



**Order in Council
of Henry VII ¹
3rd November 1494**

An English translation of the 15th Century Norman French text

[Le Quesne *Constitutional History of Jersey* page 115: 'Henry VII ... by his charter ... removed the nomination of the Bailiff and Dean from the Governor to the Crown, and ordered that the Governor should possess no jurisdiction in Jersey, either secular or ecclesiastical; but that matters of contention between parties should be judged by the Bailiff and Jurats of the Island.']

**Henry par la Grâce de Dieu, Roy d'Angleterre
& de France & Seigneur d'Irlande.**

**Henry by the Grace of God King of England
and of France and Lord of Ireland.**

**À tous ceux qui ces présentes lettres verront
ou orront Salut & Dilection.**

**To all those who shall see or hear these present
letters greeting and love.**

Savoir faisons que nos Soigneux, et desiroux de tenir et garder nos Subgés en bonne Union et Concorde, et toutes matières et occasions de haynes enuies et divisions qui sont où purroyent estre entr'eulx à notre pouvoir rejecter, amputer et abolir a ce que nosdits Subgés puissent ensemble vivre en bone paix, amour et parfaite charité à l'honneur de Dieu et exaltation de Justice. Considérant plusieurs et diverses querimonies, doléances et complaints que nous en faites nos Subgés les manans et habitants de notre Isle de Jarsey de notre chier Feal et bien aymé Servyteur Mathieu Baker Escuyer de notre corps Capitaine et Gouverneur de notre

Know that We being careful and desirous of keeping and guarding our Subjects in a perfect Union and Concord and to put aside, cut off and abolish all matters and occasions of hate envy and division which are or may be between them according to our power to the end that our said Subjects might live together in good Peace, Love and perfect Charity to the honour of God and exaltation of Justice, taking into consideration the many and divers grievances, doleances and complaints which our subjects the dwellers and inhabitants of our island of Jersey have made to us concerning our right Trusty and well-loved Servant Matthew Baker Esquire of our Body Captain and Governor of our

¹ This translation of the 15th Century French largely follows the translation submitted in the *Jersey Prison Board Case* [1891-94].

dite Isle et forteresse de Jersey. Lesquelles sont encore pendentes a présent devant nous et notre Conseil, curieux de céder et estraindre lesdites plaintes et controversies présentes, et aultres en l'advenir pourroyent ressoudre et se renouveler entre ledit Baker notre Capitayne et nosdits Subgés de notredite Isle de Jarsey et partant pourvoir à la tranquillité et repos de nosdits Subgés et entre notredit Capitaine et eux mettre et nourir en bonne amytye, à l'exemple et bonne edification de tous et chacun nos aultres Justiciers, Officiers et Subgés. Avons pour ces causes et aultres a ce nous mouvans du consentement desdites parties et par l'advis et meure délibération de notre Conseil, **ordonné et ordonnons que d'icy en après**

ledit Baker a présent notredit Capitaine du dit Isle, ne aultres Capitaines et Gouverneurs d'iceluy notre Isle pour l'advenir ne nommeront, ne présenteront, instituront, ne créeront nul ne aucun Doyan ou Bailliff en notre dite Isle de Jarsey, et d'iceulx Doyan Baillif et chacun d'eulx avons retenu et retenons les nomination et presentation Institution et création pour y estre par nous pourvueu, et non par aultres quant le cas en escherra, et

que nosdits Capitaines et Gouverneurs de notredite Isle n'auront aucune jurisdiction et n'exerceront, ne feront exercer nul ne aucun Acte ne exploit de Justice Ecclesiastique ou Séculière sur ou contre nosdits Subgés de notredite Isle de Jarsey, a cause des actions ou autres querrelles qu'ils vouldroient, ou qu'ils pretendroient intenter faire mouvoir et conduire contre nosdits Subgés de notredite Isle de Jarsey ou aucun d'eulx, Ou pour cognoistre et décider des différens meus ou qui se pourroient trouver

said island and Fortress of Jersey which are yet pending at present before us and our Council, being solicitous of ending and obliterating the said complaints and controversies now present and others which might in future arise and be renewed between the said Baker our Captain and our said Subjects of our said island of Jersey and insofar to provide for the tranquillity and repose of our said Subjects and between our said Captain and them to place and nourish perfect amity for the example and proper edification of all and every our other Justiciars Officers and Subjects have for these and other causes us hereunto moving with the consent of our said parties and by the advice and mature deliberation of our Council ordered and **do order that from now henceforth**

neither the said Baker at present our said Captain of the said island nor other Captains and Governors of our same island in future shall name or present institute or create any Dean or Bailiff in our said island of Jersey and we have retained and do retain the nomination and presentation institution and creation of the same Dean Bailiff and every of them to be there provided for by us and not by others whenever the case shall arise and

