Gospel of God before the aldermen and bailiffs of the borough for the time being, or any three of them, well and faithfully to execute the office of justice of the peace within the same borough, the limits and precincts thereof, in all things and through all things touching that office, *and also* the oaths by the laws and statutes of this our kingdom of England provided in that behalf required to be taken by justices of the peace. And to which aldermen and bailiffs of the borough aforesaid for the time being, and to any three of them, we do by these presents give and grant full power and authority from time to time to give and administer the sacraments and oaths aforesaid in form aforesaid. And further it is our will, and by these presents, for our heirs and successors, we do give and grant to the aforesaid mayor, bailiffs, and burgesses of Wigan aforesaid and their successors, that the present mayor of that borough and every other mayor of the same borough for the time being hereafter to be nominated and elected, may and shall be justices of us, our heirs, and successors, to keep and preserve the peace of us, our heirs, and successors, in our county of Lancaster, and to do, execute, and confirm all other things which by the laws and statutes of this our kingdom of England now made, or hereafter to be made, may or ought to be done, executed, or performed by the justices of the peace of us, our heirs, or successors within the same county. And we do by these presents make, ordain, and constitute the present mayor of the borough aforesaid, and all and every other mayor and mayors of that borough for the time being, hereafter to be nominated and elected, justice and justices of us, our heirs, and successors, to keep and preserve the peace for us, our heirs, and successors, within our county of Lancaster aforesaid, and to do and execute all other things aforesaid which may or ought to be done or executed by justices of the peace within that county as is aforesaid. And further it is our will that every such mayor of the borough aforesaid for the time being, before that he may be admitted to the execution of the office of justice of the peace within our county of Lancaster, shall take his corporal oath upon the Sacred Holy Gospel of God well and faithfully to execute that office, *and also* the oaths by the laws and statutes of this our kingdom of England in that behalf provided to be taken by justices of the peace in such manner and form as other justices of the peace of us, our heirs, and successors, for the same county, now constituted or hereafter to be constituted, shall take or ought to take their sacraments and oaths in that behalf. And further of our more abundant grace, and certain knowledge and mere motion, we do give and grant to the aforesaid mayor, bailiffs, and burgesses of our borough of Wigan aforesaid and their successors, that they and their successors for the future for ever, may have, hold, and keep, and have power and be able to

