

Letter to the Judges Regarding Ship Money (1637)

Charles I

Transcript

Norfolk Record Office, AYL/192, ff. [1r]–[8r]

[1r]

The Kings Lre & case w[ith] the Judges Resoluc[i]ons thervpon and my Lord Keepers Speech
in the Stare chamber 14o Febr 1636

[1v]

[2r]

Carolus Rex: /

Trusty & well beloved wee greet you weell wee takinge into oure princely Consideration
that the Honor & safety of this our Realme of England, the preseruacion whereof is only
Intrusted to oure care was and is nowe more nearly concer~ned then in former times aswell
by diuers Councells & attempts to take from vs the dominion of the seas of whiche wee ar
sole Lord & Rightfull owner & the Losse whereof would bee of greeter danger & perrill to
this Kingdome & other oure dominions as many other waies wee for the auoidinge of theis &
the like dangers and well weighinge w[ith] oure selues [tha]t where the good & safety of the
Kingdome in gennerall is Concerned and the whole Kingdome in dan~ger there the charge &
defence ought to be borne by all the Realme

in

[2v]

in gennerall did by preuentinge so gennerall A mischeife resolute with our selues to haue a
Royall Navy provided that might bee of force and power with Allmightie gods blessinge and
Asistance to defen{d} this oure Realme & our subiects therein from all perrills And for that
purpose wee sent forty writts under our great seale of England directed to all the Sherifes
of our seuerall Counties in England & wales thereby commandinge all our said Subiects in
euery Cittie towne & village to provide such a number of Shipps well furnished as might bee
do{nn}e by the greatest equality that might bee in p[er]formance where of thoughte generally
through all the Counties of this our Realme wee haue found in our subiects great Cheerfullnes
& Alacrity which wee gratiously interprett as a testimony as well of their dutifull affections to
vs & our

seruice /

[3r]

seruice as of their respects they haue to the publicke which well becomes euery good subiect
never the lese finding some fewe happily out of ignorance knowinge not what the Lawes
& Customes of our Realme are or out of a desire to bee eased and freed in their p[ar]ticuler
(howe gennerall soeuer the Charge ought to bee. haue not yet payed and Contributed the
seuerall rates & Asesments that were sett vppon them. And fore seeinge in our princely
wisdom that from hence diuers suites and victio{u}s are not vnlikely to bee comenced
and prosecuted in oure seuerall Courts att westminster wee desirous to auoide suche in

Con{v}eniences and out of our princely Loue and affection to all oure people beinge willinge to prevent such errors as any of oure Louinge subiects may happen to runn into haue thought fitt in Case of this nature to advise

with /

[3v]

with our Judges who wee doubt not are well {s}tudied and informed in the Rights of oure Souerainty And because the tryalls of oure seuerall Courtes by their formalites and pleadings will require longe protractions wee haue thought expedient by this our letter directed to you all to require yo[ur] Judgements in the cause as is sett downe in the inclosed paper which will not onely gaine time by alsoe bee of mor{e} Authority to ouer rule any p[re]{ } indirect opinions of others in this poynt. /

White Hall 2 Febr: / 1.6.3.6.

To oure trustie & welbeloued S[i]r John Bramstone K[nigh]t: Cheife Justice of our Bench s[i]r John Finch K[nigh]t Cheif Justice of our Com[m]on pleas S[i]r Hum frey dauenport K[nigh]t Cheife Barro{n} of our Co[ur]t of Exchecquor & to the { } of our Judges of the Bench & Com[m]on

pleas. /

[4r]

pleas & Barrons of our Exchequo[r]

Caroulus Rex: /

When the good and safety of the kingdome in generall is Concerned and the whole kingdome in danger whither may not the kinge by writte vnder the Great Seale of England Comand all the subiects of this Kingdome to provide & and furnishe such number of shippes with men victuall & municion for such times as hee shall thinke fitt for the defence & sauegard of the Kingdome from danger & per~rill, and by Lawe Compell the dooinge thereof in case of Refusall or Refractories./

