

## Original Documents.

### WARW:

Memorandum quod ad generalem quarterialem Sessionem pacis domini Regis tentam apud Warwicum in et pro comitatu predicto die martis proximo post festum sancte Trinitatis Scilicet vicesimo septimo die maii anno regni domini Caroli secundi dei gratia Anglie Scotie Francie et Hibernie Regis fidei defensoris etc, vicesimo quinto coram custodibus pacis dicti domini Regis necnon justiciariis suis ad diversas felonias transgressiones et alia malefacta in comitatu predicto perpetrata Audientium et terminandum assignatis inter horas novam et duodecimam ante meridiem ejusdem diei———Prehonorabilis Basilius Comes Denbigh Custos rotulorum comitatus Warwici predicti et lete . . . personaliter comparuit et protulit quandam certificationem de sua receptione sacramenti cene dominice juxta usum Anglice the usage ecclesie Anglicane sub manibus Ministrorum et ecclesie gardiani parochie de Monkes Kirby in comitatu Warwici predicto ubi sacramentum predictum sit ut prefertur per ipsum receptum fuit et fecit probationem veritatis inde per duos credibiles testes in curia predicta tunc debita juratos et super inde examinatos Ac etiam prestitit sacramentum renunciationis omnimodi jurisdictionis forinsece Anglice vocatum the oath of supremacy necnon quoddam aliud sacramentum ligeancie Anglice the oath of allegiance. Quod quidem sacramentum ligeancie continetur in quodam statuto anno regni domini Jacobi nuper Regis Anglie tertio. . . . edito et . . . stabilito Necnon ad tunc et ibidem fecit et subscripsit declarationem subsequentem Scilicet I doe declare that I doe believe that there is not any transubstantiation in the sacrament of the Lord's Supper or in the elements of bread and wine at or after the consecration thereof by any person whatsoever juxta formam tenorem effectam et exegentiam cujusdem Actus Parliamenti in hac parte nuper edito et proviso Scilicet anno regni dicti domini Caroli secundi vicesimo quinto supra mentionata Intitulatus An act for preventing dangers which may happen from popish recusants prout patet per recordum inde factum et in curia predicta debito modo affilato et ibidem remanente Per curiam Willielmus Challoner clericus pacis ibidem.

### MEMORANDUM.

The Memorandum here given, proceeding from the general Court of Quarter Sessions for the County of Warwick, and signed by the Clerk of the Peace, bears date on the Tuesday next after the feast of the Holy Trinity, 25 Charles II., A.D. 1673. It declares that Basil Earl of Denbigh, Custos Rotulorum of the County, had produced a certificate of his reception

of the Sacrament of the Lord's Supper according to the usage of the Church of England, at the hands of the Ministers and Guardians of the parish Church of Monk's Kirby, and made proof of the same before the Court by two sworn credible witnesses. Also that the Earl accepted the oath of supremacy and that of allegiance as contained in the Statute of the third of King James, and subscribed the subsequent declaration against the doctrines of Transubstantiation as set forth in the Act of the 25<sup>th</sup> of Charles II<sup>nd</sup>, entitled 'An Act for preventing dangers which may happen from popish recusants.'

The oath of supremacy was enacted in the reign of Henry the VIII<sup>th</sup>, and acknowledged the King as the temporal Head of the Church of England. The oath of allegiance was enacted in the 3<sup>d</sup> of James I., c. 4, 1606; it was an oath of submission and obedience to the King as the acknowledged and independent sovereign of the realm. The enactment under which the Earl of Denbigh was called upon to certify was at that time of very recent date. Charles the second's declaration of toleration, known to proceed from the Duke of York and his party, was regarded with extreme distrust, and the Presbyterians were not disposed to accept a boon which included the Roman Catholics. This distrust took the form of a Bill to which Charles was forced to agree, and which passed the House of Lords 15 March, 25 C. II, or about two months only before the meeting of the Court of Quarter Sessions. The Act was specially directed against the Roman Catholics, and directs all official persons to take the oaths of Allegiance and Supremacy and to receive the sacrament of the Lord's Supper according to the Usage of the Church of England. The Memorandum is probably one of the earliest instances of the actual application of the new statute.

Challoner, the Clerk of the Peace, came from Stratford-on-Avon. In that Church are stones to Thomas Challoner, d. 18 July 1697 and to William Challoner, d. 13 May 1719, aged 49.

Basil, Earl of Denbigh, whose orthodoxy and loyalty are the subject of the Memorandum, was the second Earl. He was born before 1608: as Viscount Feilding was named Lord Lieutenant of the Counties of Denbigh and Flint in 1642: succeeded his father in the Earldom 8<sup>th</sup> April 1643: was named Lord Lieutenant of Warwickshire 12 June following; and Custos Rotulorum for the same County in 1660. He died 28 Nov. 1675, two and a half years after the date of the Memorandum. Monk's Kirby, before the Ministers of which the oaths had been taken, was the Earl's parish, and contained his residence of Newnham Paddox, still occupied by his descendant, the 8<sup>th</sup> Earl.

G. T. CLARK.