

The Provisions of Oxford, 1258

[Before you start, it's worth noting that these come down to us from chroniclers, not in the form of a sealed, formal document]

The provision made at Oxford

It has been provided that from each county there shall be elected four discreet and lawful knights who, on every day that the county is held [i.e. the county court], shall assemble to hear all complaints touching any wrongs and injuries inflicted on any persons by sheriffs, bailiffs, or any other men, and to make the attachments that pertain to the said complaints until the first arrival of the chief justiciar in those parts: so that they shall take from the plaintiff adequate pledges for his prosecution, and from the defendant for his coming and standing trial before the said justiciar on his first arrival; and that the four knights aforesaid shall have all the said complaints enrolled, together with their attachments, in proper order and sequence — namely, for each hundred separately and by itself — so that the said justiciar, on his first arrival, can hear and settle the aforesaid complaints singly from each hundred. And they shall inform the sheriff that they are summoning all his hundredmen and bailiffs before the said justiciar on his next arrival, for a day and a place which he will make known to them: so that every hundredman shall cause all plaintiffs and defendants of his bailiwick to come in succession, according to what the aforesaid justiciar shall bring to trial from the aforesaid hundred; also as many men and such men — both knights and other free and lawful men — as may be required for best proving the truth of the matter, in such a way that all are not troubled at one and the same time; rather let as many come as can be tried and concluded in one day.

Also it is provided that no knight of the aforesaid counties, by virtue of an assurance that he is not to be placed on juries or assizes, shall be excused by a charter of the lord king or be exempt from this provision thus made for the common good of the whole kingdom.

Those chosen from the Lord King's side

The lord bishop of London [Fulk Basset]; the lord bishop elect of Winchester [Aymer de Lusignan]; the lord Henry, son of the king of Germany; the lord John, earl de Warenne; the lord Guy de Lusignan; the lord William de Valence; the lord John, earl of Warwick; the lord John Mansel; Brother John of Darlington; the abbot of Westminster; the lord Henry of Hengham.

Those chosen from the side of the earls and barons

The lord bishop of Worcester [Walter de Cantilupe]; the lord Simon, earl of Leicester; the lord Richard, earl of Gloucester; the lord Humphrey, earl of Hereford [Humphrey de Bohun]; the lord Roger Marshal; the lord Roger de

Mortimer; the lord John Fitz-Geoffrey; the lord Hugh Bigod; the lord Richard de Gray; the lord William Bardulf; the lord Peter de Montfort; the lord Hugh Despenser. And if it should happen that of necessity any one of these cannot be present, the rest of them shall elect whom they please in place of the absentee, namely, another person needful for carrying on that business.

Thus the community of England swore at Oxford

We make known to all people that we have sworn on the holy gospels and are held together by this oath, and promise in good faith, that each one of us and all of us together will help each other, both ourselves and those belonging to us against all people, doing right and taking nothing that we cannot take without doing wrong, saving faith to the king and crown. And we promise on the same oath that none of us will ever take anything of land or movables whereby this oath can be disturbed or in any way impaired. And if any one so acts contrary to this, we will hold him as a mortal enemy.

This is the oath of the twenty four

Each one swore on the holy gospels that he for the glory of God and in loyalty to the king and for the benefit of the kingdom will obtain and treat with the aforesaid sworn persons upon the reform and improvement of the condition of the kingdom. And that he will not fail for gift or promise, for love or hatred, for fear of any one, for gain or loss, loyalty to act according to the tenor of the letter that the king has given on this and his son likewise.

Thus swore the chief justiciar of England

He swears he will well and loyally according to his power do what belongs to the justiciars office of dispensing justice to all men and for the profit of the king and the kingdom, in accordance with the provision made and to be made by the twenty four, and by the king's council and the magnates of the land, who will swear to help and support him in these things.

