



FREEMEN OF OXFORD

History & Admission Guidance

HISTORY OF THE FREEMEN OF OXFORD

What is a 'Freeman'

The term 'Freeman' was originally a definition of status in feudal society but in England it later became to mean a man possessing the full privileges and immunities of a city, borough or trade gild to which admission was usually by birth, apprenticeship, gift or purchase.

The gilds were associations of men formed in towns to regulate trade. Each gild was a member of the parent body, the Gild Merchant, which also enforced the observance of justice, religion and morality, and looked after the general welfare of the citizens.

Before the Norman Conquest, the English land forces, whether used for defence or for maintaining law and order, comprised all Freemen able to bear arms.

Today, the Freemen are Oxford's most ancient body. They formed their Gild Merchant in Saxon times and, later, in the Domesday Book, they are recorded as holding the town meadow, Port Meadow, in common. Even to this day, the Freemen are the beneficial owners of the meadow and may depasture on it, any cattle and horses they own - subject to certain regulations brought into force during the winter months. They also have the right to fish in the River Thames which runs along the entire length of the meadow. These are personal rights and cannot be assigned to anyone else because Common Hall, the Freemen's legislative council, has ordered that this can be done only by its General Committee. The Sheriff, who is 'Conservator of Port Meadow and the City Fisheries' makes regular drives of the meadow and unauthorised users are fined.

Freemen (Hanasters) of Oxford

Oxford Freemen were known as Hanasters. Before the Municipal Reform Act of 1835, being a Freeman of Oxford was very significant, as only a Freeman could enter into business as a master or journeyman within the boundaries of the City (unless he was a privileged tradesman matriculated by the University). Only Freemen had the vote in council elections.

There were three ways of becoming a Freeman and entering their guild:

- By purchasing their freedom. The official price set down in 1551 was at least £5, but in fact people were admitted for less. People who purchased their freedom were supposed to be recommended by the craft that they wished to join, but this was not always observed
- By being the son of a Freeman. The eldest son was admitted free of charge, and all other sons could claim to be admitted for a fee of 9s 6d. A son born before his father became a Freeman had no claim.
- By serving a seven-year apprenticeship. About half the Freemen entered by this method.

Most citizens were sworn free after serving a seven-year apprenticeship from the age of 14; and some were made free by an act of Council. Various payments were required on being admitted free.

Even after the 1835 Act, anyone who wanted to set up a business in the city of Oxford who was not a Freeman had to pay a fine. In 1845 Benjamin Harris Blackwell along with five other shopkeepers set up his business at 46 St Clement's Street (outside the city boundary) in protest against this fine, even though the trade in books might have been better west of Magdalen Bridge (it was his son Benjamin Henry who moved into Broad Street in 1879.)

In October 2008 the Privy Council at Westminster changed the law to permit the daughters of Freemen to become Freemen of Oxford.

Charters

The earliest charter known to have been granted to the Borough of Oxford is from Henry I. This no longer exists but is known because it is recited in the charter of his grandson, Henry II. The charter of Henry II probably no longer exists but its words have been preserved. This charter, of about 1160, gave to Oxford '*all liberties, and customs and laws and quittances which they had in the time of King Henry, my grandfather, and especially their gild merchant, with all liberties and customs, in lands and in woods, pastures and other accessories... and they are to have all other customs and liberties and laws of their own which they have in common with my citizens of London*'. It confirmed to the burgesses and their Gild Merchant, their freedom from toll and passage, which were tributes paid for the right of way by land and water, and their rights of Sac, Soc, Tol, Theam, and Infangetheof which, generally, were the rights of feudal Lords. The King, in accepting the Gild's offer of £63.0s.5d per annum in return for the fee-farm, that they may 'hold the town of Oxford', meant that the burgesses, the Freemen, now had self-government of the town. The Gild became more powerful and could now exclude anyone who was not a member of the Gild from trading within the precincts of the town.

The charter of King John, which was granted on 14 June 1199, confirmed the previous charters. Soon, a new office of 'Mayor' was created with other offices of the Gild continuing as before.

The business of the Gild had been carried out at premises in Queen Street, known in the Middle Ages as the 'Old Yeld Hall', but in February 1229 the burgesses bought a large building running behind several houses in High Street for use as their Gild Hall. With the Gild Merchant, through its Council, taking over the local government of the town, it administered law and order and regulated trade. Only Freemen were allowed to trade within the City and those tradesmen who were not members of the Gild had to carry on their business outside the City boundaries. Each trade had its own gild with its own rules but, in general, these had to be approved by the Gild Merchant.

