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KENT'S ELIZABETHAN JPs AT WORK

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During the four decades of Queen Elizabeth's reign the organisation and the work of the Justices of the Peace in Kent developed into the system of local law enforcement and administration that would obtain for the following two hundred years. In the early years of the reign the Kent bench functioned similarly in many ways to its predecessor in the later years of Henry VIII, described in an earlier article.¹ In the course of Elizabeth's long reign Kent's Commission of the Peace gained in numbers as it acquired additional tasks. By the end of the century many more justices were attending its formal meetings, the quarter sessions, and the days in session more than doubled compared to the 1540s or 1560s. It was these same magistrates who, during the late sixteenth and early seventeenth centuries, strengthened their own local ascendancy through their role as the agents of an intensified programme of governance directed by the Elizabethan central government. The administrative and judicial institutions of county government were elaborated and strengthened, and through them the power of the greater gentry over the rest of the population. Considered in a wider context, the growing authority of the county magistrates was a not-unexpected reflection of the growing prosperity of the larger landowners as a class in late Tudor England.

Building upon legal precedents that extended as far back as the fourteenth century, but which had been most recently amended in the 1550s, the magistrates wielded wide-ranging powers covering almost all aspects of law enforcement and penal justice. Although they no longer, normally, tried serious or 'difficult' felony cases in quarter sessions, their workload as individual magistrates and as small groups of justices grew significantly during the Elizabethan period. At the same time, a wide variety of new administrative duties was imposed on local magistrates both by parliamentary statutes and by orders from the Elizabethan Privy Council. To their traditional duties such as the oversight of roads and bridges and the general enforcement of law and order were added many new responsibilities.²

The 'stacks of statutes' which William Lambarde - himself a Kent magistrate - remarked upon in his handbook for magistrates, *Eirenarcha* (1582), reflected the most pressing political and social problems of the later sixteenth century. On the political front, the Elizabethan government's need to raise both money and soldiers to prosecute war in Ireland and against Spain in the Netherlands bulked large. The period saw magistrates - in their roles as subsidy commissioners, muster commissioners and deputy lieutenants, as well as justices of the peace - overseeing the frequent collection of taxes, negotiating over the Crown's exercise of its ancient rights of purveyance (the right to buy food and fodder for the royal household), managing the training of the County militia, raising soldiers for service at the Council's command and overseeing the County's extensive system of beacons and coastal defences.³ In carrying out these military functions magistrates were subject to the orders of both the Privy Council and the Lord Lieutenant (for most of the period William Brooke, Lord Cobham, who was also Lord Warden of the Cinque Ports).⁴

Contemporary social problems, including rural poverty, subsistence migration and unemployment, all occurring against the background of inflation and rapid population growth, also created work for local justices, much of which their predecessors in Henry VIII's reign had not had to deal with. Foremost among these new burdens was the supervision of the administration of parochial poor relief, including schemes to create work for the unemployed, the payment of doles to the 'deserving poor' and the 'putting out' of orphans.⁵ The legislation which slowly created the Elizabethan poor law system added greatly to the magistrates' workload and at the same time increasingly drew JPs into the enforcement of certain norms of personal and sexual morality - matters which previously had been the sole responsibility of the church courts. In the late sixteenth century illegitimacy, for example, was both a moral as well as a political (and financial) matter, and the justices were frequently called upon to judge and punish offenders in such cases, as well as hear and determine disputes between parishes over financial responsibility. Elizabethan justices were making moral as well as legal judgements. Many cases resulted in offenders being sent to the County house of correction; in other cases financial penalties or corporal punishments were imposed.⁶

This article tackles the same issues as did the earlier one; it does not describe in great detail the functions and powers of Tudor magistrates, nor the circumstances of their appointment to the commission. Those aspects have been addressed by other historians.⁷

Rather it uses surviving primary sources to discover how assiduously the local members of the Kent commission pursued their duties as magistrates, and discusses how the activities of Elizabethan magistrates were different from those of their Henrician predecessors. It also comments on the composition of the commission and on JPs' length of service, and includes a detailed list of all the locally-resident members of the Kent commission during Elizabeth's reign, with the dates of their service. It also makes some comparisons between the Kent commission of the early Elizabethan period - the mid-1560s - and that of the end of the reign, where it is possible to use the analysis of the work of active, local JPs carried out by Professor Knafla for his *Kent at Law 1602*.

Notwithstanding the weighty new burdens and functions assigned to Elizabethan justices, there were, nevertheless, a number of areas of continuity between the early and late Tudor periods which need to be stated at the outset. Most obviously, the desire on the part of local gentry to serve as County magistrates, which was shown to be strong in Henry VIII's reign, continued in the second half of the century (and beyond). The result was steady pressure to expand the size of the commission in Kent. Lambarde thought that,

'together with the ambitious desire of bearing rule in some, the growing number of statute laws committed to the charge of the justices hath been the cause that they are now again increased to the overflowing of each shire at this day.'⁸

The numbers of local JPs, which had grown significantly in the early sixteenth century, continued to expand under the later Tudors (Fig. 1). The Kent commission was briefly slimmed following the defeat of Wyatt's revolt (1554) at the beginning of Mary's reign, but the Marian government soon expanded the commission by appointing new justices, including a number of government supporters drawn from below the ranks of the greater County gentry.⁹ The first Elizabethan commission left out a number of Marian JPs, including William Oxenden, Ciriac Petit, William Roper and John Tooke, all of whom had served on the 1556 heresy commission for Canterbury diocese.¹⁰ At the same time a number of new men were added to the commission.

There was another modest purge of old or unreliable JPs a few years after the beginning of Elizabeth's reign, in 1561-2, but numbers began to swell again from that date. The Council's circular letter to the archbishop of Canterbury in 1564, which invited him to name sitting JPs who were out of sympathy with the Protestant religious settlement, resulted in one or two men being dropped, and the

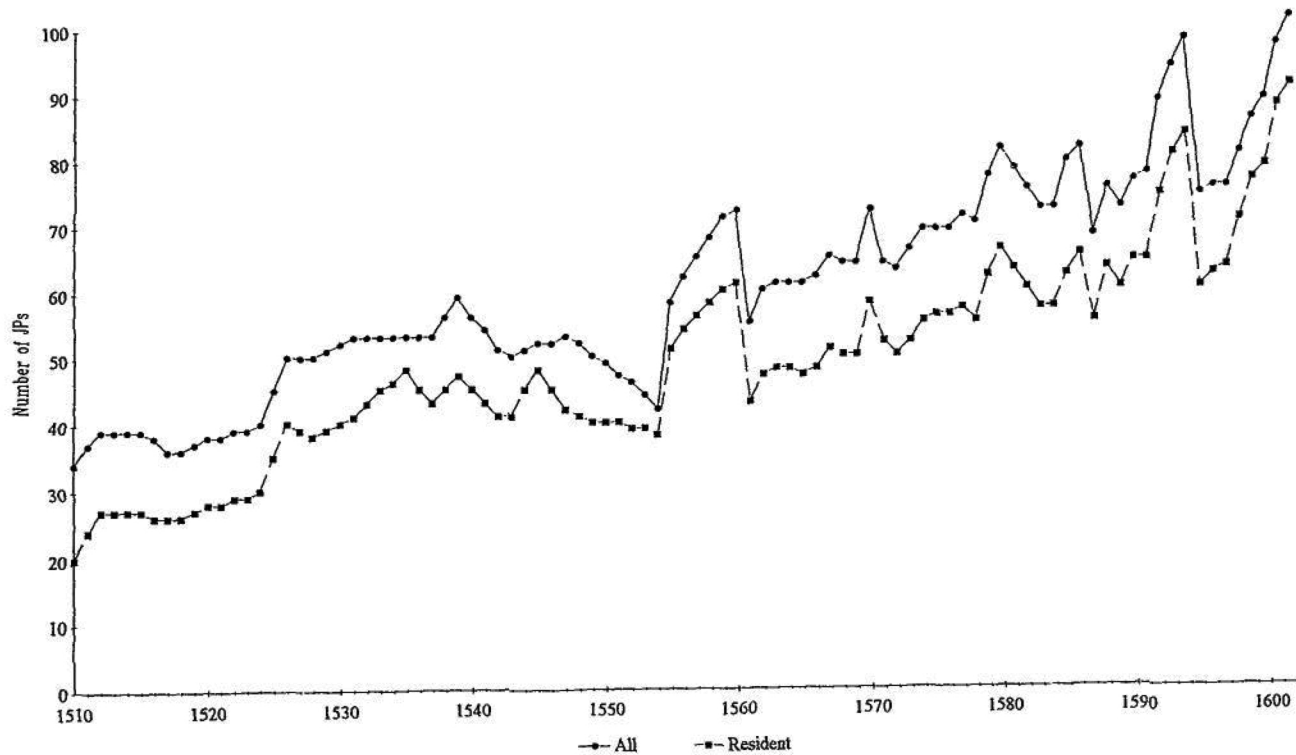


Fig. 1. Number of Kent JPs, 1509 - 1602

addition of two new men whom Parker recommended.¹¹ The Council pruned the Kent commission only slightly during the national purge of county benches in 1587, but clearly could not resist the pressure from below to secure appointment to the bench over the next half-decade.¹² After reaching a new high in 1594, the Kent commission was heavily pruned. But the economic crises of the mid-1590s, with the inevitable demands on magistrates to supervise the various emergency measures ordered in the face of dearth and disease, as well as irresistible pressure from the gentry to obtain a place on the bench, pushed up numbers once again.

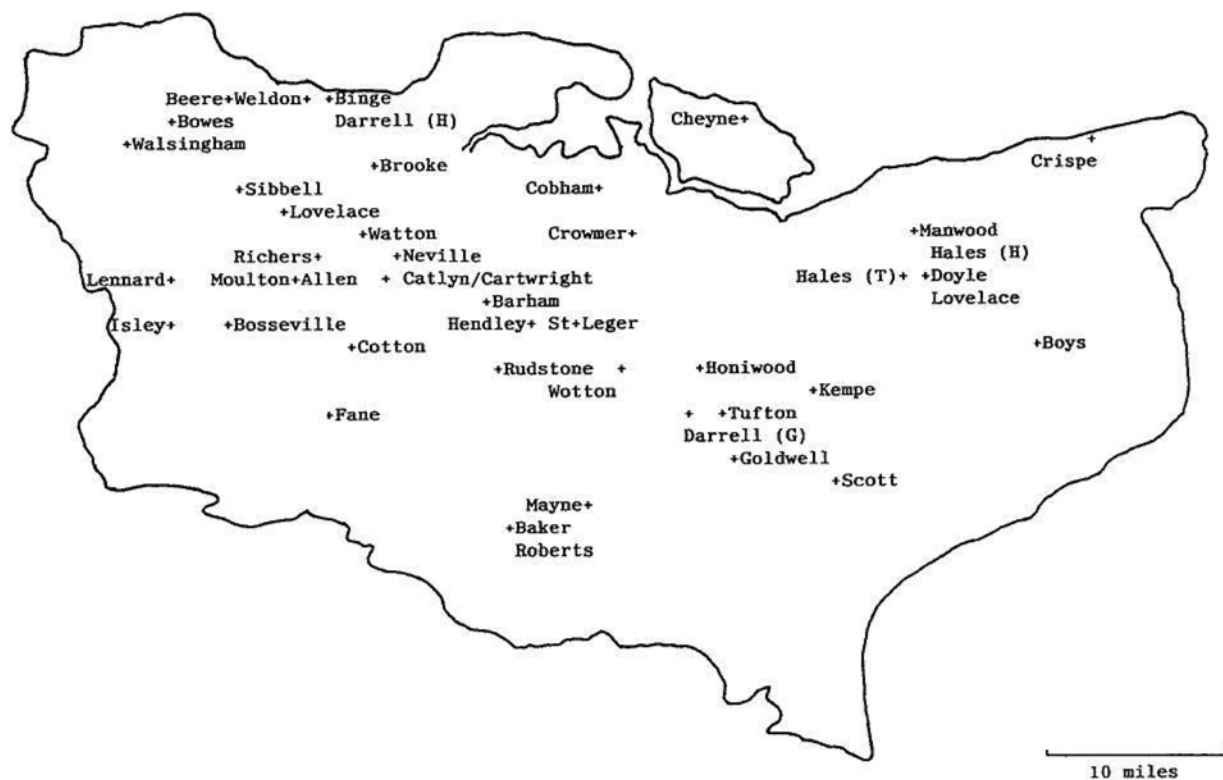
By the end of the reign the commission had surpassed its earlier peak, and included between 80 and 90 locally-resident JPs. Numbers rose above 100 in the early seventeenth century, reaching a pre-civil war high of over 130 justices, just before a purge of the commissions in the early 1620s.¹³ The big increase in the numbers of JPs was certainly a consequence of the continuing desire of gentlemen to win appointment to the bench, as well as the central government's ambition to see its laws and policies implemented. But it was not as spectacular as it might seem when it is recalled that the population the magistrates of Kent were meant to 'keep in good order' grew from perhaps 80,000 in about 1550 to around 125,000 by the end of the century.¹⁴

The quorum of the commission also expanded as the bench increased in size in the later sixteenth century, continuing a trend begun in Henry VIII's reign. In 1543 the quorum numbered 17 out of a total commission of 50 (34 per cent), and 15 of the 17 were resident justices, not dignitaries. The quorum then included a strong official and legal representation, most of whom happened to be Kent residents. It was shown that being of the quorum did not in the 1540s result in higher attendance levels at quarter sessions.¹⁵ Being 'of the quorum' was clearly a matter of prestige, and thus sought after by men who were justices to mark themselves off from their fellows. The Elizabethan (and later Jacobean) government duly obliged and, like all honours that were dispensed generously, they suffered from inflation and their value declined. In the course of Elizabeth's reign the numbers of JPs named to the quorum grew faster than the size of the bench overall. In the commissions of the 1560s almost all of the dignitaries at the top of the commission were of the quorum, and nearly half of the resident JPs were included, ensuring that a majority of each commission was of the quorum.¹⁶ The commission of 1580 totalled 80, of which 58 (72 per cent) were of the quorum. Of about 68 locally resident JPs, 42 (62 per cent) were quorum members. By 1593, when the whole commission had grown to 95 justices, the

quorum included 64 men (67 per cent), and of 80 local residents 49 (61 per cent) were named to the quorum. By this time almost all the knights were of the quorum, and therefore it included a much smaller proportion of plain 'esquires'.¹⁷ Although the proportion of gentlemen honoured by inclusion in the quorum grew, the attendance of quorum members at sessions was not markedly better than that of many local justices who were not so honoured. Comparing quorum members in the mid-1560s with selected ordinary JPs, shows that being of the quorum was not associated with more regular attendance at sessions, whatever other benefits it may have brought. Things hadn't changed much in this regard since the 1540s.

