



**CHARTER of 18th February 1684 (36 Charles II) at Westminster**

NOTES

A new charter on the surrender of the old one.

1. Grant of free borough under name of "Mayor Aldermen and Burgesses of Higham Ferrers" with perpetual succession power to acquire land to sue and be sued and have a common seal.
2. Power to choose a Mayor.
3. Power to choose 7 Aldermen.
4. Power to choose 13 Chief Burgesses.
5. John Smart to be Mayor until Monday after St. Luke next and Goddard Pemberton to take his oath.
6. The first Aldermen named.
7. The first Chief Burgesses named and the Mayor ordered to take the oaths of Aldermen and Chief Burgesses.
8. Power to choose a Recorder.
9. Henry Earl of Peterborough to be first Recorder.
10. Goddard Pemberton to be a J.P. for life.

11. Mayor & Aldermen to choose another suitable person from amongst the Aldermen to be a J.P. for life on G. Pemberton's death.
12. John Smart to be an Alderman when he ceased to be Mayor.
13. Power to choose successor to the Recorder and Recorder to have power to appoint a Deputy.
14. All officers to be subject to removal by the Crown.
15. Power to fill vacancies as previously enjoyed.
16. Confirmation of all previous liberties.
17. Grant of a Fair on Thursday before Conversion of St. Paul (25th Jan).
18. Grant of Court of pie powder and profits.
19. All officers to take oath of Allegiance and Supremacy before Mayor & Alderman or any three of them.

#### TEXT

CHARLES THE SECOND BY THE GRACE OF GOD etc. to all to whom these presents shall come, greeting. Whereas our Borough of Higham Ferrers part of our Duchy of Lancaster was a corporation and the inhabitants by the name of the Mayor, Aldermen, and Burgesses had and enjoyed diverse liberties, privileges, lands etc. by charters granted and confirmed by our predecessors and whereas our beloved subjects the Mayor, Aldermen, and Burgesses have surrendered to us the letters patent and charters aforesaid and all liberties etc. which surrender we accept, and have humbly besought us to regrant all and singular the grants, liberties etc., with the addition and alteration of certain liberties etc. as may seem best to us for the public good and common utility of the same Borough, Know that we, desiring the increase and improvement of the said Borough and its good government and willing that in future there should be in the said Borough and its precincts one sure and certain way and form for the keeping of the peace and the good government of our people there, and that the said Borough should remain for ever a Borough of peace, a terror to the evil and a prize to the good, and that our peace and justice should be observed there without delay, of our special grace, certain knowledge, and mere motion, WILL AND GRANT that the said Borough should forever be a free Borough, and that the Burgesses and inhabitants at the time of the surrender aforesaid should by force of the presents be forever one corporate body by the name of the Mayor, Aldermen, and Burgesses of Higham Ferrers, and by that name we make and ordain them one corporate body, to have by that name perpetual succession, and by that name to be forever lawfully capable of having and acquiring lands, liberties etc. of whatever kind, and of granting and assigning lands, goods, and chattels, and doing



all things by that name, and that by that name they should be able to plead and be impleaded, answer and be answered, defend and be defended in any court or place before any judge or other officer of us and our successors, in all suits and causes, spiritual and temporal, of whatever kind, in the same way as our other lieges of our Kingdom of England are lawfully capable, and that the Mayor, Aldermen, and Burgesses should have forever a common seal for their business, and that it shall be lawful for them to break that seal from time to time and to remake it, AND

2 further we will and grant that forever there shall be within the Borough one of the better and more discreet aldermen to be chosen in the manner set out below who shall be Mayor of the

3 Borough, and that likewise there should be seven inhabitants of the Borough to be chosen besides the Mayor in the manner set

4 out below who shall be Aldermen of the Borough, and that likewise there should be thirteen inhabitants of the Borough to be chosen in the manner set out below, who shall be Chief Burgesses