Admission of Freemen Criteria

In October 1551 the Council drew up The Order for the Admission of Freemen which set out in detail the regulations governing admissions. Admission to the Gild Merchant and therefore to the Freedom of the City was not restricted to patrimony and servitude and often, when it was felt they would do honour to the town, gentlemen of note were given honorary freedoms. Such admissions included Frederick, King of Prussia, in 1814 and several members of the aristocracy.

Until the Municipal Corporations Act of 1835, admission to the freedom of the City was obtained principally in four ways:

1. By servitude (apprenticeship to a Freeman carrying out his trade in Oxford)
2. By patrimony (being the son of a Freeman)
3. By purchase
4. By gift.

In addition, it was the custom of the Mayor to make his son, or another man, free upon the payment of a 'gilt penny', although on more than one occasion three pence was accepted in lieu. As a 'gilt' penny was never minted, it was probably a coin specially prepared for the occasion. Generally the admission was made during the Mayor's term of office but sometimes it was brought into effect years later when, for instance, his son had attained the age of twenty-one.

There are many instances when consideration was given to men who had married the daughters or the widows of Freemen although, in these cases, larger fees were sometimes charged. For example, it was agreed on 9 December 1583 that Henrye Gardner, *'sadler, in consideracion that he shall marrye the wiffe of one Thomas Pare, sadler, havinge manye smale childrene, and will be bounde to bringe them honestlie uppe, shalbe frome henceforthe free of this Guilde. for the somme of 20s to the use of this Cytie and 4s 6d for the officers' fees'*.

Soldiers

Soldiers who had been in the service of the Crown could, under the terms of an Act of Parliament, claim admission to the freedom of the City. On 15 June 1705 *'... after a vote had been taken it was decided that Salmon, the baker, be admitted free for £10, and eight shillings towards the Council Chamber seals, provided he produces a certificate to prove he has been a soldier and thereby has right to trade ...'*. And on 8 February 1712, *'William Allen, late apprentice to John Dobbs, tailor, who served his master for five years and then went into the Queen's service for the rest of his term, is to be admitted free, paying officers' fees only'*. Similar instances were recorded earlier in 1589 and 1689.

Until recently, essential qualifications for admission to the freedom of the City of Oxford were:

1. Patrimony (being the son of a hereditary Freeman of the City) **or**
2. Servitude (having served at least a two year apprenticeship to a Freeman of the City within the boundaries of the City. It is also necessary for the indentures to have been registered with the City Secretary and Solicitor within one year of their commencement) **or**
3. Marriage (having married the daughter or the widow of an Oxford Freeman) **or**
4. Nomination by the Lord Mayor as his 'childe'. (The Lord Mayor may nominate someone for admission during his or her term of office and this nomination must have been approved by the Freeman's General Committee).

In all cases the candidate must not be an alien and must have reached the age of 21 years. It is also possible for candidates living overseas and, in special circumstances, those living in this country, to be admitted 'in absence' (by proxy) with a Notary Public acting on behalf of the Lord Mayor.

A few adjustments to the 1551 Order seemed desirable. It prescribed no minimum age so 18 was proposed. It also required the father to attend on the admission of his son, however this requirement was removed as it disqualified any son whose father had died.

And when the revisions went out for consultation and subsequent debate at Common Hall, further suggestions were made. How about stepsons? And some long-standing Freeman families had lost the Freedom when one generation had failed to take up the Freedom (notably through death in one of the World Wars), so how about grandchildren? These changes were debated, voted upon, and in due course embodied in a draft Order that was approved by both the City Council and Privy Council, providing for the admission of:

- **Sons/Daughters**
- **Sons-in-Law/Daughters-in-Law**
- **Step-sons/Step-daughters**
- **Grandsons/Granddaughters**
- **Apprentices**
- **Lord Mayors' 'childe'**

Any of the above must have attained the age of 18 years, and apprentices must have served a Freeman for at least 2 years.

PROCEDURE FOR ADMISSION

Please read the following guidance carefully so that you are fully aware of how to evidence your eligibility. Please ensure you complete the accompanying application in full and return it in good time.

Documentation

Applications should be made to the Civic Officer or Lord Mayor's Executive Assistant at the Town Hall via civicooffice@oxford.gov.uk or via post at Civic Office, 3rd Floor, St Aldates Chambers, St Aldates, Oxford, OX1 1DS. Applicants must submit originals of each document required either in person at the office above or via recorded post. These will be returned via recorded post once verified.

If the applicant is a former apprentice, no more is needed. It is the duty of the master to advise the Civic Office when the apprenticeship has been completed satisfactorily, and the former apprentice can then apply at any time. However, if entitlement to the Freedom is claimed by virtue of relationship to an enrolled Freeman, some evidence of this must be produced.