A glance at **Maps 1 and 2** shows that magistrates were still thin on the ground in the early years of Elizabeth's reign. Not only were there few JPs resident in the Weald or in the notably unhealthy Romney Marsh and Thames Estuary parishes, there was - relative to population - a great dearth of magistrates in eastern Kent as a whole.¹⁸ Archbishop Parker was aware of this problem when he asked Cecil to add Edward Boys (a Marian exile) to the commission in 1564: 'We have too few justices; betwixt Canterbury and Dover none.'¹⁹ By the end of the reign, geographical coverage was much more even, and reflected more fairly the distribution of major gentry families across the County: east Kent had been provided with many more magistrates, the Weald a few more, and only the low-lying marshland parishes - in which few gentlemen of any substance ever chose to live - were still almost without justices. Compared to the early sixteenth century, the Kent commission in the later part of Elizabeth's reign was considerably enlarged. In the reigns of Henry VIII and Edward VI (1509-1553) about 140 served as justices, the majority of whom were appointed in the 1530s and 1540s. In the slightly shorter period covering Elizabeth's reign (1558-1603) over 225 men were JPs (at neither period counting the national and Court figures who held honorific places in every county commission). The number of resident JPs who were likely to act as magistrates is about 200. They are all shown in **Appendix 1**. The enormous variety of men who secured appointment to the Elizabethan commission is truly bewildering. The identity of a few individuals on the commission is uncertain,²⁰ and the reasons why some others were appointed are hard to fathom.²¹

Yet notwithstanding the big increase in numbers appointed to the Kent commission, there was continuity over the century in the categories of men selected. Leaving aside the 'dignitaries' (bishops, important members of the Privy Council, non-resident judges who presided over the Kent assizes and one or two courtiers) who usually made up about a fifth of the commission, and who did not normally



Map 1. Distribution of JPs Resident in Kent, 1564 -5. (Based on data in Appendix 2 - *q.v.*)



Map 2. Distribution of JPs Resident in Kent, 1597 -8. (Based on data in Appendix 3 - q.v.)

act as magistrates, the majority of the commission throughout the sixteenth century was composed of wealthy Kentish landowners, many drawn from families who had long been reputed 'gentlemen' and who had produced JPs in Henry VIII's reign. Some of these men were also courtiers, some too were also legally trained and a handful of every commission, especially after 1560, were practising lawyers. As in early periods, a minority of Elizabethan JPs were also officials in the central government at Westminster, and some others may have been appointed to the bench because they held some local office. Some of the officeholders were Kent landowners as well. A few only became resident landowners in the County as a result of their Crown office. Throughout the century, too, a number of Kent JPs were, or had been, London businessmen. But they remained a tiny minority of the bench, and some of the men whom Professor Gleason categorises as men of 'commerce' were sons of London merchants and for all practical purposes Kentish squires. A number of justices could be assigned to two or even three of Gleason's categories, having sprung from London mercantile families, obtained a legal education and settled as 'gentlemen' on their Kentish estates. Assigning names to a 'law' or 'Court' or 'commerce' category more often than not obscures the fact that most of these men were sons of Kentish landowners, or at least Kentish landowners themselves.

Only in the case of legal and administrative officials do we find men being appointed to the Kent commission whose estates would not otherwise justify their inclusion. The men whose sole reason for appointment as JPs appears to have been their official posts included Sir John Hawkins, the naval captain and navy official, Ralf Bosseville and Sir William Damsell, officers of the Court of Wards, John Astley, Master of the Jewel House, Martin James, Registrar of the Court of Chancery, John Somers, Clerk of the Signet, and Thomas Stanley, under-treasurer of the Mint. The best examples of successful lawyers in the Elizabethan commission were William Lambarde, eventually a Master in Chancery and government official, and Roger Manwood, a lawyer from Sandwich who rose to the heights of the legal world as Chief Baron of the Exchequer in 1578, but ended with his dismissal for corruption in 1593.²² Notwithstanding the examples of 'new men' whose legal careers propelled them onto the bench, the tradition of Kentish landowners' sons who made a career in the law goes back to the fifteenth century, and suggests a general openness or lack of snobbery on the part of many Kentish gentry families.²³ The fact of so many lawyers and judges with Kentish gentry roots must stem from more than simply propinquity to London.

As in Henry VIII's reign, nepotism was rife, and numerous justices were related by blood or by marriage to one another. Many Elizabethan JPs were sons or nephews of justices, and some families had two or three members on the bench at the same time. There was a continuity especially among the major landholding families (some of whom were also becoming legal dynasties), as a glance at Appendix 1 will show: i.e. Boys, Brooke, Crispe, Fane (or Vane), Finch, Hales, Honiwood, Lennard, Lovelace, Neville, St Leger, Sandes, Scott, Waller, Walsingham and Wotton. But even newcomers secured a place for their sons: the Bossevelles, Binges and Manwoods are good examples, but even better was the success of the Londoner Thomas 'Customer' Smyth, two of whose sons became Kent landowners and JPs. The elder, Sir John Smyth married the daughter and heir of John Fyneaux of Herne and a younger son, Sir Richard, married a daughter of Sir Thomas Scott.²⁴ And it wasn't only newcomers to the County who found places for their relations on the commission. The senior political leader of Kent, William Brooke, Lord Cobham, was supported on the bench by two brothers (Sir Henry and John Cobham) and two sons-in-law (Thomas Coppinger and Edward Beecher). Other JPs had relations by marriage on the bench. George Moulton married his son to the daughter of his fellow justice Robert Richers, and his daughter married William Lambarde. Kent gentry families had long married amongst themselves; when they were appointed JPs they inevitably found their cousins on the bench too. The Wallers, for example, had ties of kinship with the Hardres, the Hendleys, the Lennards and the Sandes. The Kent commission of James I's reign was mainly filled by men who had themselves been justices in the later years of Elizabeth, or who were the sons of Elizabethan magistrates; many were related to one another as well.²⁵

Where there appears to be change in this regard is the growing number of magistrates in the Elizabethan period who, although not practising lawyers, had spent some time at one of the Inns of Court. Gleason found about a third of resident, working justices in 1562, almost two-fifths in 1584 and a half by 1608 had been at one of the Inns.²⁶ As the gentry of England began to send more and more of their sons to some form of higher education, the central government itself contemporaneously placed a higher value on having some legal education in its selection of local magistrates.²⁷ Both trends came together to produce commissions of the peace which included more lawyers and many more men with some legal education than had been the case in the early Tudor period. Whether this accretion in legal knowledge led to a greater sense of justice and legal fair play on the part of the magistracy, as Gleason optimistically implied, or simply

justices who were better equipped to obtain their own way with their neighbours, remains unproven.²⁸ Being named to the commission did not necessarily make gentlemen less conscious of their personal interests as landlords and employers of labour. The additional responsibilities they exercised by the later sixteenth century certainly gave them real power in many areas in which they might be seen to have a personal interest, including, for example, the power to hear disputes over apprenticeship and contracts of service. The increasing tendency for Kentish landowners to pay for a formal education in the universities and the Inns of Court for their sons may also have made them less insular and more aware of national politics, but that is not a matter for this essay.

The only other new development in regard to the composition of the commission of the peace was the apparently intentional exclusion of a few gentlemen with large estates from the bench on ideological or political grounds. A glance at the assessment lists prepared for many Elizabethan parliamentary subsidies discloses a number of men who were rated as high or higher than many of those who were justices, but who were never chosen to serve. Explicit Catholic recusants like the Ropers and Sir Alexander Culpeper are perhaps the most notable examples, but other names also stand out.²⁹ Early in Elizabeth's reign two leading members of the Oxenden family, long-time landowners in east Kent, were rated at £50 p.a. in lands, the same amount assigned to Edward Boys, JP, noted earlier. Neither were Elizabethan justices. Richard Monins, 'Esq.', scion of a family that had produced many JPs in the past (and which would do so again later in the reign), and rated at £35 p.a. in lands in 1560, was a subsidy commissioner but never won appointment as a JP.³⁰ During the Elizabethan period, therefore, being a major landowner was not sufficient in itself to guarantee inclusion in the County's most prestigious club. Without fanfare or well-publicised purges, the Council and its leading agents in Kent - men like William Lord Cobham and Thomas Wotton - were keeping certain likely officeholders out of office. On the other hand, a few long-serving but possibly religiously backward justices were permitted to retain office, so long as they outwardly conformed. Sir Richard Baker, who entertained the Queen at his seat in Cranbrook in 1574, also maintained a Catholic priest, but retained his place on the County bench.³¹ The Privy Council had its doubts about Sir Christopher Allen (who had been a JP since Mary's reign) who, it was alleged in 1585, had received suspicious persons (i.e. Catholic exiles) in their houses. It asked Lord Cobham to investigate (who confirmed the suspicions) but Allen was not removed from the commission.³² On the other hand, Edward Monins was removed from the commission in about 1586 for his recusancy.³³

Kent, however, did not see the regular factional battles among the leading gentry families which resulted in the frequent exclusion of JPs from the commission, that so disrupted local government in Elizabethan Norfolk, for example.³⁴ Only a handful of Kent JPs had interruptions in their years of membership on the commission. Seventy resident justices served for a decade or more (up to 1603), twenty-eight were JPs for between 20-29 years and two dozen were on the commission for three decades or over.³⁵ Longevity, however, does not necessarily equate with regular work as a local magistrate: Sir Martin Bowes (JP 1539-66) was essentially a Londoner, who probably never sat at a Kent quarter session, Sir Percival Hart (JP 1542-80) was a full-time courtier, Brian Annesley (JP 1579-1603) held both a Court appointment and was Keeper of the Fleet Prison, Sir William Damsell (JP 1556-82) was a full-time Court of Wards official and Sir Warham St Leger (JP 1555-95) spent many years as a Crown official in Ireland. Leaving aside the few Londoners and full-time officeholders and courtiers, the Elizabethan commission of the peace demonstrated the same attributes of long service and family continuity that characterised the Kent bench under Henry VIII, only on a larger scale.

If, as we have seen, there were a number of issues which suggest continuity between the magistrates of Henry VIII's reign and their successors of the Elizabethan era, there were nevertheless some notable changes in the activities of the Kent justices in the later sixteenth century. There were significant developments both in JPs' law enforcement and judicial functions and in their administrative duties.

First, let us deal with law enforcement. The criminal jurisdiction of the JPs as judges in quarter sessions was normally limited to misdemeanours, and felonies which were less likely to lead to hanging. The bench as a criminal court was mainly hearing cases of assault, 'riot', theft and illegal entry, along with a very large number of presentments for administrative infractions: disorderly or unlicensed alehouses, public nuisances, failure to maintain highways and bridges and non-payment of rates. The trend during Elizabeth's reign was one of a significant increase in administrative presentments, while serious criminal business grew more slowly. In the period of just over four years covered by the first surviving Quarter Session rolls (Easter 1600 to midsummer 1604), the Kent bench dealt with about 160 criminal indictments, but with over 350 essentially administrative infractions (over 100 of which concerned alehouses).³⁶ However, there were occasions when the Kent magistrates were called upon to try a full court calendar of felonies. In 1596 and

the next two years - in the midst of several consecutive years of bad harvests and a national crime wave - JPs on their own were commissioned to hold nine gaol delivery sessions - above and beyond the gaol deliveries held by the assize judges during their normal, twice-yearly visits to Kent. Although these sessions tried only about 60 cases, over 25 men (mainly burglars and horse thieves) were convicted and condemned.³⁷ These were extraordinary times, and we have no evidence of other occasions when the magistrates were called upon to do the work of the assizes. But it remains the case that the quarter sessions retained a significant criminal jurisdiction right up to the end of Elizabeth's reign and beyond, although most cases which resulted in hanging were tried at the assizes.³⁸

More significant change, however, occurred in the nature and volume of justices' pre-trial police functions. The general police functions of JPs to keep the peace and quell disorder of any sort are very old, and magistrates had long had the authority to bind over men and women to keep the peace, or for their 'good abearing', actions which the west Kent justice William Lambarde did quite regularly in the mid 1580s.³⁹ The recognisances which resulted from magistrates' peace-keeping function bulk large in the archive of the earliest Kent quarter sessions in the last few years of the reign, and suggest that binding over persons for one reason or another was among the justices' most common actions.⁴⁰ In addition, two new, mid-century statutes added to the JPs' crucial law enforcement functions, turning them (in the view of some historians) into examining magistrates on a Continental model. An Act of 1554 permitted two JPs to bail someone accused of a felony, but required the JPs to examine the accused, as well as those who brought the suspect to the justices, about the offence, put the examination in writing and certify it to the next gaol delivery (normally at the assizes). An Act passed the following year required JPs to carry out the same examination and certification of any suspected felons whom they imprisoned, and gave them further authority to bind over by recognisance any witness to appear and testify at the next gaol delivery, and required JPs to certify all such bonds to the next gaol delivery.⁴¹

These two Acts brought the local magistrates into centre stage in the criminal justice system: it was they who decided which suspects were gaoled pending trials and which were bailed; it was they who took depositions from suspects and witnesses, which later formed the foundation of the cases presented to the grand jury at the assizes or sessions; and it was they who bound over witnesses to appear at trials. The acts also, of course, increased the work load of local justices significantly. By the 1580s, William Lambarde and his local colleagues

were presented with many such felony suspects and alleged crimes, and their activities as examining magistrates can be traced in the records of the Kent assizes. In a typical case, on 23 February 1583 'Sir Christopher Allen and I examined sundry persons at Sevenoaks concerning the suspicion of wilful poisoning of William Brightrede by Thomas Heyward and Parnel, his now wife, then wife of the said William.' The case was heard at the Rochester assizes on 4 March, when both suspects were convicted and sentenced to hang.⁴² Several dozen alleged crimes investigated by Lambarde and a number of other local justices (including Lord Cobham), which are recorded in his notebook covering 1580 to 1588, led to trials at the Kent assizes, while an additional number of felony suspects were discharged by the assize judges ('delivered by proclamation').⁴³

Elizabethan magistrates were also taking depositions in criminal cases which reached the quarter sessions rather than assizes. These come into view in the earliest Kent sessions papers from the 1590s. Depositions have survived from the 1595 food riot near Canterbury, when there was a 'stir in staying of wagons laden with corn going through Westgate Street',⁴⁴ and from a conspiracy in the Weald of the same year in which textile workers and others threatened violence against local ironworks, because they felt the ironmasters' demand for wood would undermine the Wealden cloth industry.⁴⁵ About this time in Somerset, according to one particularly irate JP, many criminals were escaping the full weight of the law because constables and magistrates were not doing their jobs adequately. Some suspects, alleged Edward Hext in 1596,

'are brought before some Justice that either wanteth experience to examine a cunning thief, or will not take the pains that ought to be taken in sifting him upon every circumstance and presumption, and that done, see that the party robbed give full evidence, and if he find an *ignoramus* found by the grand jury, and know by the examination he hath taken that it is in default of good evidence, then he ought to inform the judge, that the party robbed may be called and enjoined by the Court to frame a new bill and give better evidence. And then ought the justice be present at the trial of his prisoner, that he may inform both the judge and jury what he found by examination, and likewise see that the party robbed give that evidence to the petty jury that he can.'⁴⁶

For a justice who was asked to deal with even one or two alleged felonies a month, carrying out Hext's recommendations to the letter would have required many hours of service, and it is possible that not all Kent JPs were as diligent as Lambarde. Some, especially those without much legal knowledge, may have resembled those magistrates Hext so fulsomely denounced. It is unlikely that all or even most

Kent JPs were either willing or able to act as examining magistrates on a day-to-day basis. They certainly had a great many other demands on their time by the later decades of the reign.

