HELPS FOR STUDENTS OF HISTORY. No. 4.

EDITED BY C. JOHNSON, M.A., AND J. P. WHITNEY, B.D., D.C.L.

THE PUBLIC RECORD OFFICE

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CHARLES JOHNSON, M.A.

LONDON:
SOCIETY FOR PROMOTING
CHRISTIAN KNOWLEDGE
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THE
PUBLIC RECORD OFFICE

THE Public Record Office is one of the principal sources from which the writers of English, and to some extent of European History, derive their materials. It is, as its name implies, the place of deposit of the Public Records. What these are, and how the ecclesiastical historian may use them, it is the object of this paper to explain.

The Public Records may be generally described as those documents which accumulate in the offices of the various departments of the central government in the ordinary course of business, and are either deliberately preserved for future reference or accidentally escape destruction. These alone form a vast assemblage of material, and present an infinite variety in the degrees of their historical importance. To these must be added the documents which arise in the custody of local authorities in consequence of the provisions of various

statutes. All these may fairly be regarded as "Documents . . . of a Public Nature belonging to His Majesty," and therefore Public Records as defined by the Public Record Office Act, 1838.

LEGAL CONSTITUTION.

Before the date of this Act, each department of State, whether administrative or judicial, kept its own records, and, if they appeared to be of sufficient importance, appointed a Record Keeper of its own to look after them. The Act made the Master of the Rolls, already the titular custodian of the records of the Court of Chancery, the actual custodian of practically all judicial records, and empowered the Crown to place all administrative records under his charge and superintendence. This power was exercised by an Order in Council in 1852.

The department thus created was further entrusted with the task, previously laid upon successive Royal Commissions between 1800 and 1887, of making the contents of the records accessible to students by the publication of abstracts or "Calendars," and Lists. A general record repository was begun in 1851, and now contains the greater part of the records in the custody

of the Master of the Rolls, and a considerable proportion of those under his charge and superintendence.[1]

ADMISSION OF STUDENTS.

This building is upon the portion of the Rolls Estate between Chancery Lane and Fetter Lane, and is open to the public daily from 10 a.m. to 4.30 p.m. (Saturdays, 2 p.m.). It is closed from Good Friday to Easter Monday, on Whit-Monday, the King's Birthday, the August Bank Holiday, Christmas Day, and Boxing Day. A search fee of one shilling is charged for the inspection of each document in the custody of the Master of the Rolls, a description roughly comprising the records of ancient and modern Courts of Law, but no fee is charged for producing the records of public departments, which are still technically in the custody of the departments to which they belong. The search fee is remitted to the holders of Students' Tickets in the case of all documents of earlier date than 1801. These tickets may be obtained by all British subjects sending to the Secretary a written application stating the object

1 For a full treatment of this subject see the "Reports of the Royal Commission on Public Records," 1912 (Cd. 6361, 6395-96), and 1914 (Cd. 7544-46).

of their search, and accompanied by a recommendation from a householder or other easily identified person. Aliens must, however, apply, in the first instance, through their diplomatic representatives. There is an official "Guide to the Various Classes of Documents preserved in the Public Record Office," of which the third edition was published in 1908.[1] Some of the more interesting documents are exhibited in a Museum, which occupies the site of the old Rolls Chapel, originally the chapel of the house for converted Jews founded by Henry III., of which the Master of the Rolls was *ex officio* Warden. (*N.B.*—The Museum is closed during the War.)

Chancery.

Of the two groups of documents accessible to the public in the Public Record Office those in the custody of the Master of the Rolls are more interesting to students of Church History, since they include almost all the older records. The principal classes of these are the records of the Chancery, and the three Courts of Common Pleas, King's Bench, and Exchequer.

The distinction, which persists to the present day, between the Chancery and the Courts of

Common Law is that the Chancery is fundamentally an administrative department and only incidentally a Court of Law. It is closely connected with the King's private chapel, the Chancellor in the eleventh and twelfth centuries being of necessity a clerk, since laymen were at that period always deemed to be illiterate. The Chancellor wrote the King's letters and attached the King's seal to them; he was originally, in fact, the King's domestic chaplain and secretary.

Many of the King's letters had to be written in duplicate. If, for instance, an order was issued for the payment of money, a counterfoil might be required to protect the Treasury from forgeries.

Chancery Enrolments.