5 of the Borough, AND for the better execution of our will in this matter we assign our beloved John Smart gent. to be the first and present Mayor to continue in the said Office until Monday next after the feast of S. Luke next, and thenceforth until another is appointed and sworn to that office according to the ordinance expressed below, if he shall so long live, first taking an oath on the Holy Evangelists before Goddard Pemberton Esq., well and truly to carry out the office of Mayor, to which Goddard Pemberton

6 we assign the power of administering that oath. WE also appoint our beloved Goddard Pemberton Esq., Henry Freeman Esq., John Halford, John Flint, Thomas Jackson, Gilbert Negus, and James Davye gent. to be the first and present Aldermen of the Borough, to continue in the same offices during their natural lives unless for ill government or ill behaviour or for not living within the

7 Borough they are removed from office. WE also appoint our beloved Patrick Drew, James Saby, Thomas Todd, Lewis Perkins, Thomas Smith, George Good, Robert Sanders, Thomas Freeman, Samuel Richards, Thomas Pulley, John Ekins, John Treak and John Gibbs to be the first and present Chief Burgesses during their natural lives unless for ill government or ill behaviour or for not living within the Borough they are removed from Office. Which Aldermen and Chief Burgesses shall take their corporal oaths before the said John Smart well and truly to perform their respective offices, to which John Smart we give the power of administering the said oaths. AND further we will and grant to the

8 said Mayor and Aldermen that they should forever have within the said Borough a good and discreet man to be chosen in the

9 form set out below who shall be the Recorder of the Borough, and for the better execution of our will we appoint the honourable Henry, Earl of Peterborough, to be the first and present Recorder of the Borough, to continue in that office during his natural life, unless for ill behaviour in that office or for other reasonable cause

10 he be removed. AND further for the better conservation of the

said Borough and its inhabitants in peace and good order of our special grace, certain knowledge, and mere motion we will and grant that the said Goddard Pemberton Esq. should be Justice of the Peace within the said Borough during his natural life, and that after his death or removal from office it shall be lawful for the Mayor and Aldermen or the greater part of them to choose another suitable person from among the Aldermen to be Justice of the Peace in the said Borough, to continue during his natural life, unless for ill behaviour or other reasonable cause he be removed, to carry out all the duties which belong to the office of Justice of the Peace, as the other Justices of the Peace in the county of Northampton are accustomed to do, which Justices of the Peace now appointed and afterwards to be chosen will take their corporal oaths on the Holy Evangelists faithfully to carry out the said office before the Mayor and other Aldermen, to whom we give the power of taking such oaths. AND further we will that the said John Smart shall be an Alderman of the said Borough as soon as some other person is chosen for the office of Mayor, to continue in the office during his natural life unless for ill behaviour or some other reasonable cause he is removed. WE will also and grant to the Mayor, Aldermen, and Burgesses that it shall be lawful for them or for the greater part of them, of whom we wish the Mayor to be one, after the death or removal of the said Henry, Earl of Peterborough, or any other Recorder, to choose another good and discreet man skilled in the laws of England, for the office of Recorder to continue during his natural life unless for ill behaviour or some other reasonable cause he is removed, and to do all things that belong to the office of Recorder as often as chance may so fall, and that the said Henry, Earl of Peterborough and he who in future times may be appointed to the office of Recorder or deputy Recorder, before he is admitted to perform the office, shall take a corporal oath before the Mayor well and truly to perform all that belongs to that office, to which Mayor we give power to administer that oath. WE will also and grant that if at any time it should befall the Recorder to labour in sickness so that he can not attend to the necessary business of the Borough, or if he is absent from the Borough by reason of the King's business or other reasonable cause, then it shall be lawful for the Recorder to depute a good man, skilled in the laws of England, to continue as deputy Recorder during the pleasure of the Recorder, provided always, and we will that such deputy Recorder should take a corporal oath before the Mayor well and truly to carry out the office before he enters into office, as often as chance shall so fall, provided always, AND we reserve full power and authority for us and our successors to remove and declare removed the Mayor, Aldermen, Chief Burgesses, Justice of the Peace, Recorder and Deputy Recorder from their respective offices at will and pleasure by order made in the Privy Council and signified to them, and whenever we declare the Mayor, Aldermen, etc. by such order removed from office then the Mayor,