If there were significant developments in, and additions to, the JPs' criminal justice roles, increases in their administrative duties - undertaken mainly out of sessions - were even greater in the Elizabethan period. There is, unfortunately, no simple way of breaking down these activities into neat categories. Some of these chores occurred regularly, others took place only rarely. Some of this out-of-sessions work involved the whole, or most of, the commission; other tasks required the work of only one or two JPs. Some tasks were essentially supervisory, where justices were expected to oversee the actions of local officials (examples include the operation of the poor relief system, the assessment and collection of taxes, or the important building works at Dover harbour). Others were regulatory and overlap with the JPs' law enforcement roles described earlier (examples include dealing with local nuisances, highway repair or illegitimate children). Finally, JPs were often assigned to investigate something, most frequently by the Privy Council. The matter at hand often related to a personal or political dispute which had reached the Council. Overall, it is clear that the burdens of 'working justices' expanded in the latter decades of the reign, especially from 1585.

The cases and actions that William Lambarde recorded in his notebook, or *Ephemeris*, between 1580 and 1588 give us some idea of part of the working magistrate's day-to-day business. However, because they are essentially a record of cases which required certification of his actions to either the sessions or the assizes, they ignore or under-represent many other duties which demanded Lambarde's time. We have already mentioned the peacekeeping duties above (binding men and women to keep the peace, examining suspects, bailing or gaoling suspects). Lambarde's other most frequent activity - usually carried out with another justice at his side - was the examination of, and punishing, the parents of illegitimate children. In a typical case John Manser and Joan Pierse of Seal were charged with begetting and bearing a bastard male child in November 1580. Pierse was 'scouraged' (i.e. whipped) the same day, but Manser had fled. The JPs 'took an obligation of her for the keeping of that bastard', and only caught up with the father at the beginning of 1581. He was brought before the same two justices, and 'sent to be whipped, according to our said order, at Seal, 4 January [1581]'.⁴⁷ Bastard-bearers, once beaten, could also be sent to the house of correction at Maidstone as Lambarde and Dr William Lewin arranged

for two mothers of illegitimate children on Christmas Eve in 1583.⁴⁸ Although the punishment of bastard-bearers was Lambarde's most regular 'social regulation' action, he could send any undesirable or 'ill-behaved' persons to the House of Correction. In December 1584 he sent Jane Cowper of Shorne to the house of correction merely 'at the complaint of the better sort of the parish', and in December 1587 he sent 'Thomas Bachelor and David Smith of this shire, wandering minstrels, for six days'.⁴⁹ Among Lambarde's other regular chores was joining with other JPs to license alehouses (and punish unlicensed publicans), a duty assigned by statute to local magistrates in 1552,⁵⁰ overseeing the assessment and collection of local rates or royal purveyance,⁵¹ and the licensing and taking of recognisances from men permitted to act as corn dealers, or 'badgers' (under an Act of 1563).⁵²

Many regular duties undertaken by Elizabethan magistrates, however, do not appear in Lambarde's useful notebook. The most important of these were the supervision of all aspects of parochial poor relief, the collection of national and local taxation and (especially onerous after 1585) mustering and tax collection to support the County militia, as well as the provision of additional levies required by the central government for the wars against Spain and in Ireland. Lambarde's notebook, however, doesn't record administrative chores in which he was not involved. One of the most obvious of these, and one that had been carried out by JPs for many decades before 1559, was that of sewers commissioner. There were two Sewers commissions to cover the Kent coastline, a West Kent group to oversee the Thames-side marshes and waterways closer to London, and the East Kent commission which had the oversight of the Kent coast from Faversham around to the Channel ports. Like subsidy commissions, the sewer commissions were composed of both JPs and other local men of lesser rank who had some experience or standing in the area. The East Kent sewers commission in the 1560s included nine JPs, the mayors of Canterbury and Sandwich, several other local gentlemen who would later be appointed JPs, and a few other citizens of Sandwich and Canterbury. It is notable that a number of hard-working, if less elevated, justices were appointed for this task; the East Kent commission included Edward Boys, Humphrey Hales and Roger Manwood, men with consistently high attendance records at sessions.⁵³

Elizabethan magistrates' varied duties concerning the relief of the 'deserving poor' and the punishment of the 'undeserving', especially persons found to be vagrants, are among the activities of magistrates most noticed by modern historians. From early in the reign justices

were named as the key supervisors of both parochial poor relief and the apprehension and punishment of the able-bodied, mobile poor. Under the 1563 Statute of Apprentices, local justices as a bench had the responsibility to set maximum daily and annual wages for all manner of craftsmen and farm workers who were employed by someone; individual magistrates were given authority to hear and determine disputes between 'masters' and 'servants' over work and contracts of employment; individual justices were empowered to force the able-bodied unemployed to work 'in husbandry' at the minimum daily wage rate for any local employer who might offer work.⁵⁴ The various vagrancy acts passed during the reign authorised justices to apprehend and whip severely any wandering, able-bodied and unemployed persons.

JPs were also given a key role to play from the first Elizabethan poor relief Act, in 1563. Although it didn't establish a compulsory poor rate, the Act required everyone who was asked to contribute something to the poor in their own parish. If they refused they could be brought before the justices who had the power to imprison them if they stood out.⁵⁵ More important was the statute passed in 1572, in the wake of the rebellion of the Northern Earls, and in the aftermath of a government panic about vagrancy. In 1571 the Council ordered justices throughout the country to make special searches for vagrants and send in returns of the numbers found.⁵⁶ The following year major legislation was passed, which placed JPs at the centre of the action, both in punishing vagrants, and - more importantly - in organising parochial poor relief. The 1572 Act introduced a compulsory poor rate, and required justices to survey the poor in their divisions and then assess and tax all inhabitants to pay for the relief. They were to appoint overseers of the poor in every parish, and supervise the implementation of the scheme. An Act of 1576 further authorised JPs to supervise the setting up of stocks of raw materials on which able-bodied poor could be set to work, and to raise rates to erect houses of correction in every county. Over the next decade the Elizabethan poor rates were introduced in most Kent parishes, and local magistrates were busy overseeing the administration of the poor rate and auditing the overseer's annual accounts. In April 1583, for example, William Lambarde noted that he 'renewed the register book for the poor at Ightham', where he lived, and the following year he was involved in organising the collection of the poor rate at Allhallows (Hoo).⁵⁷

Besides dealing with poor law problems within the parishes in their division in ones and twos, the justices as a body frequently spent time on poor law business at quarter sessions. In particular, the sessions

often heard and decided disputes between parishes over poor relief responsibilities; dealt with particular parishes for not carrying out their poor law responsibilities; punished men and women for refusing to comply with individual justice's or earlier sessions' orders involving such things as maintenance payments. The Canterbury Epiphany sessions in 1600 ruled on no fewer than eight separate poor law cases; among others, the bench decided that Sylvester Glover, spinster, who had been living at Hernhill, had established 'no certain dwelling there for a year', and was therefore to be returned to her native parish, Tunstall, where she was to be either relieved by the poor rate or found work.⁵⁸ The magistrates as a body also established, and authorised rates to maintain the County's houses of correction (Lambarde drafted the ordinances of the first house at Maidstone, opened in 1583, and a second was established at Dartford in 1600).⁵⁹

A similar, on-going responsibility was assigned to magistrates over the assessment and collection of taxes and rates of all kinds. Most resident justices, as well as a few less elevated personages, were appointed subsidy commissioners every time that parliament passed a subsidy Act. While parliamentary subsidies were not being collected in most years in the early decades of the reign, after 1585 parliamentary taxation (as well as forced loans) was demanded with a regularity that must have shocked older people who had grown up under what had been a low-tax regime. The better-off, including the subsidy commissioners, blatantly under-assessed themselves, but they nevertheless had the task of overseeing the local assessment of taxpayers, hearing disputes over ratings and supervising the subsequent collections by local and 'high collectors' appointed by themselves for each group of hundreds.

In 1563, to oversee the collection of a subsidy, the County was divided into lathes, with Aylesford, Scray and Sutton-at-Hone lathes further subdivided into groups of adjacent hundreds, and a group of three to eight commissioners assigned to each division. Shepway lathe, as a single unit, was assigned to eight commissioners, led by Sir Thomas Kempe, while Aylesford lathe was assigned to three groups of between three and six each. The populous hundreds of Eyehorne and Maidstone were rated and taxed under the oversight of five justices: Warham St Leger, the *custos* Thomas Wotton, Thomas Hendley, William Isley and Robert Rudstone. In all thirty-two JPs and seven other gentlemen were charged with collecting the 1563 subsidy. In 1571 the County was similarly sub-divided, but only twenty-two JPs (including many of those commissioned in 1563) were appointed subsidy commissioners.⁶⁰ In the case of a wide and growing variety of local rates (for bridges, gaols, maimed soldiers

muster master, houses of correction) the justices of the peace were again responsible for overseeing both the assessment and the collection of the rates. Such matters feature strongly in quarter sessions business at the end of the century, when the first sessions rolls become available. And it is the increasingly onerous burden of both local rates and national taxation in the last two decades of Elizabeth's reign which lead us to a consideration of the final major area of justices' regular administrative burden, the mobilisation of the County for war after 1585.

The military functions were carried out by JPs under the broad authority of the Lord Lieutenant, William Lord Cobham, and under a separate commission. But most magistrates were also on the muster commission: Lambarde was a muster commissioner in the same year he was made a JP, 1580.⁶¹ In the late 1580s and throughout the 1590s many local justices, under frequently chivying from the deputy lieutenants, were continually engaged in maintaining the Elizabethan war effort. This involved them in mustering and training the County militia, raising money to pay for it, levying men to be sent abroad in the Queen's armies and conscripting mariners to serve on navy warships. The unpublished papers of one of them, Thomas Willoughby of Chiddingstone, show that he often worked in conjunction with parochial officials and others to answer the Council's (and Lord Cobham's) requests for troops and their provision. Similar papers accumulated by another hard-working justice, Roger Twysden of East Peckham, tell a similar story.⁶² By the 1590s much of the time and energy of the County's magistrates was being spent on the war effort. Clark estimated that the cost to the County of military preparations between 1585 and the end of the Spanish war in 1603 amounted to £10,000, and that the County probably supplied 6,000 men for overseas military service.⁶³ The demands of the central government - for soldiers, for supplies and for money - stretched the patience and the authority of the County's magistracy to the limits, and help to explain why the Council permitted the commissions to expand as they did. The government simply needed as many local agents as it could find to implement its war-time policies.

A final but irregular aspect of Elizabethan justices' workload were the special commissions that JPs were commanded to undertake, mainly by the Privy Council, on a myriad range of issues, and which usually involved quite small numbers of justices. Many such commissions called upon the named justices to investigate a problem, crisis or dispute which had come to the attention of the Council, and which required local knowledge to address adequately. The Council commissioned local magistrates either to enquire about a specific

situation or dispute and report back, or else authorised local magistrates both to hear and determine the matter at hand. Typical of one type of special commission that was made to individual justices, or to a small group, was a request to examine people arrested for, or suspected of, some crime or subversion. Within a month of Elizabeth's accession the Council asked Thomas Wotton (then Sheriff), Sir Thomas Finch, Sir Thomas Kempe and Sir Thomas Moyle (who may already have died) to examine an Ashford man who reportedly uttered traitorous words against the Queen, and decide if the case was serious enough to send the suspect up to London. In 1575 Thomas Wotton and three other justices were ordered to investigate the activities of the constable of Maidstone.⁶⁴ Equally common were special commissions to look into private disputes: in 1571 Kent justices were asked to enquire into and settle a dispute between two men, and 'to recover the goods that hath been by the said Heyward embezzled away'; and a few months later Sir Thomas Cotton, Thomas Wotton 'and others' were asked to look into a dispute between the Town of Rye and certain men of St Mary in the Marsh.⁶⁵

JPs were also often asked to carry out a task or study of more general import. In 1565, for example, seven JPs, led by Lord Cobham and including Thomas Wotton, were commissioned to oversee orders for repressing pirates in the Channel and to prepare a census of shipping. In 1571 there was the request to make returns of vagrants, and a major commission to consider the endowment and repair of Rochester bridge; in 1573 the JPs Thomas Wotton and George Moulton, along with the latter's son-in-law, William Lambarde, were appointed to a commission to report on the condition and cost of repair of the manor house at Otford; in 1577 Thomas Wotton and Sir Thomas Scott were commissioned to investigate Dover's municipal charters.⁶⁶ Local justices were also appointed to the extremely important and powerful Commission for Ecclesiastical Causes (later known as the High Commission) in the 1570s. Its Kent members in 1572 included the two bishops, the Dean of Canterbury and several of the most active Kent magistrates: Nicholas Barham and Roger Manwood, Sergeants at Law, Robert Alcock of Canterbury, Edward Boys and Thomas Wotton. With them was the former Edwardian JP and Marian exile Edward Isak, no longer a JP under Queen Elizabeth.⁶⁷

The purpose of this section is to analyse the work of Elizabethan justices as a bench, with particular reference to their records of attendance at quarter sessions and at the assizes. In holding their four quarter sessions required each year the justices, throughout the century and beyond, divided Kent into western and eastern halves.