And whither in such case is not the Kinge sole Judge bothe of the danger & when & howe the same is to bee preuented & auoided [*Left margin: The Judges Answer./*] Maie it please your moste Excellent: Ma[jes]tie wee haue accordinge to yo[ur] Ma[je]sties

Com[m]and /

[4v]

com[m]and seueraly euerie man by him selfe and all of vs together taken into our serious Consdierat-tion the Case and questions signed by yo[ur] Ma[jes]tie and inclosed in yo[ur] Royall Letter and wee arr of oppinion that when the good & safety of the Kingdome in generall, is Concerned and the whole Kingdome in danger yo[ur] Ma[jes]tie maie by writt vnder the Great Seale of England Com[m]and all the Subiects of this Kingdome att their Charges to provide & furnishe such number of Shippes w[i]th men victuall & municion & for such time as your Ma[jes]tie shall thinke fitt for the defence & safety of the Kingdome from such danger & perrill and that by Lawe yo[ur] Ma[jes]tie maie compell the doinge there of in Case of refusall or Refractories. / And wee are alsoe of opinion

that. /

[5r]

that in such Case yo[ur] Ma[jes]tie is the sole Judge bothe of the danger & howe the same is to bee preuented & auoided.

10th Febr: 1.6.3.6.

Iohn. Bramstone

Iohn. Finch.

Humfrey. Dauenport.

Iohn. Denham.

Richard Hutton

Willia[m] Iones.

George. Crooke.

Thomas. Teuer.

George. Vernon.

Robtt. Barkley

Francis. Crawley.

Rich[ard]. Weston.

The Lord Keepers speeche in the Stare chamber 24th Febr: 1.6.3.6.

You my Lo[rd]s the Judges as in former times soe nowe you are to rec{ } his Ma[jes]ties Com[m]and in this place It is a great Comfort to his people to receiue Justice from his Ma[jes]tie not onely by his generall Con{ } but also by his owne princely instructions somethinges concerninge Commitati{ } Justice as in that which is meum et tum some

distributiues /

[5v]

distributiue as in premium{ } & pena some are priuat some publike some { } of particular p[er]sons some { } suorum Regnorum some are grauioru[m] hec oportet fieri illa non omittere.

Betweene p[ar]ty & p[ar]ty his Ma[jes]tie Comands {the} ympartiall iustice with Care and expedition Triuiall suites are to bee discountenanced Barre{t}ors to be discouraged theis empty not only mens simplenes but alsoe mens purses more is expected then priuat Justice for the publike bussines of the Countrie is of Moste Importance His Ma[jes]tie Com[m]ands that his seruices and the publicke bee not passed till after Nisi prius yo[ur] Care and example will teach Justices of the Peace their duties the service of god is cheifly to bee regarded The execution of the Lawes against Recusants that such proceeded

against. /

[6r]

against, and Convicted alsoe care to bee had of fellows Cappitall offenders and robbers on the Highe way for with a High hand they march in troopes or care must bee had in suppressing them and that vse bee made of the ablest and Actiuest men in theis affaires If yo[ur] Care bee not great theis offenders will abound and Justice bee discouraged if remissnes bee in one Circuit it will ouerthrowe all Reformation Care must bee had Concerninge those Lawes which con~cerne Luxurie & Idlenes the punishment of Vagrants the good Order of the

houses of Correction and that the poore bee seett on worke and Alehouses suppressed If theis things were not regarded their would multitudes of able bodies die miserable at the gallo~~wes The printed booke of

orders. /

[6v]

Orders hath an exact { }ourse and whereas you at first received { } Accompt from the Sherriffe nowe by yor aduise that course is alte~~red and it is expected from you to make Returnes of that which shall bee Certified vnto you. /

Justices of the Peace ought to giue their attendance att the Ass~~ises they Laste for a few daies onely but yor instructions for a longe time. /

They ought to attend att the Quarter sessions for it is an express Artickle to { }which they are sworne. /

It is fitt to examine the Clearke of the Peace his Booke to knowe theereby who absent them selues They are many times absent in Regard of A Bowlinge Huntunge & Ryding Match. /

You must inquire how they attend

their. /

[7r]

their Monthly Meetings that such as bee negligent vppon your information may bee {ride} out of the Com~~mission. /