that our said Captains and Governors of our said island shall not have any jurisdiction and shall not exercise nor cause to be exercised any Act nor process of justice Ecclesiastical or Secular upon or against our said Subjects of our said island of Jersey by reason of the Actions or other disputes that they may will or pretend to institute or set in motion and conduct, against our said Subjects of our said island of Jersey or any of them. Or to take cognizance of and decide the contentions moved or which may be

de parties vers partie, entre nosdits Subgés de notredite Isle, mais voullons mandons et comandons qu'ils soyent meus intentés et poursuivis en notre jurisdiction ordinaire de notredite Isle de Jarsey par devant nos Bailliff et Jurés d'iceluy. Et

au regart des actions querelles et aultres intérests lesquels nosdits Capitaine et Gouverneurs ont ou pourroient avoir à cause de leurs Offices contre nos Judges de notredite Isle de Jarsey, Nous avons ordonné et ordonnons que si les veulent susciter et mettre sur, ils les proposeront devant nous et notredit Consail et illecques les poursuivront jusques affin de cause inclusivement, et d'icelles et chacune avec leurs Séquelles appendances et dépendances avons évoquées et évoquons devant nous et notredit Consail, et en avons retenu et retenons la cognoissance. Et a tous nos aultres Justiciers et Officiers l'avons interdite et interdisons par cesdits présentes.

Oultre plus avons encore ordonné que nosdits Capitaines et Gouverneurs de notredite Isle et forteresse de Jarsey, pour nul ne aulcun cas sans l'Autorité et moyen de notre Justice, excepté le crime de Lèze-Majesté, se d'iceluy nosdits Capitaines et Gouverneurs ont suffisans indices ou preuves ou présomptions légitimes aux quels cas nosdits Capitaines et chacun d'eulx en son temps pourront prendre et tenir en seure garde lesdits coupables du dit Crime de Lèze-Majesté jusques à ce qu'ils nous auront advertis de la prinse et détention d'iceulx et soit sceu notre bon plaisir, Ou jusques à ce lesdits coupables ayent baillé bonnes et suffisantes cautions de comparoir devant nous et notredit Consail pour y estre et fournir à droit sur l'acusation du dit Crime de Lèze-Majesté toutes et quantes fois que leur commanderons et ferons assavoir.

brought between party and party among our said subjects of our said island but we do will order and command that they be moved instituted and pursued in our ordinary Jurisdiction of our said island of Jersey before our Bailiff and Jurats thereof. And

in regard of actions disputes and other concerns which our said Captains and Governors have or might have by reason of their Offices against our Judges of our said island of Jersey We have ordered and do order that if they will to stir up and bring them they shall move them before us and our said Council and shall there pursue them to the end of the cause inclusively and we have evoked and do evoke them and every of them with their Sequels appendencies and Dependencies before us and our said Council and we have retained and do retain the Cognizance thereof. And to all our other Justiciars and Officers we have forbidden and do forbid it by these presents.

Furthermore we have again ordered that our said Captains and Governors of our said island and fortress of Jersey or their substitutes and deputies shall not take or imprison nor shall cause to be taken or imprisoned any of our said Subjects of our said island of Jersey for nor in any case without the authority and instrumentality of our Court the crime of high treason excepted if our Captains and Governors have sufficient indications or proofs or legitimate suspicions thereof in which case our said Captains and every of them in his time shall be able to take and keep in safe custody such as are guilty of the said crime of high treason until they shall have acquainted us of the capture and detention of the same and our good pleasure be known or till the said guilty ones shall have given good and sufficient bail to appear before us and our said Council

to answer and plead on the indictments of the said crime of high treason as and as often as we shall command them and let them know.

Pareillement nous avons donné et donnons par cesdits présentes faculté et licence à nosdits Subgés de notredite Isle, et chacun d'eulx d'aller et venir d'icelui notre Isle, en nos aultres Pays et Seigneuries estans en notre Subjection et obéissance, et d'iceulx s'en retourner en leur Maisons de notredite Isle au sceu et cognoissance de nosdits Capitaines et Gouverneurs présents et futurs, sans ce qu'il leur soit besoin demander ne obtenir de nous nosdits Capitaines et Gouverneurs ou leurs Députés ou Comyns aultremoyen que cestuy notre plaisir congé et licence. En deffendant et deffendons à nosdits Capitaines et Gouverneurs de notredite Isle, de non faire ou mettre, ne souffrir estre fait ou myns aucun trouble, destourbier, ennuyeux ou empeschement à nosdits Subgés venans de notre dite Isle en notre dit pays, Terres et Seigneuries de notreditSubjection et obéissance, et d'iceulx s'en retournant en leur dites Maisons de notredite Isle, soit pour achoyson que nosdits Subgés n'auroient demandé ou pryns lesdits facultés congé et licence de nosdits Capitaines et Gouverneurs de notredite Isle ou pour quelconque aultre Cause ou Occasion semblable.