Quarter sessions business was not usually transferred from West to East Kent sessions if not completed at the first meeting of the bench, but was regularly held over until the next Maidstone sessions. Normally sessions for West Kent were held at Maidstone just after Easter and just before Michaelmas (29 September), while East Kent sessions were usually held in the week before the Feast of St James (25 July) and just after Epiphany (6 January) at Canterbury. This arrangement certainly operated by 1570, when the surviving estreats of fines show the attendance of justices for each dated session. But extant estreats for 1560 show that the Maidstone sessions were held at Epiphany and mid-summer that year, the Canterbury meetings at Easter and Michaelmas.⁶⁸ By the 1590s the earliest surviving quarter session rolls show that the Canterbury sessions were invariably held around Epiphany and mid-summer, the Maidstone sessions at Easter and Michaelmas.

It was at the Easter sessions at Maidstone that as many justices as were present elected a number of important County officials, such as the County Treasurers.⁶⁹ In addition to the four 'general' sessions, during this period the justices began to hold additional special and petty sessions to deal with business not completed at the general sessions, or to handle specific types of business or immediate crises requiring criminal trials or other magisterial action. William Lambarde's notebook covering 1580-8 records that he and four other local justices held a petty session for alehouse matters and to levy a local rate at Borough Green in August 1581, and that he attended special sessions to punish 'rogues' or vagrants at Maidstone in June 1582 and May 1583.⁷⁰ There were also special sessions in March 1582 and August 1592, to hear cases following two local riots, and two further special sessions to organise corn supplies in 1587 and 1594.⁷¹ Thus, a truly diligent JP would normally attend two quarter sessions meetings each year - Lambarde in the 1580s regularly records his attendance at the Maidstone sessions in April and September, where he frequently gave a short lecture to the grand jury on their responsibilities - plus occasional special sessions, in addition to sessions of the sewers commission (if he was appointed to that) plus attendance at the local musters since from at least the 1570s most JPs were also muster commissioners.⁷²

Attendance at quarter sessions, in theory the most crucial obligation of a local justice, was during the Elizabethan period patchy at best. Since the County was in practice divided into about a dozen divisions, with each assigned either to west or east Kent, the commission of the peace was in practice also divided into two mutually exclusive halves, very similar to the arrangement that had

evolved in sixteenth-century Suffolk.⁷³ Justices were only expected to attend sessions in their half, and only rarely went to sessions in the other half. Knafla's analysis of the 'working commission' at the end of the reign showed that only three JPs attended quarter sessions regularly in both halves. Earlier in the reign, a handful of justices attended sessions in the 'other' half of the County, but they were exceptional.⁷⁴ The great majority of his working justices attended only in their own half, and during a sample period of 1598 and 1602 - when original quarter session rolls are extant - only about a dozen from east Kent and ten from west Kent actually attended half or more of their local quarter sessions.⁷⁵ This was at a time when there were close to eighty locally-resident justices!

There are, however, various ways of analysing the attendance records of JPs. One method is to trace the trends in the numbers of justices who attended at least once a year. This can be done by analysing the payments of JPs' wages for attendance at sessions, as recorded on the Pipe Rolls, which are available for most years in the reign and when the quarter session rolls have not survived. The Pipe Rolls list how many days a named JP was present at sessions, and the overall number of days that the bench sat in quarter sessions that year. For most of the reign there are only the Pipe Roll payments to shed light on the attendance records of individual JPs, along with a few scattered estreats of fines which show the JPs present at particular sessions. The basic data in **Table 1** (which probably under-estimates attendance by sometimes failing to include all JPs who attended) shows that in the 1560s (when there were about 45 resident JPs) on average about 20 justices were present at sessions at least once per year; in the 1570s about 22 (out of 50-55) JPs attended at least one session; in the 1580s (when the bench numbered about 60) the mean number was 30 per annum, and in 1590-99 (when the bench averaged over 75 resident JPs) it was also 30. The decadal average masks the big increase in attendances from 1597, when about 40 (out of over 85 justices) attended at least one session each year. The number of magistrates who attended at least one session per year was higher in the years from 1597 than at any other point in the reign. For the years 1600-1604, an analysis of the quarter session rolls shows that 34 justices attended at least one Canterbury session, 22 at least one at Maidstone, with 7 attending at least one session in both towns.⁷⁶ By the end of the reign the mid-sixteenth century dearth of justices had been more than reversed.

The Pipe Roll payments also show a big increase in the number of days taken up in sessions, beginning in the 1580s. From the dearth year of 1587, the Kent magistrates were in session twelve days per

KENT'S ELIZABETHAN JPs AT WORK

TABLE 1. ATTENDANCE OF JPs AT QUARTER SESSIONS
(based on Pipe Roll payments)

<i>Date</i>	<i>Days in sessions</i>	<i>JPs attending at least one session</i>	<i>Total sittings</i>
1559	4	18	23
1560	6	17	37
1561	4	19	32
1562	4	20	32
1563	5	15	39
1564	5	23	40
1565	4	19	32
1566	4	23	31
1567	4	21	32
1568	4	25	32
1569	4	23	32
1570	5	22	38
1571	5	19	40
1572	4	19	32
1573	4	24	31
1574	6	25	48
1576	4	21	32
1577	6	23	48
1579	4	23	31
1581	6	35	53
1582	8	28	84
1583	8	27	68
1587	12	29	120
1588	12	29	117
1589	12	35	153
1590	12	16	93
1591	12	25	138
1592	12	26	144
1593	11	29	103
1594	12	28	124
1595	12	28	138
1596	12	26	117
1597	12	39	174
1598	10	40	169
1599	12	40	152
1600	12	44	213
1601	14	43	?
1602	14	42	?

Sources: PRO E 372/405 - 447; for 1600-1602 uses original session rolls [CKS Q/SR1-3] as well as Pipe Rolls. Adding names listed in stray estreats [PRO E 137/18/4] yields an additional 12 JPs at sessions in 1560, an extra 11 in 1570, 1 extra in 1581 and 10 extra names in 1594, all not included in the Table.

year, compared to just four to six days per annum at the beginning of Elizabeth's reign! Justices who attended just one or two sessions each year would be devoting three to six days to this business, compared to their predecessors in the 1560s, who rarely spent more than two or three days at sessions. The appearance of the bench at individual sessions was also becoming slightly more impressive as the reign progressed, although there is only very patchy evidence. There appears to have been a slightly higher turnout of justices at Maidstone than at Canterbury. In the two 1560 Maidstone sessions there were 13 JPs present at each; at the two Canterbury sessions there were 10 and 8 justices. In 1570 there were as many as 21 JPs at the Maidstone Easter sessions, but just 9 there at Michaelmas. The Epiphany and mid-summer sessions at Canterbury that year attracted just 11 and 7 justices respectively. Attendances at individual sessions began to grow in the 1580s, with 18 local JPs present at the East Kent mid-summer sessions in 1581. Finally, in 1594 there were 19 justices at the Maidstone Easter sessions and 14 at the Canterbury mid-summer meeting.⁷⁷ Even at the turn of the seventeenth century, when there were around 90 justices and when annual appearances were also up, the typical session usually attracted no more than 12-15 justices. There were, however, a few exceptionally large turnouts: 23 at the Canterbury session in January 1601, and 25 at the mid-summer 1602 Canterbury meeting.⁷⁸ The numbers present at individual sessions in Kent was not dissimilar from that of Essex (where the commission was similar in size to Kent's up to the 1580s, but somewhat smaller in the 1590s). Most Essex sessions were attended by 8 to 10 justices in the 1560s-1580s; in the 1590s an average of 13 justices were present at each meeting from a commission of about 65 local JPs. In Essex, as in Kent, sessions were taking longer in the 1590s.⁷⁹

Throughout Elizabeth's reign there was a highly-committed minority who attended regularly, along with a much less assiduous majority who attended quarter sessions from time to time. This can be shown by looking at the attendance record of the locally-resident JPs in two samples; first the make up of the magistrates of 1565, the second of the commission in 1597/8.⁸⁰ The early Elizabethan commission included about forty-two resident justices (besides the two resident peers whose attendance record is unobtainable). Most of their number were on the commission throughout the 1560s, although seven were not.⁸¹ Of the forty-two, just four justices attended at least one quarter session meeting every year between 1561 and 1570 (Thomas Hendley, Roger Manwood, Robert Rudstone and Thomas Wotton) as well as a further dozen present at sessions in seven to nine

years during the decade.⁸² The sessions were thus dominated by a committed core of fewer than twenty justices, less than half the resident magistrates.⁸³

The record of the Kent commission of 1597/8 was even worse. Of the seventy-one resident JPs (including three clerics) who were not peers, ten are excluded because they were new appointees. Of the remaining sixty-one just five men (Thomas Fludd, William Lambarde, John Levison, Peter Manwood and William Sedley) attended in all ten years from 1591 to 1600. Beyond them there was a larger core of about fifteen JPs who attended in seven or more years, or without fail during the half a dozen or more years that they were on the bench during the decade, and another half dozen who attended in six years out of ten.⁸⁴ The working commission, in the sense of justices who took their quarter session duties seriously, consisted of about twenty-five justices (40 per cent), out of the 61 in the sample. Of the rest, the majority attended sessions in three, four or five years during the decade; just six never attended at all. The record of JPs in Norfolk, for example, in the same period was better. Thus, of thirty-eight JPs who might have attended sessions there in 1595, thirty did so. And of the seventy resident JPs in that county during the 1590s only five didn't attend at all.⁸⁵

When it is considered how much greater was the burden on magistrates in the 1590s than in the early years of the reign, the load borne by the marginally enhanced group of 'working justices' must have been weighty indeed! It also suggests that for many justices it was the prestige of being 'of the commission' that mattered. These were the justices denounced by the Lord Keeper, Sir Nicholas Bacon, in Parliament, as men who kept 'the name and place of a justice more for reputation's sake than for any care they have to perform their office and oath, and be in effect but as drones among bees'.⁸⁶ The central government was forced to appoint larger and larger commissions in order to secure a basic minimum of justices willing to take seriously the duties that went with their appointment.

The regular round of East and West Kent quarter sessions meetings, roughly six months apart, dovetailed into the twice-yearly assize sessions, when one or two professional judges visited the County to try serious felony cases (and hear property cases as well). The justices were meant to be in attendance unless excused. From the 1570s Rochester was the most frequent site of assize sessions, especially for the winter assizes which were normally held in February. The summer assizes, usually in early July, were most frequently held in Maidstone, although they, too, occasionally occurred at Rochester. Early in the reign the assizes often met at Dartford, but Canterbury

was only rarely the site of the assizes, perhaps because the Westminster judges wanted to avoid the longer journey from the capital.⁸⁷ Attendance by the Kent JPs was, on the whole, not up to scratch. Most locally-based JPs attended an assize meeting once a year or once every few years. In 1562, for example, out of about forty-two locally resident gentlemen on the commission, twenty-nine attended at least one assize session. Three years later, when there were about forty-four local justices, only twenty-four attended one or two sessions. In 1598 the bench included about seventy local JPs: forty-six attended one or both assize sessions; the following year attendance was down to thirty-nine. The full bench was never in attendance, and the proportion of justices who attended assize sessions actually declined in the second half of the reign. This was in part because many justices were 'on Crown service' and therefore excused.

The onset of war from 1585 seriously depleted the number of resident JPs available for traditional duties including attending the judges at the assizes. However, since the numbers of men in commission was greater in the 1580s and 1590s than it had been in the 1560s, the actual numbers of justices at the assizes remained nearly the same. There were generally more JPs present at the summer assizes than at the winter meetings: a median of twenty-six in the period 1559-1580 - where records have survived undamaged - and thirty in the years 1581-1602. But the numbers in attendance fluctuated widely: attendance at the Maidstone (summer) assizes varied between 16 and 38 during 1559-1580, and from as low as 18 to nearly 50 (in 1600) between 1581 and 1602. Attendance at the winter assizes, always held in the western half of the County, was generally smaller, at about 18-20 justices, and rarely were there more than 25 present.

A minority of justices attended the assizes regularly, although many of them for just one session per year. Exemplary in their attendance records, perhaps unsurprisingly, were a number of professional lawyers - including Nicholas Barham of Maidstone and Roger Manwood in the 1560s and 1570s, John Boys of Canterbury, John Lennard and Robert Richers from the 1560s to the 1580s, William Lambarde in the 1580s and Henry Finch, Matthew Hadde and William Sedley in the 1590s - and the Feodary of Kent, Thomas Fludd, in the 1580s and 1590s. But several long-serving local gentlemen were just as assiduous in their attendance at the assizes as the lawyers, who may have had cases of their own pending. Several of these country landowners have been mentioned before, for their outstanding attendance records at quarter sessions. They - along with

the lawyers - provided the essential continuity of personnel which enabled the local courts to function relatively effectively. These notable non-professional, 'working JPs' who attended the assizes regularly included Sir Christopher Allen, Robert Binge, Edward Boys, Lord Cobham's brother John Cobham, William Crowmer, George and Hugh Darrell, Thomas Hendley, William Isley, John Leveson, Thomas Lovelace, Walter Roberts, Robert Rudstone, John Sibill, Thomas Watton and the *custos* Thomas Wotton. On the other hand, a number of major landholding justices, men who might be assigned to a ruling oligarchy (if such a narrow elite really existed), never or only rarely appeared at the assizes. These included Henry Cheyne, Sir Henry Crispe, George Fane, Sir Thomas Kempe and Sir Thomas Scott.⁸⁸

The record of Kent's Elizabethan JPs is a mixed one. In the face of what may have seemed to some of them a context of growing disorder from below, as well as mounting demands for work and taxes from above, many justices proved far from devoted to the tasks that their membership in the commission entailed. A substantial minority, however, of the locally-resident JPs did carry out some of the day-to-day tasks of magistrates, as well as attended sessions from time to time. A small minority became the workhorses of local government and justice. In the face of widespread evil when, as Lambarde told the Maidstone sessions of April 1582, 'sin of all sorts swarmeth and evildoers go on with all licence and impunity',⁸⁹ a few men - out of a mixed sense of political duty and religious anxiety - became activists, assiduous in carrying out their magisterial duties and ready to lead others down the path of righteousness and magisterial involvement. For more than half of Elizabeth's reign the most important of such exemplary governors, the linchpin of County government - and local politics - in Kent was Thomas Wotton of Boughton Malherbe (d. 1587). He personified the unity of the gentry 'community' of Kent, and represented most effectively the links between the Council at Westminster and the local magistracy, and between national and local politics. He was a moderate, a friend and contemporary of William Cecil, Lord Burghley, and one of a handful of generally acknowledged leaders of the 'County community' (as that idea evolved in the later sixteenth century). Son of the leading Henrician JP and sometime Crown official, Sir Edward Wotton, nephew of Nicholas Wotton, a diplomat and religious chameleon who was Dean of Canterbury under Protestant and Catholic governments, Thomas came into his inheritance in 1551 and was named a JP in 1553. A Protestant, but one who took no part in the Protestant rising in Kent led by Sir Thomas Wyatt in 1554, he conformed outwardly

during the remainder of Mary's reign. On Elizabeth's accession he was swiftly named Sheriff of Kent, probably through Cecil's influence. The Wotton estate was already very substantial in 1551, and Thomas made a number of additions to it.⁹⁰

From 1559 until his death Thomas Wotton was a central figure in Kent politics, connected as he was by blood or marriage to many other justices, and on good terms both with William Cecil and Robert Dudley. He was also a close friend of William Lord Cobham, the Crown's leading representative in Kent. The chance survival of a volume of Wotton's letters written between 1574 and 1586 give us a glimpse of an active local politician and administrator, who was also one of the elder statesmen and recognised mediator among the gentry. The Wotton letter book can be read as a supplement to William Lambarde's *Ephemeris*, with its emphasis on the magistrate's day-to-day legal tasks. Throughout these years Wotton was Kent's senior justice, holder of the office of *custos rotulorum*. His letters show him as a sincere Protestant and a defender of preaching ministers, and as a senior member of the Kent bench who often attempted to intervene on behalf of individuals and to reconcile men who had fallen out with one another (most notably Lord Cobham and Sir Roger Manwood).⁹¹ Wotton's name appears in connection with just about everything of importance taking place in Kent in the first three decades of the reign.