Thus swore the chancellor of England

That he will not seal any writ except a writ of course without the order of the king and of the councillors who are present. Nor will he seal a gift or of great wardship or of a large sum of money or of escheats without the assent of the full council or of the greater part of it. And that he will not seal anything that is contrary to what has been and will be ordained by the twenty four or by the greater part of them. And that he will not take any reward otherwise than is agreed for others. And he will be given a companion in the way that the council will provide.

This is the oath taken by the wardens of the castles

That they will keep the king's castles loyally and in good faith for the use of the king and his heirs. And that they will give them up to the king or his heirs and to no other and through his council and in no other way, that is to say, through men of standing in the land elected to the council or through the greater part of them. And this form above written is to last full twelve years. And henceforth they shall not be prevented by this establishment and this oath from being able to give them up freely to the king or his heirs.

These are the men sworn of the king's council.

The Archbishop of Canterbury, The bishop of Worcester, the earl of Leicester; the earl of Gloucester, the earl Marshal, Peter of Savoy, the count of Aumale, the earl of warwick, the earl of Hereford, John Mansel, John Fitz-Geoffrey, Peter de Montfort, Richard de Gray, Roger Mortimer, James Audley.

The twelve on the king's side have chosen from the twelve on the side of the community the earl Roger Marshal and Hugh Bigod. And the party of the community has chosen from the twelve who are on the side of the king the earl of Warwick and John Mansel.

And these four have power to elect the council of the king; and when they have made the election, they shall designate those to the twenty-four. And that shall hold on which the majority of these four agree.

These are the twelve who have been elected by the barons, on behalf of the whole community of the land, to consider common needs along with the king's council at the three annual parliaments:

The lord bishop of London, the earl of Winchester, the earl of Hereford, Philip Basset, John de Balliol, John de Verdun, John de Grey, Roger de Sumery, Roger de Mohaut, Hugh Despencer, Thomas de Gresley, Giles d'Argentein.

These are the twenty-four appointed by the community to consider aid for the king:

The bishop of Worcester, the bishop of London, the bishop of Salisbury, the earl of Leicester, the earl of Gloucester, the earl Marshal, Peter of Savoy, the earl of Hereford, the count of Aumale, the earl of Winchester, the earl of Oxford, John Fitz-Geoffrey, John de Grey, John de Balliol, Roger Mortimer, Roger de Sumery, Roger de Mohaut, Peter de Montfort, Thomas de Gresley, Fulk of Kerdiston, Giles d'Argentein, John Kyriel, Philip of Basset, Giles of Erdington.

And if any one of these cannot or will not be present, those who are present shall have power to elect another in his place.

Concerning the state of Holy Church

It should be remembered that the state of Holy Church is to be amended by the twenty-four chosen to reform the state of the kingdom of England — at what time and place they think best, according to the powers that they hold by writ of the king of England.

Concerning the chief justice

Furthermore that a chief justice — or two — shall be appointed; also what power he shall have; and that he shall be for only one year, so that at the end of the year he shall render account of his term before the king and the royal council and before the man who is to follow him.

Concerning the treasurer and the exchequer

The same with regard to the treasurer; so that he shall render account at the end of the year. And according to the ordinance of the said twenty-four, other good men are to be appointed to the exchequer, whither all the issues of the land are to come, and not elsewhere. And let that be amended which seems in need of amendment.

Concerning the chancellor

The same with regard to the chancellor; so that he shall render account of his term at the end of the year, and that merely by the king's will he shall seal nothing out of course, but shall do so by the council that surrounds the king.

Concerning the power of the justice and of the bailiffs

The chief justice has power to redress the misdeeds of all other justices, of bailiffs, of earls, of barons, and of all other people, according to the rightful law of the land. And writs are to be pleaded according to the law of the land in the proper places. And the justices shall accept nothing unless it is a present of bread and wine and like things: namely, such meat and drink as have been customarily brought for the day to the tables of the chief men. And this same regulation shall be understood for all the king's councillors and all his bailiffs. And no bailiff, by virtue of his office or of some plea, shall take any fee, either by his own hand or in any manner through another person. And if he is convicted, let him be punished; likewise the man who gives. And the king, if it is suitable, shall give fees to his justices and to his people who serve him, so that they shall have no need of taking anything from others.