There is one matter {behinde} of Great moment His Ma[jes]ties Can~~dor, and Clearnes of His Heart ex~~ceedes all but you are the wittne--sses of his proceedings his Ma[jes]tie the third time is to send out Shippinge for the good of the Kingdome The first yeare it receiued no opposition of dispute The second Refused in some p[ar]t: And some Accions brought No man will expect that Arcana Regni should bee published soe many Reasons as more fittinge were heretofore The Sea is our sure defence If Com[m]anded by others it exposeth vs to many dangers The Kingd~omes honor is Concerned in itt The Kingdome is Concerned in proffitt that the merchants may

haue. /

[7v]

haue free trade the Comodities of the Kingdome maie bee {v}ented The not ventinge our Cloth breedes many outcries in the Countrie as the spinster the weaver and the like as it appeares ceartaine men went in Cottisall and published that their should bee no vent of wooll or Cloth for that yeare they were questioned and put to fyne & Ransome. /

If a false Rumor will doe this what will a reall report doe {soe} the whole Kingdome is conserved in safety Honor & proffitt the subiects for the Maior p[ar]t/ haue shewed them selues forward Twelue Thousand Pounds brought in out of Yorkshire w[i]thout opposition. /

But to report to you who are his Ma[jes]ties Judges you are sworne & haue returned answer vnder yo[ur] hands. /

The liues and Lands of the Kings people are to bee vppon the iudgment:

[8r]

[*Left margin:Judges*] The Kinge Comanded itt should bee published in all the p[ar]tes of the Kingdome you haue Cause to declare {it} w[i]th {we} that in soe high a point of Souerainty hee would Consult with you His Ma[jes]ties purpose is not by this resolucion to stopp any suites but that they may proceede soe [tha]t the R[oyall] Counsell bee acquainted w[i]th them

Those that will oppose this resolu~cion ar of two sorts either vnskilfull in the Lawes & of them I will saie Felices essent Artes si {de} illis soli Arti{sf}ices indicarent Or professors of the Lawes and it ill becomes Children to question their Father. /

Finis:

Other manuscript witnesses

- Alnwick Castle, MS 14, ff. 80r–81v
- Alnwick Castle, MS 544
- British Library, Harley MS 2093, ff. 171x–172x
- British Library, Harley MS 6988, ff. 93r–94r
- Beinecke Library, OSB MSS 28, Box 1, Folder 6, item 5
- Bodleian Library, MS Add. C 26, ff. 13r–22v
- Bodleian Library, MS Rawlinson A 249, ff. 11r–v
- Bodleian Library, MS Rawlinson D 548, reversing volume, 16r–v
- Bodleian Library, MS Tanner 70, ff. 118r–119r
- Cambridge University Library, MS Gg.1.29, reversing the volume, 117v–118v
- Cambridge University Library, MS Mm.4.2, ff. 76v–78r
- Cambridge University Library, University Archives CUR 36.1
- Hampshire Record Office, 9M73/G285/2
- Huntington Library, Hastings Ship Money Box, Item 8
- Huntington Library, Hastings Ship Money Box, Item 9
- Inner Temple Library, Petyt MS 538/27, ff. 141r–143r
- Northamptonshire Record Office, IC 3536
- Queen's College, MS 311, ff. 8v–12r
- Sheffield Archives, WWM/Br P/183
- St John's College, MS K.56, item 32
- The National Archives, SP 16/346, /11 [ff.22r–v]
- The National Archives, SP 16/346, /12 [f.26v]
- The National Archives, SP 16/346, /13 [ff.28r–v]
- The National Archives, SP 16/346, /14 [ff.33r–34r]
- The National Archives, SP 16/346, /15 [ff.35r–36r]
- The National Archives, SP 16/346, /16 [ff.37r–38r]
- The National Archives, SP 16/346, /17 [f.39r]
- The National Archives, SP 16/346, /18 [ff.41r–42r]
- The National Archives, SP 16/346, /19 [f.49r]
- The National Archives, SP 16/346, /20 [ff.54r–56v]