When Archbishop Matthew Parker was asked by the Council to comment on the religious conformity of the County's magistrates, he drew up his reply after taking advice from Thomas Wotton.⁹² In early 1571 William Lambarde approached Wotton as soon as the manuscript of his *Perambulation of Kent* was complete, and soon afterwards dedicated the book to him. In return Wotton contributed a preface when it was first published in 1576, addressed to his own constituency, 'the Gentlemen of the County of Kent'. Four years later Lambarde, the London-born lawyer and historian of his adopted county Kent, was appointed to the bench, perhaps on Wotton's recommendation. They remained friends and it is likely that Wotton was responsible for appointing Lambarde to deliver the 'charges' to the County grand jury which opened so many quarter sessions from 1582 to Lambarde's death in 1601.⁹³ Wotton had been among the handful of local worthies to be honoured with a visit from the Queen on her 1573 summer progress in Kent. Family tradition has it (reported in the next century by Izaak Walton) that during this visit the Queen offered him a knighthood and greater preferment, but that Thomas Wotton 'humbly refused both'.⁹⁴ The story sounds apocryphal, and it remains a mystery why Wotton - in view of his substantial estate, his father's position and his own tireless service as a magistrate - was not knighted a decade

earlier. In 1583 there are a number of letters from Wotton to other local worthies, soliciting their help or contributions towards the repair of Rochester bridge (to which Wotton himself gave £78; he had served on the commission to enquire about repairs since the 1570s).⁹⁵

There are a number of trails which link Wotton to a group of Kent landowners and magistrates who might be termed both Protestant or 'godly' and 'loyalist' and pro-government, and which existed from 1559 to the mid-1580s. Some of these local governors were more 'godly' than they were loyal supporters of Privy Council policy; others were more pro-government and careerist than they were 'godly'. During the 1560s and 1570s they all had little difficulty cooperating with Archbishop Matthew Parker (d. 1575) and with his successor William Grindal. And all of them were masters of a discourse which combined godly Protestantism with impeccable loyalty to the monarch - with never a hint that there might be any problems reconciling the two. Justices like Edward Boys and Sir Thomas Scott - and possibly Thomas Wotton - verged towards the 'godly', while others such as Lord Cobham and his opponent Roger Manwood, Thomas Hendley and William Lambarde leaned more strongly towards official opinions. But there were never irreconcilable ideological differences between the members of this group of what might be labelled 'Protestant monarchists'; at least up to the mid-1580s. They combined a basic (though varying) dedication to their magisterial duties with a firm commitment to 'true religion', which they believed was practised in the early Elizabethan church.

This roseate picture of hard-working, loyal and godly magistrates was a fair if somewhat optimistic description of reality, until the middle of the 1580s. In that decade two issues arose which upset the comfortable relationship between the gentry leaders of Kent and the central government. The first related to the new Archbishop of Canterbury, John Whitgift and his demands that all clergy comply strictly with the Prayer Book's various rubrics on clerical dress and religious ceremonies. Many of Kent's 'godly' preachers, who believed that the Prayer Book was not yet fully reformed in some of these 'inessentials', had up till then avoided conformity, with the connivance of the local gentry. When Whitgift demanded that ministers subscribe to all the Prayer Book rites and vestments, in 1583, and suspended from preaching those who would not, he raised a hornet's nest of protest from the 'godly' gentry of Kent. The seventeen suspended Kent ministers petitioned the Privy Council against Whitgift's actions, and their protests were backed up by letters from many of the leading magistrates of Kent.

In 1584 a delegation of leading Kentish laymen, led by Sir Thomas

Scott (long-time JP and MP for Kent) personally confronted Whitgift to demand the re-instatement of the 'godly preachers'. According to one account Thomas Wotton told Whitgift that he (Wotton) had seen six archbishops and that Whitgift was the first to set himself against the gentry of Kent. Wotton's letter book contains a copy of the letter sent collectively by the Kent gentry to defend the suspended ministers, which speaks of the good consequences which have followed from their preaching, especially that 'a great number of inhabitants of this county, by this good preaching...have been brought without suit among themselves to live quietly'. The gentry's letter repeats several times the phrase, 'none can better tell than we', in discussing the quality of life and good works of the suspended ministers, explicitly emphasising the crucial role of godly magistrates as local leaders of the church.⁹⁶

The other issue that soured relations between the Kent magistracy and the central government has been described above. The latter's demands for money and manpower following the outbreak of war with Spain in 1585, led to numerous clashes with the gentry of Kent. The justices had the unenviable task of extracting taxes, supplies, soldiers and sailors from a population which, as time passed, found it increasingly difficult to make ends meet. Moreover, in doing their job the magistrates found themselves increasingly alienated from their 'neighbours', and the traditional paternalistic relationship between gentry and commoners substantially undermined. These growing frictions between the JPs of Kent and the central government, did not, in the end lead to a complete breakdown in that relationship nor in the conduct of local administration and 'justice'. But it did lead magistrates, towards the end of Elizabeth's reign, to a growing consciousness of what might be termed political or ideological considerations, alongside the justices' age-old awareness of dynastic or patrimonial interests. In addition, the growth of factionalism at Court as the Queen advanced in years, led many leading Kent magistrates into the dangerous waters of Court politics - and away from their traditional, safe anchorages in local affairs. Thomas Wotton might not have approved, but his son Edward (soon to be ennobled) spent much time at Court, and had little enthusiasm for his duties as a local magistrate. Between his appointment as a justice in 1593 and the end of the reign, he probably never appeared at a Kent quarter session. The 1590s represented the end of an era in more ways than one!

APPENDIX 1

KENT JPs 1559-1603: SHOWING PERIOD ON COMMISSION (IN PARENTHESES) WITH YEARS WHEN EACH SAT IN QUARTER SESSIONS

- Alcock, Robt (1568-82) of Canterbury: 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1576, 1577, 1579
- Allen, Sir Chris (1555-86) of Ightham: 1560, 1561, 1562, 1564, 1565, 1566, 1569, 1570, 1571, 1572, 1573, 1574, 1576, 1577, 1579, 1581, 1582, 1583
- Annesley, Brian (1579-1603) of Lee [Keeper of Fleet prison]
- Argall, Ric (1573-88) of E. Sutton [Registrar of Prerogative Court of Canterbury] 1573, 1579, 1581, 1583
- Ashley, Thos (1564-1581) ?not local: 1574, 1579
- Astley, Jn (1583-95) of Maidstone [Master of the Jewel House]
- Aucher, Ant (1601-3; 1619-24) (Kt 1604) of Otterden: 1601, 1602
[Ayre or Ayer: see Eyre below]
- Ayscough, Jn (1585-1601) of Lynsted ?or of Sheppey?: 1587, 1588, 1589, 1594, 1596, 1597
- Bacon, Thos (1567-73) ?not local: 1567
- Baker, Sir Ric (1559-94) (Kt 1573) of Cranbrook [sheriff, 1563, 1583]: 1560, 1564, 1570
- Baker, Thos (1598-1625) (Kt 1603) of Cranbrook: 1601,
- Barnes, Wm (1598-1619) (Kt 1603) of Woolwich: 1598, 1603
- Barnham, Martin (1583-1605; 1609-10) (Kt 1603) of Hollingbourne: 1588, 1589, 1592, 1593, 1594, 1595, 1597, 1600, 1601, 1602, 1603
- Barham, Nic (1560-77) of Maidstone [Sgt at Law; Recorder of Maidstone] 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1576, 1577
- Baynham, Wm (1587-97) of Boxley: 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597
- Beecher, Edw (1584-95) of Allhallows (Hoo): 1589, 1591
- Beere, Clem (1598-1601) of Dartford
- Beere, Jn (1537-72) of Dartford: 1559
- Beresford, Mich (1599-1608) of Wrotham [Feodary of Kent, 1570s; Court of Wards official]
- Beswick, Wm (1595-1623) of Horsmonden [d. 1637]: 1595, 1596, 1599, 1600
- Binge, Geo (1599-1625) of Wrotham: 1600, 1602
- Binge, Robt (1559-95) of Northfleet; then Wrotham [sheriff, 1593]: 1566, 1567, 1568, 1570, 1572, 1579, 1581, 1582, 1587, 1588, 1589, 1591, 1592
- Blague, Thos, Dean of Rochester (1592-1610)
- Bletchenden, Jn (1600-1607) of Aldington: 1601
- Bosseville, Ralf I (1559-81) of Sevenoaks [Clerk of the Court of Wards]: 1569, 1570, 1571, 1573, 1576, 1577, 1579
- Bosseville, Ralf II (1601-1635) (Kt 1603) of Bradbourne in E. Malling: 1602, 1603
- Bosseville, Robt (1597-1623) (Kt 1604) of Eynsford: 1597, 1598, 1599, 1600, 1602
- Bourchier, Sir Ralf of Lee (1593-8)
- Bowes, Sir Martin (1539-66) of North Cray and London
- Boys, Edw (1559-60; 1565-1597) of Nonington [sheriff, 1578]: 1559, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1576, 1577, 1581, 1582, 1583, 1587, 1589, 1590, 1591, 1592, 1593, 1594, 1596, 1597
- Boys, Edw II (1598-1625) (Kt 1604) of Nonington: 1599, 1600, 1601,
- Boys, Jn (1573-1612) (Kt, 1604) of Canterbury [Recorder of Canterbury]: 1574, 1576, 1579, 1581, 1582, 1583, 1587, 1588, 1589, 1590, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603
- Boys, Sam (1600-1627) of Hawkhurst: 1600, 1602, 1603
- Boys, Wm (1586; 1590-95) of Chartham

- Brent, Robt (1554-60) of Willesborough [d. 1566-7]: 1559
 Brooke, Hen (1588-1603) (Ld Cobham, 1597) of Cobham
 Brooke, Wm, Lord Cobham (1559-97) of Cobham
 Carew, Matt, L.D (1585-95): ?of London [not local]
 Cartwright, Hugh (1559-72) of West Malling [Surveyor of Kent, to 1568]: 1560, 1564, 1566, 1570
 Catlyn, Geo (1585-90) of West Malling: 1588, 1589
 Catlyn, Hugh (1554-68) of West Malling: 1559, 1566,
 Champneys, Justinian (1579-96) of Hall Place, Bexley: 1589, 1591, 1593, 1594,
 Cheyne, Hen (1561-87) (Kt 1563, Lord Cheyne, 1572) of Shurland; [left the county] 1564
 Chowne, Geo (1591-1616) (Kt 1603) of Wrotham: 1598, 1599, 1600, 1601, 1602, 1603
 Clerk, Geo (1551-9) of Wrotham
 Clerk, Sir Rowland (1559-60) of Well Court in Ickham
 Clifford, Geo (1569-86) of Bobbing: 1570
 Clifford, Hen (1592-5) of Bobbing (d. 1599)
 Cobham, Sir Hen (1573-92) (Kt 1575) of Sutton at Hone: 1574, 1577
 Cobham, Jn (1560-94) of Newington: 1562, 1563, 1564, 1565, 1569, 1570(1), 1574, 1589, 1593
 Colby, Thos (1569-70) of ?Suffolk (?d. 1588)
 Cook, Edm (1590-5) of North Cray and Erith : 1591, 1593, 1594
 Coppinger, Thos (1572-80) of Hoo, All Hallows [sheriff, 1580]: 1576
 Cosin, Ric, L.D (1584-97) ?of London [not local]
 Cotton, Sir Thos (1550-85) (Kt 1553) of Oxenhoath in West Peckham: 1561, 1562, 1565, 1566, 1567, 1568, 1569, 1571, 1572, 1573, 1574, 1577, 1579, 1581, 1582, 1583
 Crispe, Sir Hen (1539-75) (Kt 1553) of Birchington: 1561, 1564, 1569, 1571, 1573
 Crispe, Nic (1559-64) of Birchington
 Crispe, Ric (1585-98) of Whitstable: 1587
 Crispe, Thos (1597-8??) of Middle Temple: 1597, 1598
 Crowmer, Jas (1598-1607) (Kt 1603) of Tunstall: 1598, 1599, 1600, 1601, 1602
 Crowmer, Wm (1559-98) of Tunstall [sheriff, 1568, 1586]: 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1569, 1570, 1571, 1573, 1574, 1576, 1577, 1579, 1581, 1582, 1583, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598
 Cutts, Sir Hen (1585-1603) of Thornham: 1587, 1592, 1597, 1598, 1599, 1600, 1601
 Dallison, Sir Max (1603-1631) of Halling
 Damsell, Sir Wm (1556-82) of Beckenham or London [Receiver-gen'l of Court of Wards]
 Darrell, Geo (1547-58; 1563-78) of Little Chart: 1564, 1566, 1568, 1569, 1570, 1572, 1573, 1574, 1576, 1579
 Darrell, Hugh (1553-70) of Northfleet: 1559, 1560, 1561, 1563, 1564, 1565, 1568, 1570
 Delves, Sir Geo (1598-1604) of Bredgar: 1598, 1600, 1602
 Dennys, Sir Maurice (1554-64) of Sutton at Hone and London
 Dering, Ant (1601-1636) (Kt 1603) of Surrenden in Pluckley: 1602
 Dering, Ric (1559-1560; 1587-1600) of Pluckley [d. 1612, age 82] 1587, 1596, 1597, 1598,
 Doyle, Thos (1559-69) of Lambeth and Canterbury [Steward of Abp.]: 1565
 Dryland, Jn (1559-60) of Faversham
 Edolf, Robt (1592-1617) (Kt 1603) of Hinxhill: 1594, 1597, 1598, 1599, 1600, 1601, 1602
 Engham, Thos (1590-5; 1598-1622) (Kt 1603) of Goodnestone nr Wingham: 1594, 1599, 1600, 1601
 Eyre, Robt (1569-73) of Boughton under Blean: 1569, 1570, 1571, 1572, 1573
 Fane, Geo (1547-72) of Badsell in Tudeley: 1564, 1565, 1566, 1567, 1568, 1569, 1570
 Fane, Hen (1559-1560) of Hadlow
 Fane, Hen II (1592-6) of Hadlow: 1594, 1596
 Fane, Sir Thos, sen. (1574-89) of Badsell [sheriff, 1573]: 1576, 1577, 1581, 1582, 1583, 1587, 1588

