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period the laws as to forestalling and regrating had been elaborated.¹ Because this elaboration had left the definition of these offences, and of the closely connected offence of ingrossing, obscure, the Legislature in 1551-1552 defined them.²

- P. 376, n. 3. Add: for a case of 1300 see A. H. Thomas Calendar of Early Mayor's Court Rolls 72.
- P. 383, l. 8 from bottom, after the word "view," add the following sentence: In fact medieval gild ordinances both in England and abroad show that it was considered to be an actionable wrong to entice away another person's apprentice, so that this ruling of the courts was in accordance with prevailing views of commercial morality.³
- P. 430, last line, after the word "jury," add: and a cestuique use of property to the value of £20 a year was qualified to be a justice of the peace.⁴
- P. 463, l. 13. After the word "another" at the end of the line add the following sentence: Nor did it apply to copyhold⁵
- P. 515, l. 1. After the word "drunkenness," cancel the rest of the paragraph and substitute as follows: Others attempted to effect this object by giving the justices power to regulate ale-houses, or to suppress useless ale-houses, or ale-houses where drunkenness or disorderly conduct was permitted; ⁶ and some subjected the keepers of ale-houses to penalties if they permitted drinking contrary to their provisions.⁷ A new departure was made by a statute of 1552 which required ale-houses to be licenced,⁸ and thus inaugurated what was destined to become a very special and a very complicated branch of the law. The justices did their best to carry out the Act; and, in this, as in other parts of their duties, the Privy Council and the judges of assize tried to keep them up to the mark.⁹ In 1618 a royal proclamation prescribed the form of the licence, and directed that it should only be granted for one year.¹⁰ But in spite of their efforts drunkenness showed no sign of diminution,¹¹ and the device of granting a patent to certain persons to see that the law was enforced¹² failed owing to the corruption of the patentees¹³ and the opposition of Parliament.¹⁴ The judges in 1625 resolved that Edward VI's statute did not apply to inns, so that it was possible to open an inn without licence,¹⁵ unless it was used as an ale-house.¹⁶ Edward VI's statute was amended in 1627;¹⁷ but there is no evidence that the amended statute was any more efficacious. After the outbreak of civil war the control of the Privy Council disappeared, with the result that, till the reforms made by the legislation of the eighteenth century, the licensing system was administered with such laxness that it ceased to provide any sort of control over either the number of ale-houses or the character of the licensees.¹⁸
- P. 523, l. 9. Before the words "the cases" insert the words "some of".

¹ Putnam, *Early Treatises on the Justices of the Peace* 369-371.

² 5, 6 Edward VI c. 14 §§ 1-3.

³ Schechter, *Historical Foundations of the Law relating to Trade Marks* 42; cp. A. H. Thomas, *op. cit.* 168.

⁴ Putnam, *Early Treatises on the Justices of the Peace* 315.

⁵ Baker v. White (1875) 20 Eq. at p. 175.

⁶ 11 Henry VII c. 2 § 3; 19 Henry VII c. 12 § 7; 5, 6 Edward VI c. 25 § 1.

⁷ 1 James I c. 9 § 2; 7 James I c. 10; 21 James I c. 7; Charles I c. 4.

⁸ 5, 6 Edward VI c. 25.

⁹ Webb, *History of Liquor Licensing* 9-12.

¹⁰ *Ibid.* 12.

¹¹ Gardiner, *History of England* iv 5; James I's Works 566.

¹² For this device see above 357-359.

¹³ Gardiner, *op. cit.* iv. 42.

¹⁴ *Ibid.* 120.

¹⁵ Resolutions concerning Inns Hutton's Rep. 99-100; and this was Coke's view, *Notestein, Commons' Debates*, 1621 li 174.

¹⁶ Dalton, *Justice of the Peace*, c. 7 pp. 24-5, and c. 56, 4.

¹⁷ 3 Charles I c. 3.

¹⁸ Webb, *History of Liquor Licensing* 13-17.

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- P. 524, l. 2. After the word "murder" insert the words "in England or any other place within the King's dominions."
- P. 524, l. 5. After the word "repealed" insert the words "as to treason (but not as to murder)."¹
- P. 526, n. 2. Marowe *De Pace* 296-7 (Putnam, *Early Treatises on the Justices of the Peace*) distinguishes between bail and mainprize in the same way as Hale—"Si jeo prise ascum home a baille, ceo est mon prisoner tancque a le jour que est done a luy de apperer et sil fue en eglise jeo luy prendra hors et null accjon; quar il serra toutz foitz ajugge en mon garde. Mes autre est si jeo soie mainperneur pur ascun de garder son jour en le comen place ou pur garde le peas tancque al jour; quar la jeo ne puisse le prendre ne emprisoner devant le jour."

¹ In 1802 Governor Wall was tried and found guilty of murder by a commission of oyer and terminer issued under this Act, 28 S.T. 51.