Aldermen, etc. shall be ipso facto to all intents and purposes what-  
ever removed. And whenever chance should so fall, anything to  
the contrary in the presents notwithstanding, then within a con-  
venient time after such removal another suitable person or per-  
sons shall be chosen for such office or offices in the manner laid  
15 down in these presents. AND further we will and grant to the said  
Mayor, Aldermen, and Burgesses that whenever it should happen  
that any Mayor or any of the Aldermen or Chief Burgesses should  
die or be removed (and we will that they be removable for a  
reasonable cause) some other suitable person or persons shall be  
chosen and sworn for the office in due manner by such persons and  
in such place and manner as has been used in the said Borough  
for the last seven years, and shall exercise the office or offices  
for such time, and shall be removed therefrom in such manner,  
16 as has been used in the Borough in such cases. AND further we  
will and grant to the Mayor, Aldermen, and Burgesses all manner  
of liberties, etc., and all the lands, markets, fairs, liberties, etc.  
which they or their predecessors by any name or incorporation  
before this lawfully had or enjoyed, granted by reason of any  
Charters or letters patent of any of our predecessors, or had and  
enjoyed by any other lawful right, custom, etc. and which by  
these presents are not annulled changed or diminished, and that  
it shall be lawful for the Mayor, Aldermen, and Burgesses to have  
and enjoy all manner of liberties etc. aforesaid by the presents  
granted or confirmed in as full manner and form to all intents and  
17 purposes as they did in times past or should have done. AND  
further we will and grant to the said Mayor and Burgesses that  
they should in future have within the Borough one fair for buying  
and selling of all manner of beasts and merchandise on Thursday  
next before the feast of the Conversion of St. Paul the Apostle  
18 every year for ever, with a court of pie-powder and stallage,  
pickage, fines, and ameracements, and all profits, commodities, and  
emoluments arising from the fair and court of pie-powder, with  
all liberties and free customs to such a fair appertaining, provided  
that the fair is not to the prejudice of us or our heirs or to the  
harm of neighbouring fairs, TO HAVE hold and enjoy all the  
premises by the presents granted or confirmed forever, of us and  
our successors as they were formerly held, rendering annually to  
us and our successors such rents, services, etc. as for the premises  
used and ought to have been rendered. Wherefore we will and  
firmly enjoin that the said Mayor, Aldermen, and Burgesses  
should have and enjoy all liberties etc. and all their goods and  
chattels according to the tenor, form and effect of these our letters  
patent without molestation or impediment from us or our succes-  
sors or Justices or other ministers of us or our successors, Being  
unwilling that the Mayor, Aldermen, and Burgesses, or any of  
them, should be molested or disturbed by reason of the premises  
by us or our successors or Justices or other ministers of us or our  
19 successors, AND further we will and strictly enjoin that the Mayor,  
Recorder, Aldermen, and Burgesses and all other officers of the

Borough and their deputies, and also all Justices of the Peace, by virtue of these letters patent or any earlier letters patent or charters now appointed or to be chosen in the future, before they are admitted to us or in any way enter on the exercise of the office or offices to which they have now been appointed or for which they are chosen in the future, should both take on the Holy Evangelists the corporal oaths called the oaths of allegiance and supremacie and all other oaths appointed by statute for such offices and persons, and also make all declarations and subscriptions in any statute for such offices and persons appointed, before such person or persons as are appointed by the presents, or by statutes for giving and taking these oaths and declarations, provided always and we will that every person to be admitted to the liberty of the Borough, before his admission, shall take the several oaths last mentioned above and make a declaration and subscription before the Mayor and Aldermen, or three of them, of whom we wish the Mayor to be one, to which Mayor and Aldermen or four of them as aforesaid we give full power and authority to administer the oath, without obtaining any other warrant or commission. In testimony whereof we have made these our letters patent, WITNESS myself at Westminster on the eighteenth day of February in the thirty-six year of our reign.

FIGOTT.

By writ of privy seal.