KENT'S ELIZABETHAN JPs AT WORK

- Fane, Sir Thos, jun. (1580-1607) (Kt 1598) of Hunton: 1582, 1587, 1588, 1589, 1590, 1593, 1594, 1595, 1596, 1597
- Filmer, Edw (1593-1629) (Kt 1603) of East Sutton: 1599, 1600, 1602
- Finch, Geo (1574-84) of Norton: 1574, 1576, 1579, 1581, 1582, 1583
- Finch, Hen (1595-1625) (Kt 1616) of Canterbury: 1597, 1598, 1599, 1600, 1601, 1602, 1603
- Finch, Sir Moyle (1583-1614) (Kt 1585) of Eastwell: 1587, 1588, 1590, 1593, 1600, 1602, 1603
- Finch, Sir Thos (1553-63) of Eastwell: 1560
- Fitzjames, Sir Jas (1576-80) of ? [not local]
- Fludd, Sir Thos (1579-1607) (Kt 1589) of Bearsted [Surveyor of Kent]: 1581, 1582, 1583, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603
- Fogge, Edw (1571-4) of Ashford: 1571, 1572, 1573
- Fogge, Edw (1592-5) of ? : 1594,
- Fogge, Sir Jn (1542-61) of Ashford [d. 1564]
- Fogge, Ric (1597-8) of Tilmanstone
- Fyneaux, Jn (1574-92) of Herne: 1579, 1581
- Gilbourne, Nic (1592-1632) (Kt 1603) of Charing: 1594, 1597, 1598, 1599, 1600, 1601, 1602
- Goldwell, Jn (1559-1586) of Great Chart: 1560, 1561, 1562, 1563, 1566, 1567, 1568, 1571
- Goodwin, Thos (1580-1) [Dean of Canterbury]: 1581
- Greville, Fulke (1600-1604) of the Court [not local]
- Guildford, Jn (1535-59) of Hemsted in Benenden
- Guildford, Sir Thos (1567-74) (Kt 1573) of Hemsted in Benenden: 1570
- Hadde, Matt (1592-1617) of Frinsted: 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603
- Hales, Chas (1602-1623) (Kt 1605) of Thanington: 1602
- Hales, Edw (1601-1654) (Kt 1603) of Woodchurch: 1601
- Hales, Humphrey (1559-69) of Canterbury: 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568
- Hales, Sir Jas (1572-89) (Kt 1573) of Canterbury [sheriff, 1575, 1587]: 1572, 1573, 1576, 1577, 1579, 1581, 1582, 1583, 1588, 1589
- Hales, Jn (1598-1600) of Tenterden: 1599
- Hales, Thomas (1559-84) of Thanington: 1559, 1560, 1561, 1562, 1563, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1576, 1577, 1579, 1581, 1582, 1583
- Hammond, Wm (1559-61; 1574-82; 1585-1602) of Acrise: 1559, 1560, 1561, 1574, 1576, 1577, 1579, 1581, 1583; 1594, 1597, 1601, 1602 ?more than 1 man
- Hampden, Chris (1598-1606) ?of Orpington
- Hardres, Ric (1577-1613) of Upper Hardres [sheriff, 1589]: 1581, 1582, 1583, 1587, 1588, 1590, 1591, 1592, 1594, 1595, 1597, 1599, 1600, 1601, 1602, 1603
- Harfleet, Thos (1601-1617) (Kt 1603) ?of Ash next Sandwich: 1601, 1602
- Hart, Fras (1580-2) of London
- Hart, Sir Geo (1574-87) (Kt 1581) of Lullingstone [son of Percival]: not resident in 1575
- Hart, Sir Percival (1542-80) of Lullingstone: at Court, not resident in 1575
- Hart, Percival (1591-1642) (Kt 1601) of Lullingstone: 1592, 1598,
- Hawkins, Sir Jn (1583-95) of Deptford, Chatham and London [Treasurer of the Navy]
- Henden, Edw (1602-1644) of Rolvenden [Sgt at Law]
- Hendley, Thos (1552-91) of Otham: 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1577, 1579, 1581, 1582, 1583, 1587, 1588, 1589, 1590
- Herenden, Walt (1559-60) of Maidstone: 1559, 1560
- Heyman, Hen (1602-1613) of Sellindge

- Heyman, Ralph (1559-61; ?1567-1602) of Sellindge: 1560, 1568, 1569, 1570, 1572, 1573, 1581, 1583, 1589, 1595, 1596, 1597, 1598, [?two men]
- Hoby, Sir Edw (1582-?1613) of Queenborough [Constable of Q. Castle]: 1582, 1589, 1590, 1592, 1594, 1595, 1596, 1598, 1600, 1603
- Honiwood, Robt I (1559-61) of Charing: 1559, 1560
- Honiwood, Robt II (1579-1613) of Charing: 1581, 1582, 1583, 1587, 1597
- Honiwood, Thos (1560-80) of Charing: 1560, 1562, 1564, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1577
- Honiwood, Thos II (1603-1622) (Kt 1604) of Elmsted
- Howard, Sir Geo (1562-80) of ? [not local: never attended]
- Isley, Wm (1559-81) of Sundridge: 1560, 1561, 1566, 1567, 1568, 1569, 1570
- James, Martin (1577-92) of Eastling [Registrar of the Court of Chancery]: 1581
- Johnson, Jn (1599-1603) of ?St Laurence, Thanet: 1599, 1600, 1601, 1602
- Kempe, Sir Thos (1553-82) of Wye [sheriff, 1556, 1565]: 1561, 1568
- Kempe, Thos (1592-1607) (Kt 1603) of Wye: 1592, 1593, 1595, 1602, 1603
- Knatchbull, Norton (1600-1636) (Kt 1604) of Mersham: 1601, 1602
- Lambarde, Wm (1580-1601) of Halling [Master in Chancery] 1581, 1582, 1583, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600
- Lee, Sir Hen (1585-6) [Keeper of the Armour in Tower & at Greenwich] not local
- Lee, Ric (1590-1606) (Kt 1599) of Canterbury: 1591, 1592, 1595, 1597, 1598,
- Leech, Ric (1592-?1596) ?of Fletching, Sussex [d. 1596]
- Lennard, Jn (1554-91) of Chevening, and later Sevenoaks [Common Pleas official, sheriff, 1571]: 1560, 1576, 1577
- Lennard, Sampson (1593-1607) of Chevening: 1593, 1596, 1597, 1599, 1600, 1601, 1603
- Lennard, Sam (1597-1619) (Kt 1603) of W. Wickham: 1597, 1598, 1600, 1601
- Leveson, Sir Jn (1585-1615) (Kt 1589) of Halling: 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603
- Lewin, Wm, LL.D (1580-98) of Otterden [Chancellor of Rochester; Master in Chancery]: 1589, 1592,
- Lindley, Hen (1593-1609) (Kt 1599) ?of Rolvenden briefly [of Yorks.]: 1598
- Lovelace, Thos (1551-78) of (W) Kingsdown: 1559, 1560, 1562, 1563, 1567, 1568, 1569, 1572, 1573, 1574
- Lovelace, Wm (1561-77) of Canterbury [Sgt at Law; Recorder of Canterbury]: 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1570(2), 1571(1), 1574, 1576, 1577
- Lovelace, Wm (1589-1629) of Bethersden: 1589, 1591, 1594, 1599, 1600, 1601, 1602, 1603
- Low, Tim (1594-1617) (Kt 1603) of Bromley: 1594, 1596, 1603
- Manwood, Pet (1590-1625) (Kt 1603) of Hackington: 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602
- Manwood, Rog (1560-92) (Kt 1578) of Sandwich [Sgt at Law; Chief Baron of the Exchequer]: 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1574, 1577, 1579
- Marshall, Wm (1577-9) of Lambeth and other counties (d. 1579: PCC 20 Peter]
- Mason, Ant (1580-1) of ?Monkton
- Mayne, Jn (1558-66) of Biddenden: 1559, 1560, 1564,
- Monins, Edw (1582-6) of Waldershare [d. 1602; recusant] 1582, 1583
- Monins, Wm (1602-1625) (Kt 1612) of Waldershare, d. 1643]
- More, Jn (1559-61) of Benenden: 1559, 1560
- Morton, Geo (1579-85) of Chilham: 1581
- Moulton, Geo (1559-88) of Ightham: 1560, 1565, 1568, 1569, 1570, 1571, 1577
- Neville, Edw, Lord Abergavenny (1588-90) of Birling: 1588
- Neville, Hen, Lord Abergavenny (1554-1587) of Birling
- Neville, Sir Hen (1602-1611) of Berkshire (d. 1615)
- Neville, Thos (1598-1613) Dean of Canterbury: 1599, 1600

- Newman, Geo L.D. (1603-1627) of Canterbury [Chancellor of Canterbury diocese]
 Norton, Thos (1559-60) of Northwood ?in Sheldwich: 1560
 Palmer, Sir Hen (1589-1611) of Bekesbourne [Comptroller of the Household] 1589,
 1593, 1594, 1601
 Palmer, Thos (1577-1626) (Kt 1603) of Wingham [sheriff, 1596]: 1579, 1581, 1582,
 1583, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1597, 1598, 1599,
 1600, 1601, 1602, 1603
 Paramore, Hen (1599-1613) of St Nic, Thanet: 1599, 1600, 1601
 Parker, Jn (1584-95) of Bekesbourne: 1587, 1588, 1589, 1591 [moved to Cambridge]
 Partridge, Wm (1573-98) of Bridge [Feodary of Kent, mid-1560s]: 1573, 1574, 1577,
 1579, 1581, 1582, 1583, 1587, 1588, 1589, 1591, 1594, 1596, 1598
 Payne, Ric (1579-86) of Horsmonden
 Payton, Thos (1588-1611) (Kt 1603) of Knowlton: 1594, 1595, 1597, 1598, 1599, 1600,
 1601, 1602, 1603
 Potman, Ric (1590-5; 1601-2) of ?Lested in Chart Sutton: 1593, 1594, [attended
 Maidstone sessions] 1600, 1601, 1602
 Potter, Thos (1570-1610) of Westerham: 1570, 1589, 1591
 Randolf, Thos (1573-90) of Maidstone [diplomat]: 1581, 1582, 1583, 1587, 1588, 1589
 Redman, Wm, archdeacon of Canterbury (1580-1; 1594-5): 1581
 Richers, Jn (1591-1604) of Wrotham: 1591, 1592, 1594, 1596, 1597, 1598, 1599, 1600,
 1601, 1602
 Richers, Robt (1556-88) of Wrotham: 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566,
 1567, 1570, 1571, 1572, 1573, 1574, 1576, 1577, 1579, 1581, 1582, 1583
 Rivers, Geo (1586-1630) (Kt 1606) of Penshurst: 1587, 1588, 1589, 1591, 1592, 1593,
 1594, 1595, 1596, 1597, 1598, 1600, 1601, 1602
 Roberts, Thos (1587-1625) (Kt 1604) of Cranbrook: 1588, 1591, 1593, 1595, 1597,
 1598, 1599, 1600, 1603
 Roberts, Walt (1559-60; 1565-80) of Cranbrook: 1567, 1568, 1570, 1573
 Rogers, Ric, Bishop of Dover at Denton (1580-1; 1594-7)
 Rudstone, Robt (1547-89) of Boughton Monchelsea: 1560, 1561, 1562, 1563, 1564,
 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1574, 1579, 1581, 1587
 Sackville, Robt (1592-1610) [Lord Buckhurst, 1606] of Buckhurst, Sussex
 St Leger, Ant, sen. (1591-5) of ?
 St Leger, Sir Ant II (1599-1612) of Ireland and B. Monchelsea
 St Leger, Nic (1574-87) of Hollingbourne: 1576, 1581, 1582, 1583, 1587
 St Leger, Sir Warham (1555-95) (Kt 1565) of Leeds Castle and Ulcombe [sheriff, 1561]:
 1560, 1568
 Sampson, Chris (1559) of Borden
 Sandes, Anthony (1537-1561) of Throwley (d. 1575): 1560, 1561
 Sandes, Sir Mich (1579-1617) (Kt 1598) of Throwley: 1581, 1582, 1583, 1587, 1588,
 1589, 1590, 1591, 1592, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603
 Sandes, Ric (1599-1633) (Kt 1603) of Throwley: 1599, 1600, 1601, 1602
 Sandes, Sir Thos (1579-93) (Kt 1583) of Throwley: 1587, 1588, 1589, 1590, 1591, 1592,
 1593
 Scott, Chas (1587-95) of Godmersham: 1587, 1588, 1589, 1594, 1595
 Scott, Sir Jn (1577-1618) (Kt 1588) of Nettlestead: 1593, 1595, 1599, 1602, 1603
 Scott, Sir Thomas (1559-94) (Kt 1570) of Smeeth [sheriff, 1577]: 1564, 1566, 1568,
 1569, 1573, 1574, 1576, 1581, 1587, 1588, 1592, 1593
 Scott, Thos (1595-1625) of Smeeth: 1595, 1597, 1598, 1601
 Scott, Zachary (1600-1609) of Halden: 1600, 1601, 1602, 1603
 Sedley, Sir Wm (1588-1618) (Kt 1605) of Aylesford: 1588, 1589, 1591, 1592, 1593,
 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1603 [or of Southfleet: Hasted, i, 203]
 Seyliard, Wm (1594-6) of Delaware in Brasted: 1594
 Sibill, Jn (1554-8; 1560-74) of Eynsford: 1562, 1570