Subsequentement nous ensuyvans nos lettres par nous octroyés à nosdits Subgés de notredite Isle par avant ces heures par lesquelles leur avons confirmé leurs anciens Privilèges, Lois et Coustumes. Nous avons voullu et ordonné, voullons et ordonnons que nosdits Subgés de notredite Isle de Jersey soient gardés et entretenus en leurs dictes anciennes loys privileges et coustumes tout aincy et en la maniere que les leur avons confirmés par nos précédentes lettres.

In like manner we have given and do give by these said presents faculty and license to our said subjects of our said island and every of them to go and come from our said island into our other countries and dominions being under our subjection and allegiance and to return therefrom to their houses in the said island at the knowledge and cognizance of our said Captains and Governors present and to come without it being necessary for them to ask or obtain of us or of our said Captains and Governors or their Deputies or Substitutes other means than this our pleasure leave and license. Prohibiting and we do prohibit our said Captains and Governors of our said island from doing or placing or suffering to be done or placed any trouble disturbance irksomeness or hindrance to our said subjects coming from our said island to our said countries lands and dominions under our subjection and allegiance and returning therefrom to their houses in our said island whether under pretext that our said subjects shall not have demanded or taken the said faculties leave and license of our said Captains and Governors of our said island or for any other cause whatever or like occasion.

Subsequently We pursuant to our letters granted by us to our said subjects of our said island before these times by which we have confirmed to them their ancient Privileges Laws and Customs, have willed and ordain and do will and ordain that our said subjects of our said island of Jersey be kept and maintained in their said ancient laws privileges and customs precisely and in the like manner in which we have confirmed them to them by our previous letters.

Et avons cassé, rejecté et annullé, cassons rejectons et annullons tous troubles & empeschemens myns ou a mettre par nosdits Capitaines ou aultres contre les vigueur et exécution desdites anciennes loys coustumes et privileges de notredite Isle de Jersey. Et avons voullu et voullons que nosdits Capitaines yceulx troubles et destourbiers cessent et fassent cassier a toujours mais, sur paine d'encourir notre indignation et de pugnition au cas appartenant. En mandant & commandant mandons & commandons audit Mathieu Baker notre présent Capitaine et Gouverneur de notre dite Isle et forteresse de Jersey et a tous et chacun nos aultres futurs Capitaines et Gouverneurs de notredite Isle que de gestes nos présentes ordonnances ils facent souffrent et lessent plainement & paisiblement jouyr a jamais nosdits Subgés de notredite Isle de Jarsey, nonobstant quelconques lettres Rescripts ou mandemens que aions donné ou pourrions donner cy apres au dit Baker ou aultres nosdits futurs Capitaines et Gouverneurs de notredite Isle de Jersey, à ce contraires et déroгатives, lesquelles quant a l'effet et contenu de cestes avons cassées et anulées, cassons et annullons et déclarons estre nulles & de nul faict et valleur. Et touchant le parsur du contenu desdites lettres par nous concédées ou que pourrions concéder audit Baker ou ausdits nosdits Capitaines et gouverneurs de notredite Isle et du quel mention n'est faicte en cestuy notre présent mandement, n'entendons ny avoir aucunement dérogué par ces présentes. Aincoys voullons et desclarons qu'elles sortissent leur plaine et entier effect & vertu, car tel est notre plaisir.

Donné sous notre privé Seel en notre Pallays de Westminster le tiers jour du mois de Novembre. L'an de grâce mil quatre cents quatre-vingts quatorze. Et de notre Reigne le dixième.

And We have quashed rejected and annulled and do quash reject and annul all lets and hindrances placed or to be placed by our said Captains or others contrary to the validity and execution of the said ancient laws customs and privileges of our said island of Jersey. And we have willed and do will that our said Captains do cease and do cause for evermore to cease these hindrances and disturbances on pain of incurring our indignation and the punishment pertaining to the case. Ordering and commanding we do order and command the said Matthew Baker our present Captain and Governor of our said island and fortress of Jersey and all and every our said future Captains and Governors of our said island that they cause permit and suffer our said subjects of our said island of Jersey forever fully and peaceably to enjoy these our present ordinances notwithstanding any letters rescripts or commands which we have given or may hereafter give to the said Baker or other our said future Captains and Governors of our said island of Jersey contrary to and in derogation hereof which as to the effect and contents of these [letters] we have quashed and annulled and do quash and annul and declare to be null and of no effect and value. And touching the surplus of the contents in the said letters granted by us or which we may grant to the said Baker or to our said Captains and Governors of our said island and whereof mention is not made in this our present mandate we do not intend that there should be derogation thereto in any wise by these presents. Wherefore we will and declare that they go forth with their full and entire effect and value for such is our pleasure.

Given under our Privy Seal in our Palace of Westminster on the third day of the month of November in the year of grace One thousand four hundred and ninety four and the tenth of our reign.

