

## Somerset Assize Orders, 1629-1640

Assizes and General Gaol Delivery held at Taunton Castle, Monday 19 March, 7 Charles I, 1631/2, before John Denham, Kt., one of the Barons of the Exchequer.

41. [f. 49] Whereas by examynacion taken before Sir Francis Popham, Kt., and Francis Baber, Esq. [J.P.s] it dothe appeare that Roger Hilsey, borne att Backwell, was by the parishioners of Backwell for the some of £4 given with him att his age of three or fewer yeeres placed as an apprentice or otherwise putt unto Richard Lukins of Bedminster in the said county about fower yeres since to learne the trade of a carpenter ; and that the said Lukyns had lived att Bedminster aforesaid by the space of twenty yeeres before ; and that about Our Lady day [25 March] last past the said Richard Lukins was hired and ymployed by William Claxton, Esq., to come into Compton Dando in the county aforesaid to doe some carpenters worke there for the said William Claxton and brought with him from Bedminster aforesaid his wife and the said Roger Hilsey, and lived in a lodge of the said Mr. Claxtons farr remote from the rest of the parishe ; and the said Roger Hilsey seldome comynge to church the said parishioners of Compton Dando could not take any notice of his beinge a parishioner ; and that about Candlemas [2 February] last the saide Lukins dyinge att [f. 49v] Compton Dando aforesaid the said Roger Hilsey returned and went unto Backwell aforesaid where he was borne, and from thence was by warrant under the handes of some of His Majesties justices of the peace of the said county sent unto Bedminster aforesaid, and from thence by an other like warrant unto Compton Dando aforesaid to be there kept by the same parish. Nowe forasmuch as the said Roger Hilsey was not knownen to be a parishioner att Compton Dando untill the deathe of the said Richard Lukins, and that the said Roger Hilsey was not in lawe a parishioner there, it is ordered by the court that the said Roger Hilsey shalbe sent to Backwell aforesaid there to remayne and be provided for as the lawe in suche case requireth ; and the churchwardens and overseers of the poore of Backwell aforesaid are to receive him accordingly.<sup>1</sup>

Tho: Richardson  
Jo: Denham [by clerk]

[Marginal note to the above order]

Mr. Swanton [Francis Swanton probably, on clerk's staff] hath an order of this under the judges hands.

42. Whereas divers orders have ben heretofore made by the judges of assizes for the suppressing of ales and revells, the same orders are nowe confirmed att this assize and [it is] agayne ordered by the court in regard of the infynite number of inconveniences dayly arisinge by meanes of revells, church ales, clarke ales, and other publique ales, [that they] be utterly from henceforth suppressed. And yf that hereafter it shalbe knownen to the justices of peace of this county of any suche that shalbe sett up or hereafter to be used that then the justices of peace within their severall divisions take course aswell for the speedy apprehendinge and punishment of idle and lewde persons drawinge together to suche places, and alsoe for the byndinge over of those persons

<sup>1</sup> The court had the option of sending Hilsey either to Bedminster where he was an apprentice and thus lawfully settled, or else to Backwell from whence he had been apprenticed. That it chose the latter course was in practice impolitic : if a child apprenticed out of one parish might be sent back there on the death of his master, this would tend to defeat the purpose of the poor laws, intent as they were upon strictly limiting mobility in the marginal classes. Heath, C.J., apparently had this in mind when, in the thirty-eight so-called 'Judges' resolutions' of 1633, he adhered to the principle of 'once set, then settled', resolution 25 stating, 'Servants and apprentices are by law settled in that parish . . . [where they are in service]', see No. 186 *infra* and p. xxviii *supra*. This also served to encourage binding out of apprentices to masters of financial ability in other parishes, a practice which relieved the weight of the poor on one parish by distributing it more evenly on a number of parishes.