- Sidney, Sir Hen (1555-86) of Penshurst [Pres. of the Council in Wales]
 Sidney, Sir Robt of Penshurst (1593-1626) (peer from 1603)
 Smyth, Jn (1587-1608) (Kt 1603) of Westenhanger in Stanford: 1589, 1592, 1597, 1598, 1599, 1600, 1602, 1603
 Smyth, Ric (1602-1628) (Kt 1603) of Leeds Castle
 Smyth, Thos (1575-91) of Westenhanger in Stanford ['Customer Smyth']: 1581, 1583
 Somers, Jn (1582-5) of Rochester: [Clerk of the Signet]: 1582, 1583
 Southwell, Sir Robt (1538-59) of Mereworth: 1559
 Stanhope, Sir Jn (1597-1619) (Ld Stanhope, 1606) [Court]
 Stanley, Thos (1561-71) of Wilmington [Under-treasurer of the Mint]
 Steed, Wm (1599-1633) (Kt 1603) of Harrietsham: 1601, 1602, 1603
 Style, Edm (1587-?1613) of Beckenham: 1591, 1593, 1594, 1595, 1597, 1598, 1599, 1603
 Theobald (Tebold), Steph (1601-1613) of Seal
 Thornhurst, Steph (1581-2) of Hoath near Herne: 1581, 1582
 Thornhurst, Sir Steph (1598-1602) of ?Herne: 1598, 1599
 Trevor, Sir Jn (1600-1630) (Kt 1603) of Oatlands, Surrey [not local]
 Tufton, Jn (1555-67) of Hothfield: 1559, 1560, 1564
 Twysden, Rog (1567-1603) of E. Peckham [sheriff, 1600]: 1581, 1587, 1588, 1589, 1593, 1595, 1596, 1597, 1598, 1599
 Waller, Geo (1599-1625) of Speldhurst: 1599, 1600, 1601, 1602
 Waller, Sir Thos (1598-1613) of Speldhurst: 1598, 1600, 1601, 1602, 1603
 Waller, Sir Walt (1574-1581 or 1582) of Groombridge in Speldhurst: 1576
 Walsingham, Sir Thos (1559-83) (Kt 1573) of Chislehurst: 1561, 1562, 1567, 1577
 Walsingham, Thos II (1592-1625) of Chislehurst: 1594
 Washington, Laur (1593-1619) of Maidstone [Registrar of the Court of Chancery]: 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603
 Watton, Thos (1559-80) of Addington: 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1570, 1572, 1573
 Weldon, Ant (1559-73) of Swanscombe
 Weldon, Ralph (1602-9) (Kt 1603) of Swanscombe
 Wensley, Ric (1572-6) of ? [in another commission; never attended]
 Wilford, Sir Thos (1593-1610) of Kingston: 1593, 1594, 1596, 1597, 1598, 1599, 1601, 1602, 1603
 Willoughby, Thos (1559-60; 1571-95) of Chiddingstone [sheriff, 1574, 1591]: 1579, 1581, 1582, 1588, 1589, 1590, 1592, 1593, 1594
 Wiseman, Robt (1587-95) ?of Essex [not local]
 Withens, Wm (1602-25) (Kt 1603) of Eltham
 Wotton, Sir Edw (1593-1603) (peer from 1603) of Boughton Malherbe
 Wotton, Thos (1553-87) of Boughton Malherbe [sheriff, 1559, 1579]: 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1576, 1577, 1579, 1581, 1582, 1583

Note. The list above excludes dignitaries. JPs are not listed when serving as sheriff, and returns for 1575, 1578, 1580, and 1584-6 are missing: many JPs therefore attended in slightly more years than indicated above!

APPENDIX 2

KENT JPs IN 1565: A COMPOSITE LIST SHOWING BOTH RESIDENTS AND ATTENDERS

Dignitaries:

Matthew Parker, Archbishop of Canterbury
William, Marquess of Winchester
William, Earl of Pembroke
William Lord Burgh
Sir Richard Sackville
Jn Southcott, Judge

Sir Nicholas Bacon
Henry, Earl of Arundel
Edmund Guest, Bishop of Rochester
Henry Lord Hunsdon
Gilbert Gerrard, Attorney-General

Lesser non-residents and officeholders:

Thos Stanley
Sir Geo Howard
Sir Percival Hart [of Kent]

Sir Wm Damsell
Sir Hen Sidney [of Kent]

Resident JPs including resident peers [showing members of the quorum]:

- | | |
|---|--|
| 1 Allen, Sir Chris of Ightham | 22 Hales, Humph of Canterbury |
| Ashley, Thos of ? q | 23 Hales, Thos of Thanington |
| 2 Baker, Sir Ric of Cranbrook q | 24 Hendley, Thos of Otham |
| 3 Barham, Nic of Maidstone q | 25 Honiwood, Thos of Charing |
| 4 Beere Jn of Dartford q | 26 Isley, Wm of Sundridge q |
| 5 Binge, Robt of Northfleet q | 27 Kempe, Sir Thos of Wye |
| 6 Bosseville, Ralph of Sevenoaks q | 28 Lennard, Jn of Chevening q |
| 7 Bowes, Sir Martin of North Cray and London q | 29 Lovelace, Thos of West Kingsdown q |
| 8 Boys, Edw of Nonington | 30 Lovelace, Wm of Canterbury q |
| 9 Brooke, Wm, Lord Cobham of Cobham q | 31 Manwood, Sir Rog of Hackington q |
| 10 Cartwright, Hugh of West Malling q | 32 Mayne, Jn of Biddenden |
| 11 Catlyn, Hugh of West Malling | 33 Moulton, Geo of Ightham q |
| 12 Cheyne, Sir Henry of Shurland in East-church | 34 Neville, Hen, Ld Abergavenny of Birling |
| 13 Cobham, Jn of Newington nr Sittingbourne | 35 Richers, Robt of Wrotham q |
| 14 Cotton, Sir Thos of West Peckham | 36 Roberts, Walt of Cranbrook |
| 15 Crispe, Sir Henry of Birchington q | 37 Rudstone, Robt Boughton Monchelsea |
| 16 Crowmer, Wm of Tunstall | 38 St Leger, Sir Warham of Leeds Castle |
| 17 Darrell, Geo of Little Chart q | 39 Scott, Sir Thos of Smeeth |
| 18 Darrell, Hugh of Northfleet | 40 Sibbell, Jn of Eynsford |
| 19 Doyle, Thos of Lambeth and Canterbury q | 41 Tufton, Jn of Hothfield q |
| 20 Fane, Geo of Tudeley | 42 Walsingham, Sir Thos of Chislehurst |
| 21 Goldwell, John of Great Chart | 43 Watton, Thos of Addington q |
| | 44 Weldon, Ant of Swanscombe |
| | 45 Wotton, Thos of Boughton Malherbe q |

APPENDIX 3

KENT JPs IN 1597-8: A COMPOSITE LIST

Based on Lambarde's list of 1597 JPs [*Perambulation*, 22-6], Assize lists and *liber pacis* of 1596: PRO SP 13/Case F no. 11

Dignitaries:

John Whitgift, Archbishop of Canterbury
Charles, Earl of Nottingham
Sir Thos Egerton, Lord Keeper
Thos Ld Buckhurst

William Cecil, Lord Burghley
John Young, Bishop of Rochester
Geo Lord Hunsdon
Fras Gawdy, Thos Owen, judges

Lesser non-residents and officeholders:

Robt Sackville
Sir Robt Sidney

Sir Jn Stanhope
Sir Geo Carew

Resident JPs

1 Annesley, Brian of Lee
2 Ayscough, Jn of the Isle of Sheppey
(according to Lambarde) ?or of Lynsted
3 Baker, Thos of Cranbrook
4 Barnes, Wm of Woolwich
5 Barnham, Martin of Hollingbourne
6 Baynham, Wm of Boxley
7 Beere, Clement of Dartford
8 Beswick, Wm of Horsmonden
9 Blague, Thos, Dean of Rochester
10 Bosseville, Robt of Eynsford
11 Bouchier, Sir Ralf of Lee
12 Boys, Edw of Nonington
13 Boys, Jn of Canterbury
14 Brooke, Henry, Ld Cobham of Cobham
15 Chowne, Geo of Wrotham
16 Crispe, Ric of Whitstable
17 Crowmer, Wm of Tunstall
18 Cutts, Sir Hen of Stockbury
19 Delves, Sir Geo of Bredgar
20 Dering, Ric of Pluckley
21 Edolf, Robt of Hinxhill
22 Engham, Thos of Goodnestone (Wing-
ham)
23 Fane, Thos of Hunton
24 Filmer, Edw of East Sutton
25 Finch, Hen of Canterbury
26 Finch, Sir Moyle of Eastwell
27 Fludd, Sir Thos of Bearsted
28 Fogge, Ric of Tilmanstone
29 Gilbourne, Nic of Charing
30 Hadde, Matt of Frinsted
31 Hales, Jn of Tenterden
32 Hammond, Wm of Acrise
33 Hampden, Chris of Orpington
34 Hardres, Ric of Upper Hardres

35 Hart, Percival of Lullingstone
36 Heyman, Ralf of Sellindge
37 Hoby, Sir Edw of Queenborough
38 Honiwood, Robt of Charing
39 Kempe, Thos of Wye
40 Lambarde, Wm of Halling
41 Lee, Ric of Canterbury
42 Lennard, Samuel of West Wickham
43 Lennard, Sampson of Sevenoaks
44 Leveson, Sir Jn of Halling
45 Lewin, Wm, L.D of Otterden
46 Lindley, Hen ?of Rolvenden (Yorks?)
47 Low, Tim of Bromley
48 Manwood, Peter of Hackington
49 Neville, Thos, Dean of Canterbury
50 Palmer, Sir Hen of Bekesbourne
51 Palmer, Thos of Wingham
52 Partridge, Wm of Bridge
53 Payton, Thos of Knowlton
54 Potter, Thos of Westerham
55 Richers, Jn of Wrotham
56 Rivers, Geo of Penshurst
57 Roberts, Thos of Cranbrook
58 Sandes, Michael of Throwley
59 Scott, Sir Jn of Nettlestead
60 Scott, Thos of Smeeth
61 Sedley, Wm of Aylesford
62 Smyth, Jn of Stanford
63 Style, Edm of Beckenham
64 Thornhurst, Sir Steph of Herne
65 Twysden, Rog of E. Peckham
66 Waller, Sir Thos of Speldhurst
67 Walsingham, Sir Thos of Chislehurst
68 Washington, Laur of Maidstone
69 Wilford, Sir Thos of Kingston
70 Wotton, Sir Edw of Boughton Malherbe

NOTES

¹ M. L. Zell, 'Early Tudor JPs at Work', *Archaeologia Cantiana*, xciii (1977), 125-43.

² For highways and bridges see E. Melling, *Kentish Sources: Some Roads and Bridges* (Maidstone, 1959).

³ On some of these matters see J. J. N. McGurk, 'Levies from Kent to the Elizabethan war, 1589-1603', *Archaeologia Cantiana*, lxxxviii (1973), and *idem*, 'Royal purveyance in the shire of Kent', *Bull. Instit. Hist. Research*, I (1977).

⁴ See especially G. S. Thomson, *The Twysden Lieutenancy Papers, 1563-1688* (Kent Records Society, x, 1926).

⁵ See the examples in E. Melling, *Kentish Sources: The Poor* (Maidstone, 1964).

⁶ *Ibid.*: insights into these matters can also be drawn from the surviving late-Elizabethan Quarter Session records, calendared by the Kent county archives and published by the KCC: *Calendar of Quarter Session Records, 1574-1622* (4 vols.) and *Calendar of Early Session Rolls, 1596-1605*.

⁷ Most notably in J. R. Lander, *English Justices of the Peace, 1461-1509* (Gloucester, 1989) and J. H. Gleason, *The Justices of the Peace in England, 1558-1640* (Oxford, 1969). See also J. Samaha, *Law and Order in Historical Perspective: the Case of Elizabethan Essex* (New York, 1974) and, most recently, for the legal side of magistrates' work, L. A. Knafla, *Kent at Law 1602: the County Jurisdiction: Assizes and Sessions of the Peace* (1994). Recent texts which show how county magistrates fit into the larger scheme of Tudor government include S. J. Gunn, *Early Tudor Government, 1485-1558* (1995), D. Loades, *Tudor Government* (Oxford, 1997) and P. Williams, *The Tudor Regime* (1979).

⁸ *Eirenarcha* (1582), 35 quoted in Gleason, *op. cit.* (note 7), 47-8.

⁹ Compare the first Marian commission (*Calendar of Patent Rolls, 1553-4*, 20) with the *liber pacis* of 1555 (PRO SP 11/5, fols., 36-7). Also Zell, *op. cit.* (note 1), 127.

¹⁰ *Calendar of Patent Rolls, 1555-7*, 24-5; and see J. H. Gleason, 'The Personnel of the Commission of the Peace, 1554-64', *Huntington Lib. Quarterly*, xviii (1954-5).

¹¹ *Camden Miscellany*, ix (1895), 57-8. Walter Roberts and Edward Boys, recommended by Parker, were added in 1565.

¹² On Cecil's 1587 purge see British Library Lansdowne MS. 53, fols. 164-91, and Fig. 1.

¹³ The Numbers of JPs are calculated from entries of commissions in the *Calendar of Patent Rolls, Elizabeth I*; the commissions enrolled with the assize records: PRO Assizes 35 calendared in J. S. Cockburn (Ed.), *Calendar of Assize Records: Kent Indictments, Elizabeth I* (1979) and *James I* (1980) and in various informal books of commissions prepared for the Council at various times known as *libra pacis*, described in T. G. Barnes and A. Hassell Smith, 'Justices of the Peace from 1588 to 1688 - a Revised List of Sources', *Bull. Instit. Hist. Research*, xxxii (1959).

¹⁴ See, for example, C. W. Chalklin, *Seventeenth Century Kent* (1965), 27.

¹⁵ Zell, *op. cit.* (note 1), 140-2.

¹⁶ 1561 commission (BL Lansdowne MS 1218, fols., 69-70) quorum of 30 out of a total of 53; but 19 of 42 locally resident JPs. 1564 commission (*Calendar of Patent Rolls, 1563-6*, 23) quorum of 34 out of a total of 60; but 23 of 47 local residents.

¹⁷ 1580 commission in *liber pacis*: PRO SP 12/145: 1593 commission: Centre for Kentish Studies (CKS) U350/O3.