Son/Daughter

- Birth or adoption certificate showing the name of an enrolled Freeman as the father or mother.

Step Son/Daughter

- Birth certificate or adoption certificate
- Parent's marriage certificate showing that the parent has married a Freeman.

Grandson/Granddaughter

- Birth certificate or adoption certificate
- Parent's birth certificate showing that the parent was born son or daughter of a Freeman.

Son-in-law/Daughter-in-law

- Marriage certificate showing the name of a Freeman as father-in-law or mother-in-law.

It should be noted that relationship to an enrolled Freeman has to be established by the documentation supplied. So before application is made, the papers should be checked carefully to ensure that they contain the necessary evidence. For example, a short form birth certificate not showing the name of the father would be insufficient for a candidate seeking admission on the grounds that his or her father was an enrolled Freeman; in such a case it would be necessary to supply a full birth certificate. This can be obtained at any time from the registrar in the district where the applicant was born, please note that charges will apply.

Admission Ceremonies

The Council and Freemen of Oxford aim to host two admissions per year; one in March and another in November; however there are no set dates. Therefore, the applicant may have to wait some time before admission is possible. If there are limited dates when the new Freeman and his or her family can attend, the Council always endeavours to assist if it can.

Admission Ceremonies are hosted in Oxford Town Hall and include the oath-taking ceremony followed by a light buffet. Applicants are welcome to invite up to five guests to accompany them. Additional guests may be accommodated on the prior approval of the Civic Office.

The Freemen Oath

The Freemen's oath, taken by each new Freeman, is very largely unchanged since the middle of the sixteenth century. The language is partly legal and some of it is now old-fashioned, if not actually archaic, but it is essentially the Oath taken by every Freeman admitted over the last four centuries or more. It dates from the days when the Freemen, and only Freemen, were responsible for the government and management of the City, and only Freemen enjoyed the privileges and the responsibilities, conferred by Royal Charter.

Most of the clauses of the Oath now have no legal validity, but it serves to remind new Freemen of the former importance, duties and responsibilities of their predecessors who, over a period of some 700 years, developed and protected the City as a self-governing community. The following notes on each part of the Oath are intended to explain how the terms of the Oath came originally to be adopted. No new Freeman should be frightened of or confused by the Oath; rather, it should serve to remind her/him perhaps of what we all owe to those who went before us.

The Oath

I swear by Almighty God/affirm that I will be faithful and true to our Sovereign Lady Queen Elizabeth II, her Heirs and Lawful Successors, Kings and Queens of this Realm of Great Britain. I will be obedient and ready to the Lord Mayor, Ministers, and Keepers of this City (Officers under the Queen's Majesty) and to their lawful commandments. The franchises, liberties and customs of this City I will keep and maintain to my power; and, in as much as in me is, I will save this City harmless. I will be partner of all manner of charges touching this City; as in summons, contributions, watches, taxes, tallages, as another person of the same City is. I will avow no Foreign Goods as my own, whereby the Queen may lose her custom. Any apprentice I may take for two years, whom I will cause to be enrolled within the first year of the apprenticeship; and if the apprentice will have served me well and truly, I will so certify on the determination thereof.

I will not withdraw, purloin, or withhold, or consent to the withdrawing, purloining or withholding of any of the charters, writings, evidences, escripts, or muniments, appertaining, or which of right ought to appertain, to this City; but I will do my best endeavour to see them brought in and delivered to the use of this City. And in all things I will be justified by the Lord Mayor of this City, and his Council, as a true and obedient Citizen ought to be. I will not consent to the decrease of the City Treasure,

without the assent of the Lord Mayor, and of his Council; and the Counsel of this City I will truly keep. These points and all others touching the franchises, liberties, and customs of this City, or any of them, I will keep and maintain to the utmost of my power.

The applicant must state on application which oath variation they wish to take when being admitted.

OATH VARIATIONS	NOTES
<p><i>I affirm that I will be faithful and true to our Sovereign Lady Queen Elizabeth II, her Heirs and Lawful Successors, Kings and Queens of this Realm of Great Britain.</i></p>	<p>This is a fairly normal Oath of loyalty to the Crown. It was more significant no doubt in 1550 (less than 100 years after the end of a long Civil War, at the end of which the Tudors usurped the throne).</p>
<p><i>I will be obedient and ready to the Lord Mayor, Ministers, and Keepers of this City (Officers under the Queen’s Majesty) and to their lawful commandments.</i></p>	<p>A logical extension of para 1 – it dates from the days when the Mayor was effectively the Queen’s representative in the City and the officers of the Council were answerable to her/him – and through her/him to the Crown. There are now practically no ‘lawful commandments’ which the Lord Mayor can give to Freemen.</p>