At the beginning of the thirteenth century it began to be found more convenient to copy the duplicates on to a roll, and thus arose the great series of Chancery Enrolments which continues to this day. At first everything worth registering in this way was entered on one annual roll, but as business increased new rolls were begun for particular branches of it which threatened to overload the original roll, and this process of subdivision was continued as circumstances required. The original roll was very soon reserved for the specially solemn

documents known as Charters,[1] containing grants of privileges, or creations of earldoms, attested by the principal members of the Court, and bearing a seal of green wax hanging from silken cords. Another series of rolls was begun for those letters which were sent out open, addressed to all and sundry, but attested by the King alone. These Letters Patent[2] contained grants of land or annuities, commissions, presentations to benefices, restitutions of temporalities, exemptions from services, protections from litigation, licences to alienate land, to sue by attorney, etc. Here also are to be found licences for elections to bishoprics, and to the headship of such religious houses as were of the King's advowson.

This series of Patent Rolls is further subdivided into special series, of which the most important for Church History are the Confirmation Rolls,[3] which renew and supplement the original series of Charter Rolls, since the charters confirmed include some of earlier date than the series of enrolments as well as many private deeds; the Bishops' Patent Rolls,[4] containing Congés d'Élire, Royal Assents, and Restitutions of Temporalities; and

1 Charter Rolls, 1 John to 8 Henry VIII.
2 Patent Rolls, 8 John to 3 George V.
3 Confirmation Rolls, 1 Richard III. to 1 Charles I.
4 Bishops' Patent Rolls, 9 George III. to 38 Victoria.

Dispensation Rolls,[1] containing confirmations of Bishops' Commendams, Dispensations and Notarial Faculties, and "Lambeth Degrees."

The second great series, known as Close Rolls,[2] took the place of the "Contrabrevia," the files of duplicate orders for the delivery of lands or payment of money already mentioned. These, attested by the King alone, like the Letters Patent, differed from them in being addressed to individuals and sent out folded up, so that they could not be opened without detaching the seal. From the fourteenth century till the present day deeds enrolled in the Chancery have been enrolled on the back of the Close Roll, and here will be found Foundation Deeds of Church Schools and of new Parishes.[3] The Close Rolls became subdivided much earlier than the Patent Rolls, and from A.D. 1227 onwards all warrants for the payment of money, either out of the Treasury or by Sheriffs and other accountants, and for the allowance at the Exchequer of sums due on the various accounts, were enrolled on a separate roll known as the Liberate Roll.[4] These warrants often relate

[1] Dispensation Rolls, 37 Elizabeth to 1747.

[2] Close Rolls, 2 John to 1903.

[3] A Calendar of the Trust Deeds relating to Charities enrolled in pursuance of the Act of 1736, is printed as an Appendix to the Thirty-second Report of the Deputy Keeper.

[4] Liberate Rolls, 10 Henry III. to 14 Henry VI.

to church building or gifts of ornaments, and are full of archæological detail.

The third great series of rolls[1] was concerned with the sums of money which were promised to the King in return for privileges or lands which he had the power to give. These promises were either made good by payments into the Exchequer, or in some cases to the King direct, but since the grant sought for did not take effect unless the promise was fulfilled, it was necessary to keep a record of the transaction until it was completed. It soon became the rule to send a duplicate of this roll and of the relevant portions of other rolls (the so-called "Originale") into the Exchequer. In course of time this roll was used for recording certain appointments, *e.g.*, of Sheriffs and Constables of Castles, as well as certain financial measures.

Besides these main classes, special series were from time to time formed to deal with specific subjects. Thus there are Gascon Rolls, dealing with English possessions in Gascony; Scottish Rolls for relations with Scotland; Treaty Rolls (including Almain and French Rolls) for other diplomatic and foreign matters; and a few Roman Rolls (sometimes endorsed on the French Rolls), for

[1] Fine Rolls, 1 John to 23 Charles I.

letters to the Pope and Cardinals. These series include all classes of letters, as do the rolls made up when the King was abroad for the business transacted by him during his travels.

Chancery Files.

In addition to these rolls, or registers of letters issued under the Great Seal, the Chancery accumulated a great series of files on which were strung the documents which it received from various sources. Here were to be found the diplomatic and political correspondence of the King and his Chancellor, and the drafts of many of the letters sent out, as also such of the letters or writs as were returned to the Chancery with the answers endorsed or annexed. As time went on, particular classes of these were filed in separate series. Moreover, in course of time the strings of the files broke, and successive Record Keepers classified their contents on such plans as seemed good to each of them respectively. From these causes arise the existing series, the most interesting of which are the Ancient Correspondence (formerly known as Royal Letters), which contain matters both of political and ecclesiastical interest;[1] the Inquisitions, containing reports on the holdings

[1] Ancient Correspondence, Vols. 1-44, 55-57.

of deceased Tenants-in-Chief, on the damage likely to ensue to the Crown from proposed alienations of land in Mortmain, and on other subjects;[1] the Guild Certificates, which record the objects of the various religious and trade guilds existing in 1389,[2] and the various documents of ecclesiastical interest included in Bundles 15 to 21 of the Miscellanea. These last contain returns by the Bishops of presentations to benefices, sometimes extracted from registers no longer in existence, returns of benefices held by aliens, visitations of hospitals, etc.