have, hold, and keep yearly, in the vill or borough of Wigan aforesaid, one fair, to begin in and upon the 16th day of July, if it be not the Lord's day, and, if it be so, then upon the day next following, and to be yearly kept, and to continue for all such day of the beginning thereof aforesaid and through two days next following, together with a Court of Pie Powder at the time of the same fair, and together with stallage, piccage, fines, amerciements, and all other profits, commodities, and emoluments whatsoever to such fair and Court of Pie Powder belonging, appertaining, happening, arising, or contingent, and together with all liberties and free customs to such fairs belonging or appertaining to be taken, received, and kept to the proper occasion and use, benefit, and advantage of the said mayor, bailiffs, and burgesses of the borough aforesaid, and their successors for the time being for ever and this without any compensation or anything else theretofore to be yielded, paid, or done to us, our heirs, or successors, and without any molestation, disturbance, grievance, or contradiction of us, our heirs, or successors, or of any sheriffs, escheators, bailiffs, officers, or ministers of us, our heirs, or successors whatsoever, and without any warrant, writ, or precept from us, our heirs, or successors hereafter in that behalf to be procured or obtained, so that such fair be not to the injury of the neighbouring fairs. And further, of our more abundant special grace and certain knowledge and mere motion, we have granted and by these presents for us, our heirs, and successors, do grant and give special licence and free and lawful faculty, power, and authority to the aforesaid mayor, bailiffs, and burgesses of our borough of Wigan aforesaid and their successors to have, receive, and take to themselves and their successors for ever manors, messuages, lands, tenements, meadows, pastures, feedings, boscages, subboscages, rectories, tithes, rents, revenues, and other hereditaments whatsoever within our kingdom of England and elsewhere within our dominions as well from us, our heirs, or successors, as from any other person or any other persons whomsoever, so that the same manors, messuages, lands, tenements, meadows, feedings, boscages, subboscages, rectories, tithes, rents, revenues, services, and other hereditaments, so as aforesaid to be had, received, and taken, do not exceed in the whole the clear yearly value of £50 by the year, besides all burthens and reprises, the statutes concerning lands and tenements not to be put into mortmain or any other statute, act, ordinance, or provision heretofore had, made, ordained, or provided, or any other thing, cause, or matter whatsoever to the contrary thereof in anywise notwithstanding. We do also give and by these presents for us, our heirs, and successors, do grant to each our subjects and every the subjects of us, our heirs, and successors, special licence and free and lawful power, faculty, and authority that they or any one or any of them may and can be able to give, sell, grant, bequeath, or alien manors, messuages, lands, tenements, meadows, feedings, pastures, boscages, subboscages, rectories, tithes, rents, revenues, services, and other hereditaments whatsoever to the aforesaid mayor, bailiffs, and burgesses of the borough aforesaid and their successors, so nevertheless that all the aforesaid manors, messuages, lands, tenements, meadows, feedings, pastures, boscages, subboscages, rectories, tithes, rents, revenues, services, and other hereditaments to the same mayor, bailiffs, and burgesses of that borough and their successors by virtue of these presents so, as aforesaid, to be given, granted, bequeathed, or aliened, do not exceed, in the whole, the clear yearly rent or value of £50 by the year, besides all burthens and reprises, the statutes concerning lands or tenements not to be put into mortmain or any other thing, cause, or matter heretofore had, made, published, ordained, or provided to the contrary thereof in anywise notwithstanding. To have, hold, and enjoy all and singular the premises aforesaid above by these presents given, granted, or confirmed, or mentioned to be given, granted, or confirmed to the aforesaid mayor, bailiffs, and burgesses of our borough of Wigan aforesaid and their successors for ever. And to yield and pay, therefore, to us, our heirs, and successors so many, so great, such the same, and such sort of rents, services, sums of money, and demands whatsoever as for the same or any or any of them have heretofore been accustomed or of right ought to be yielded or paid. Wherefore it is our will and by these presents by firmly injoining, we do command for us, our heirs, and successors, that the aforesaid mayor, bailiffs, and burgesses of the borough aforesaid and their

successors may have and enjoy or can or may be able to have, hold, use, exercise, and enjoy for ever all the liberties, authorities, jurisdictions, customs, grants, franchiselements, easements, lands, tenements, and hereditaments aforesaid, and all their goods and chattels whatsoever according to the tenor, form, and effect of these, our letters patent, without any opposition, molestation, or hindrance of us, our heirs, and successors, our justices, sheriffs, eschaetors, bailiffs, or other ministers of us, our heirs, or successors whatsoever. We being unwilling that the same mayor, bailiffs, and burgesses, or their successors, or any one or any of them, by reason of the premises, or any of them, may be opposed, molested, disquieted, or burthened, or in any thing disturbed by us, our heirs, or successors, justices, sheriffs, eschaetors, bailiffs, or ministers of us, our heirs, or successors whomsoever. We being also willing and by these presents for us, our heirs, and successors charging and commanding, as well the treasurer, chancellor, barons of our exchequer at Westminster, and other justices of us, our heirs, and successors, as our Attorney and Solicitor-General for the time being, and each of them, and all ministers and officers of us, our heirs, and successors whatsoever for the time being, that neither they nor any or any one of them obtain, prosecute, or continue, or make, or cause, or any of them make, or cause to be obtained, prosecuted, or continued any writ or summons of quo warranto, or any our writ or writs, or processes whatsoever, against the aforesaid mayor, bailiffs, and burgesses of the borough aforesaid, or any one or any of them, for any causes, things, matters, offences, claims, and usurpations, or any of them, by them or any of them attempted, claimed, accustomed had made or usurped before the making of these our letters patent. Being also willing that the same mayor, bailiffs, and burgesses of the borough aforesaid, or any of them, be in no wise molested or hindered by any one, or any the justices, sheriffs, officers, or ministers aforesaid, in or for a debt or claim, or abuse of any other liberties, privileges, franchises, or jurisdictions within the borough aforesaid, the liberties and precincts thereof, before the day of the making these our letters patent, or be compelled to answer to any one or any of them. We do also will and, by these presents for us, our heirs, and successors, we do grant to the aforesaid mayor, bailiffs, and burgesses of the borough aforesaid, that they may have and shall have these our letters patent under our great seal of England in due manner made and sealed without fine or fee, great or small, to us in the Hanaper of our Chancery, or elsewhere, to our use therefore in anywise to be yielded, paid, or made. Because that express mention of the true annual value, or the certainty of the premises, or any of them, or concerning the gifts or grants by us, or any of our progenitors or predecessors, before these times made to the aforesaid mayor, bailiffs, and burgesses of our borough aforesaid in these presents is in no wise made, or any statute act, ordinance, provision, proclamation, or restriction to the contrary thereof, heretofore had made, published, ordained, or provided, or any other thing, cause, or matter whatsoever in anywise notwithstanding. In testimony of which thing we have caused these our letters to made patent. Witness our self, at Westminster, the 16th day of May, in the 14th year of our reign.