Concerning the sheriffs

As sheriffs there shall be appointed loyal persons, good men who are landholders; so that in each county there shall be as sheriff a feudal tenant of the same county, who shall well, loyally, and justly treat the people of the

county. And he shall take no fee; that he shall be sheriff for no more than a year in all; that during the year he shall render his accounts at the exchequer and be responsible for his term; that the king, from the royal income, shall make allowance to him in proportion to his receipts, so that he may rightly keep the county; and that he shall take no fees, neither he nor his bailiffs. And if they are convicted, let them be punished.

It should be remembered that, with regard to the Jewry and the wardens of the Jewry, such reforms are to be established as shall carry out the oath in this respect.

Concerning the escheators

Good escheators are to be appointed. And they shall take nothing from goods of deceased persons whose lands ought to be in the king's hands; but that, if a debt is owing to him, the escheators shall have free administration of the goods until they have carried out the king's wishes — and this according to the provision in the charter of liberties. Also inquiry shall be made concerning the misdeeds committed there by escheators, and that redress shall be made for such. Nor shall tallage or anything else be taken, except as it should be according to the charter of liberties.

The charter of liberties is to be strictly observed.

Concerning the exchange of London

It should be remembered to establish reforms touching the exchange of London; also touching the city of London and all the other cities of the king, which have been brought to shame and ruin by tallages and other oppressions.

Concerning the household of the king and queen

It should be remembered to reform the household of the king and queen.

Concerning the parliaments, as to how many shall be held annually and in what manner

It should be remembered that the twenty-four have ordained that there are to be three parliaments a year: the first on the octave of St. Michael, the second on the morrow of Candlemas, and the third on the first day of June, that is to say, three weeks before St. John [this means 6th October, 3rd February and 3rd June]. To these three parliaments the chosen councillors of the king shall come, even if they are not summoned, in order to examine the state of the kingdom and to consider the common needs of the kingdom and likewise of the king; and by the king's command also at other times, whenever it is necessary. So too it should be remembered that the community is to elect twelve good men, who shall come to the three parliaments and at other times, when there is need and when the

king and his council summon them to consider the affairs of the king and the kingdom. And the community shall hold as established whatever these twelve shall do — and this is to reduce the cost to the community. Fifteen are to be named by these four men — that is to say, by the earl Marshal, the earl of Warwick, Hugh le Bigot, and John Mansel — who have been elected by the twenty-four to name the aforesaid fifteen, who are to form the king's council. And they are to be confirmed by the aforesaid twenty-four, or by the majority of those men. And they shall have the power of advising the king in good faith concerning the government of the kingdom and concerning all matters that pertain to the king or the kingdom; and of amending and redressing everything that they shall consider in need of amendment or redress. And [they shall have authority] over the chief justice and over all other people. And if they cannot all be present, that shall be firm and established which the majority of them shall enact.

These are the names of the principal castles of the king, and of those who have charge of them

Robert de Neville	Bamburgh
	Newcastle upon Tyne
Gilbert de Grant	Scarborough
William de Bardolf	Nottingham
Ralph Basset of Sapcote	Northampton
Hugh Bigod	Tower of London
Richard de Grey	Dover
Nicholas de Moels	Rochester
	Canterbury
	Winchester
Roger de Samford	Porchester
Stephen Longsepee	Corfe
Matthew de Bexil	Gloucester
Henry de Tracy	Exeter
Richard de Rochele	Haldesham
John de Grey	Hereford
Roger Walerand	Salisbury
Hugh Despencer	Horston
Peter de Montfort	Bridgewater
The earl of Warwick	Devizes
John son of Bernard	Oxford