¹⁸ On the marshland parishes and their well-earned reputation for unhealthiness, see M. Dobson, *Contours of Death and Disease in Early Modern England* (Cambridge, 1997).

¹⁹ J. Bruce and T. Perowne (Eds.), *Correspondence of Matthew Parker* (Parker Society, 1853), 204.

²⁰ For example, Thomas Bacon (served 1567-73), Thomas Colby (1569-70), Anthony Mason (1580-1) and Richard Wensley (1572-6).

²¹ Thomas Ashley, a minor courtier with no apparent Kent connections; Sir Ralf Bouchier of Lee in Kent, a courtier; the London civil/canon lawyers Drs Matthew Carew and Richard Cosin; Sir James Fitzjames; Fulke Greville, a courtier with no real Kent connections; Sir George Howard, a courtier with no Kent connections; Robert Leech of Sussex; William Marshall of Lambeth, etc.: Sir John Trevor of Surrey; and Robert Wiseman, probably of Essex.

²² For Lambarde see R. Warnicke, *William Lambarde: Elizabethan Antiquary, 1536-1601* (1973); for Roger Manwood see W. Boys, *Collections for an History of Sandwich* (1792), 476; also J. Cavell and B. Kennett, *A History of Sir Roger Manwood's School, Sandwich* (1963), 191-220.

²³ The author owes this point to Professor R. Woods of Pomona College, Claremont, California, who is working on a book about early Tudor JPs.

²⁴ *Archaeologia Cantiana*, x (1893), 76-7.

²⁵ See the 1608 roster of JPs in Gleason, *op. cit.* (note 7), 126-7.

²⁶ *Ibid.*, 16-17, 123-4, 126-8.

²⁷ On trends in gentry education see L. Stone, 'The educational revolution in England, 1560-1640', *Past and Present*, 28, (1964); and F. Heal and C. Holmes, *The Gentry in England and Wales, 1500-1700* (1994), especially chapter 7.

²⁸ Gleason, *op. cit.* (note 7), 120-2.

²⁹ In 1555 both William and Christopher Roper were JPs: PRO SP 11/5, fols. 36-7; in the early 1570s William Roper, Esq. of Eltham was assessed at £260 p.a. in lands, far higher than most local members of the Kent commission: PRO E179/126/419.

³⁰ PRO E179/126/271 of 2 Elizabeth. Another example was Thomas Wombwell, Esq. of Northfleet, whose forbears were JPs in Henry VIII's reign, who was rated at £50 p.a. in lands in 1563, and who was never a JP: E179/126/388.

³¹ 'Autobiography of Father Robert Persons', *Miscellanea*, ii (Catholic Rec. Soc., 1906), 23.

³² *Calendar of State Papers, Domestic, 1581-90*, 267-9.

³³ He was on the recusant rolls in the 1590s - *Recusant Roll No. 3* and *Recusant Roll No. 4* (Catholic Rec. Soc. lxi, 1970), 159 - and died in 1602.

³⁴ A. Hassall Smith, *County and Court: Government and Politics in Norfolk, 1558-1603* (Oxford, 1974), cap. 4, esp. 75; half of all 149 Elizabethan JPs were put out of commission at least once.

³⁵ The most important of these (with the number of years as JPs up to 1603) were Sir Christopher Allen (31), Sir Richard Baker (35), Martin Barnham (20), Robert Binge (36), Edward Boys (32), John Boys (3X), William Lord Cobham (38), John Cobham (34), Sir Thomas Cotton (35), Sir Henry Crispe (36), William Crowmer (39), Sir Thomas Fludd (24), Richard Hardres (26), Thomas Hendley (39), Sir Edward Hoby (21), Sir Thomas Kempe (29), William Lambarde (21), John Lennard (37), Sir John Levison (18), Sir Roger Manwood (32), George Moulton (29), Lord Abergavenny (33), Thomas Palmer (26), Thomas Potter (33), Robert Richers (32), Robert Rudstone (42), Sir Warham St Leger (40), Sir Michael Sandes (24), Sir Thomas Scott (35), Roger Twysden (36), Sir Thomas Walsingham (24) and Thomas Wotton (34).

³⁶ CKS Q/SR 1-4, calendared in *Calendar of Early Quarter Session Rolls, 1596-1605*.

³⁷ CKS Q/SRg, in *Calendar of Early Quarter Session Rolls*. In Devon, too, quarter sessions unusually handed out death sentences, in 1598: reported by J. Sharpe in J. Guy (Ed.), *The Reign of Elizabeth I* (Cambridge, 1995), 203.

³⁸ See especially Knafla, *op. cit.* (note 7), xviii-xxii.

³⁹ For example, C. Read (Ed.), *William Lambarde and Local Government* (Ithaca, 1962) [hereafter: Lambarde, *Ephemeris*] 16-52, *passim*.

⁴⁰ The surviving recognisances number 216 for 1602, for example: CKS QM/SRc, listed in *Calendar of Quarter Session Records*, 3, 436-59.

⁴¹ The Acts are 1 & 2 Philip and Mary, c. 13 (1554) and 2 & 3 Philip and Mary, c. 10 (1556); discussed in J. H. Longbein, *Prosecuting Crime in the Renaissance* (Cambridge, Mass., 1974).

⁴² Lambarde, *Ephemeris*, 27 and *Calendar of Assize Records: Kent Indictments, Elizabeth I*, no. 1200.

⁴³ See, for example, Lambarde, *Ephemeris*, 20-27; 29 and *Kent Indictments*, nos. 1086, 1130, 1115-6, 1147, 1159-60, 1181, 1193, 1200, 1246; for suspects discharged at the assizes see *Ephemeris*, 26 (Thomas Wollet: *Kent Indictments*, no. 1218) and *Ephemeris*, 31 (Thomas Pigeon: *Kent Indictments*, no. 1345).

⁴⁴ CKS QM/SB 82, 85.

⁴⁵ Staffordshire R.O. D593/S/4/36/10-11 (Leveson correspondence).

⁴⁶ Edward Hext to Lord Burghley, printed in R. H. Tawney and E. Power (Eds.), *Tudor Economic Documents* (1924), ii, 340.

⁴⁷ *Ephemeris*, 18-19; in many other cases *passim*, 18-51.

⁴⁸ *Ibid.*, 30.

⁴⁹ *Ibid.*, 36, 49.

⁵⁰ *Ibid.*, 16-7, 21, 24, 32, 37, 42, 45-6, 49: 5 & 6 Edward VI, c. 25.

⁵¹ *Ephemeris*, 29, 50. On purveyance see also G. Eland (Ed.), *Thomas Wotton's Letter Book, 1574-1586* (Oxford, 1960) 30-2.

⁵² 5 Elizabeth I, c. 12; see licensing of badgers in *Calendar of Early Quarter Sessions Rolls*, 25, 36, 47, 56.

⁵³ Sewers commission of 1566 in *Calendar of Patent Rolls, 1569-72*, no. 1854; East Kent sewers commission decree book, beginning 4 Elizabeth: CKS S/EK/SO1.

⁵⁴ In 1583 Lambarde and one other JP sent to the House of Correction a woman 'for refusing to serve according to her covenant', *Ephemeris*, 30; on wages see C. E. Woodruff, 'Wages paid at Maidstone in Queen Elizabeth's reign', *Archaeologia Cantiana*, xxii (1897), 316-9; and W. E. Minchinton (Ed.), *Wage Regulation in Pre-Industrial England* (1972); the statute was 5 Elizabeth I, c. 4.

⁵⁵ 5 Elizabeth I, c. 3.

⁵⁶ *Calendar of State Papers, Domestic, 1547-80*, 419-20; A. L. Beier, *Masterless Men*, (1985).

⁵⁷ *Ephemeris*, 28-9. On JPs' involvement at Shorne see A. F. Allen, 'An early poor law account', *Archaeologia Cantiana*, lxiv (1951). On the poor law in general see Melling, *op. cit.* (note 5); P. Slack, *Poverty and Policy in Tudor and Stuart England* (1988); and P. Williams, *op. cit.* (note 7), 196-215. The 1572 Act was 14 Elizabeth I, c. 5; the 1576 Act 18 Elizabeth I, c. 3.

⁵⁸ See the many cases heard at quarter sessions in *Calendar of Quarter Session Rolls*, *passim*; 1600 cases at 26-7.

⁵⁹ *Ephemeris*, 28 (for 1583) and *Calendar of Quarter Sessions Rolls*, 37: order made at the Maidstone Easter sessions for the erection of a new house at Dartford, under rules presented by Sir Thomas Walsingham and other JPs.

⁶⁰ PRO E179/126/387; E179/126/417.

⁶¹ See Kent muster commission of 1580 (total 84): Sevenoaks Public Library U1000/3/O5/63; and Lambarde's notes on taking the musters in Lord Cobham's Division, 1580, *Ephemeris*, 15.

⁶² Middleton MSS. in Sevenoaks Public Library U1000/3/O5 *passim*; Thomson, *op. cit.* (note 4), *passim*; and McGurk, *op. cit.* (note 3).

⁶³ P. Clark, *English Provincial Society from the Reformation to the Revolution* (Hassocks, 1977), 221-6.

⁶⁴ *Acts of the Privy Council, 1558-70*, 31; 1575-7, 274-5.

⁶⁵ *Acts of the Privy Council, 1571-5*, 16, 34; and another similar commission at 228-9.

⁶⁶ *Acts of the Privy Council, 1558-70*, 282; 1577-8, 27-8, 39; *Calendar of State Papers, Domestic, 1547-80*, 419-20; *Calendar of Patent Rolls, 1569-72*, no. 2162; C. Hesketh, 'The manor house and great park at Otford', *Archaeologia Cantiana*, xxxi (1915).

⁶⁷ *Calendar of Patent Rolls, 1569-72*, no. 3093.

⁶⁸ PRO E137/18/4.

⁶⁹ PRO E137/18/4 for two sessions in 1594, and CKS Q/SR1-4 for 1600-4; elections on 1 April 1600, at Q/SR 1 m. 6d (*Calendar of Sessions Rolls*, 38).

⁷⁰ Lambarde, *Ephemeris*, 21, 25, 29, 168, 173.

⁷¹ Lambarde gave the charge at all of these special meetings: *Ephemeris*, 153, 158, 161, 165.

⁷² The Kent muster commissions numbered 54 (with no Court dignitaries included) in 1573; and 84 (including about 10 non-Kent dignitaries) in 1580, just about the same size as the commission of the peace minus dignitaries: Sevenoaks Public Library U1000/3/O5/3, 63.

⁷³ Where 'the whole bench was settling down to a normal pattern of attending sessions in one area only', D. MacCulloch, *Suffolk and the Tudors* (Oxford, 1986), 37.

⁷⁴ In 1560 one JP, Hugh Darrell, sat at both Canterbury and Maidstone; in 1570 four attended in more than one sessions town: William Crowmer, Thomas Hales, Ralf Heyman and Thomas Honiwood: PRO E137/18/4.

⁷⁵ Knafla, *op. cit.* (note 7), xxii-xxv. The JPs who attended in both halves were Samuel Boys, Nicholas Gilbourne and George Waller. Attending two sessions a year in the nearest 'county town' was a light burden indeed, compared to that asked of Norfolk JPs who moved around to three different meeting places for each of the four extended quarter sessions: Hassell Smith, *op. cit.* (note 34), 89-90.

⁷⁶ CKS Q/SR 1-4.

⁷⁷ All individual sessions data from PRO E137/18/4.

⁷⁸ CKS Q/SR 1-3 covering 1600-02.

⁷⁹ F. G. Emmison, *Elizabethan Life: Disorder* (Chelmsford, 1970), Appendix F (by J. Samaha).

⁸⁰ 1565 composite commission from *Calendar of Patent Rolls, 1563-6*, 23; 1597/8 commission from *liber pacis* of 1596 (PRO SP 13/Case F, no. 11) and from Lambarde's list in the 1596 edition of *Perambulation of Kent* (1826), 22-6; both supplemented by lists of JPs in the assize rolls of 1596-7 in Cockburn, *Calendar of Assize Records... Elizabeth I*, nos. 2354, 2415 (see Appendix 2).

⁸¹ Edward Boys, Hugh Catlyn, George Darrell, Humphrey Hales, John Mayne, Walter Roberts and John Tufton were not.

⁸² Christopher Allen, Nicholas Barham, Thomas Cotton, William Crowmer, Hugh Darrell, George Fane, Humphrey Hales, Thomas Hales, Thomas Honiwood, William Lovelace, Robert Richers and Thomas Watton. Edward Boys, who was appointed in 1565, attended every year 1565-1570.

⁸³ Three other JPs attended in 6 years out of 10, two others in 5 years out of 10. Three attended no sessions in the 1560s; John Bere, John Lennard and Anthony Weldon.

⁸⁴ William Baynham, Edward Boys (d. 1597), John Boys, William Crowmer (d. 1598),

Henry Finch (4 of 6 years), Richard Hardres, Thomas Palmer, John Richers, George Rivers, Thomas Roberts, Michael Sandes, Edmund Style and Laurence Washington. Attended in 6 years out of 10; Martin Barnham, Matthew Hadde, Edward Hoby, Thomas Payton, Roger Twysden and Thomas Wilford.

⁸⁵ Hassell Smith, *op. cit.* (note 34), 90.

⁸⁶ *Ibid.*, 90 (quoted).

⁸⁷ Records of the location of Elizabethan assizes survive for 82 out of 89 sessions: 32 at Rochester, 30 at Maidstone, 9 at Dartford, 4 each at Canterbury and Sevenoaks and 3 at Greenwich: Cockburn, *Calendar of Assize Records*; Lambarde, *Ephemeris*, 25.

⁸⁸ Attendances taken from Cockburn, *Calendar of Assize Records*, *passim*.

⁸⁹ Lambarde, *Ephemeris*, 68.

⁹⁰ See magnificent survey of the estate in British Library Add. MSS, 42, 715-6.

⁹¹ *Wotton Letter Book* (see note 51), esp. letters 19, 54 (true religion), 35, 37 (Roger Manwood and his enemies).

⁹² *Camden Miscellany*, ix (1895), 57.

⁹³ As suggested by the Editor of Lambarde's charges, Conyers Road, in *Ephemeris*, 58.

⁹⁴ Quoted by Eland in *Wotton Letter Book*, nos. 9-10.

⁹⁵ *Letter Book*, nos. 42, 44, 47-8, 51; for commission, above 16.

⁹⁶ See narrative of events in P. Collinson, *The Elizabethan Puritan Movement*, 255 *et seq.*; *Wotton Letter Book*, 63-6; subscribers of Kent petition at British Library Lansdowne MS. 43 fol. 7.