HOWARD.

By a Writ from the Private Seal.—(Without Fine or Fee.)

Twelve years after the foundation of Guest's Charity Oliver Markland made a valuable bequest to the town, particulars of which can best be gathered from the following particulars, taken from the report of the Commissioners (1828).

By indentures of feoffment, bearing date respectively 1st and 2nd February, 1665, Oliver Markland, one of the burgesses of the town, a citizen and innholder in London, devised certain lands in Broughton-in-Furness, called Angerton Marsh, for the use of the poor in Wigan. In 1632 these estates were vested in the same persons as the Rainford estate. About 1708 they were sold for £25, in

consideration of the receipt of which sum one Ralph Bancks granted 20s. a year for the use and behoof of the poor of Wigan. In the Report of the Commissioners for inquiring into public charities, as far as relates to public charities within the parish of Wigan, it is stated:—"By indenture bearing date 8th November, 1727, between Ralph Bancks, of the one part, and Alexander Leigh and others, described as feoffees of certain rents and lands for the use of the poor people, inhabitants, of the town and borough of Wigan, of the other part, reciting that Oliver Markland, late citizen and innholder of London, had granted to the mayor, aldermen, and burgesses of Wigan, and their successors, certain lands in the parish of Broughton, called Angerton Marsh, for the relief, benefit, and advantage of the poor people inhabitants of the said town and borough, which lands, lying adjacent to and bordering on the sea coast, had always been exposed to the continual overflowing of the ocean, and had thereby been daily impaired both in value and substance: and reciting that about the year 1706 the then mayor, aldermen, and burgesses, feoffees of the said lands, having taken into consideration the injury done to the said lands, whereby the pious intent of the donor was frustrated, had unanimously agreed that it was the most proper expedient, in order to preserve the donor's intention, that the said lands should be sold; and the money arising therefrom disposed of to the like uses, and further reciting that, in pursuance thereof, the said lands had been sold for the sum of £25, which had been placed out to interest, and the produce thereof applied to the purposes for which the said lands were given. The said Ralph Bancks, in consideration of the said sum of £25, granted to the said Alexander Leigh and others and their heirs a yearly rent charge of 20s., clear of all deductions, issuing out of a messuage or burgage and tenement in a street in Wigan called Standishgate, then the inheritance of the said Ralph Bancks, to the use and behoof of the poor inhabitants of the said borough, payable every 6th of October, with a power of distress in case of non-payment. No payment has been received for a great number of years, and we could obtain no evidence whatever to show what the premises are upon which it is charged."