Among the later series are the "Cardinal's Bundles," containing Inquisitions relating to the monasteries surrendered to Cardinal Wolsey, and others taken after his death; the "Commonwealth Surveys" of Church livings ordered in 1649, which need supplementing by the large series of transcripts at Lambeth; and the Proceedings of Commissioners for Charitable Uses, who from time to time inquired into complaints against the administration of charities. There are also the purely personal "Sacrament Certificates" for the later

[1] Inquisitions Post Mortem: Series I., Henry III. to Richard III.; Series II., Henry VII. to Charles I. Ad quod Damnum, Henry III. to Richard III. Criminal, Henry III. to Richard II. Miscellaneous, Henry III. to Richard III.

[2] Miscellanea (Chancery), Bundles, 38-46.

years of the seventeenth century, showing the names of persons who had fulfilled the requirements of the Test Act.

Chancery Warrants.

There is, however, a more important class of files than any yet mentioned, viz., the class of Warrants.[1] As the business of the Court increased, and with it the number of letters daily issuing under the Great Seal, the establishment of the Chancery became too large to follow the King in his travels so closely as it did in the eleventh and twelfth centuries. The difficulty was met partly by the delimitation of authority and the standardizing of certain forms of writ, partly by the use of a smaller seal, which at first accompanied the King in all his journeys. As early as the reign of Henry II. there were already certain classes of Original and Judicial Writs the forms of which were fixed, and for which the payment of the usual fees was sufficient warrant. Later legislation added to the number of these forms, and further gave the clerks or "masters" of the Chancery power to frame writs, within certain very narrow limits,

[1] Warrants for the Great Seal: Series I., Henry III. to Richard III.; Series II., Henry VII. to Henry VIII.; Series III., Edward VI. to Anne; Series IV., George I. to William IV.; Series V., Victoria.

to fit particular cases. Again, certain classes of cases were within the competence of the Chancellor. Outside these limits the royal authority was required for the use of the Great Seal, and it might be conveyed either by word of mouth, or by a messenger, or by a document sealed with the King's Privy Seal. These sealed warrants were filed as received, and memoranda of the less formal warrants were often filed with them. They have since been re-classified according to their nature, and frequently supplement the information obtainable from the enrolments.

The same system was observed with respect to the documents required to give precision to these Royal Warrants, or to justify the issue of writs which the Chancellor sent out in virtue of his general powers. These might proceed either from other departments of State or from the applicants themselves. The most interesting ecclesiastically are the certificates of Election to Bishoprics or Prelacies, Significations of Excommunication, and applications for secular aid for the apprehension of wandering religious who had escaped from the houses to which they belonged.

Parliament and Council.

Besides the documents of its own office the Chancery was the place of deposit, at all events for a considerable time, of the records of Parliament and of the Council. Hence the series of Statute Rolls,[1] Parliament Rolls, and Council and Parliamentary Proceedings, Parliamentary Proxies, and that part of the class of "Ancient Petitions" which derives from the files of petitions originally presented in Parliament. In many cases the remedies granted by Parliament to the petitioners involved the sanction to new forms of writ, and it seems possible that the remission by Parliament, and in other cases by the King in Council, to the Chancellor of matters demanding detailed inquiry or special treatment gave rise to the independent jurisdiction of the Chancery.

Equity Records.

This later and derivative function of the Chancery as a Court of Law has somewhat overshadowed its original importance as an office. The legal records consist primarily of "Bills"

[1] The Book of Common Prayer is a schedule to the Act of Uniformity (14 Charles II.), and two sealed copies of it exist in the Chancery Records, one each in those of the Exchequer, King's Bench, and Common Pleas.

petitioning for redress in cases where no remedy could be had at Common Law, and of the "Answers" to these Bills, and of the Writs of Subpœna and Attachment and other means of getting cases into Court or enforcing awards. The great classes of "Decrees and Orders" and "Reports and Certificates," and the files of "Affidavits" only begin in the sixteenth century, when the Court had had a long life as a Court of Conscience and was beginning to acquire legal forms and principles of its own. Its proceedings are of special interest owing to its exclusive jurisdiction in Trusts, many of which were for religious purposes.[1]

Besides its Equitable jurisdiction, in which proceedings were begun by "English Bill," the Chancery also had a Common-Law jurisdiction, the proceedings in which were in Latin.[2] This was partly administrative, consisting in proceedings on Petition of Right, Traverses of Inquisitions, proceedings on "Scire Facias" for the revocation

[1] Chancery Proceedings. Early (Richard II. to Mary): Series I. (Elizabeth to Charles I.), Series II. (Elizabeth to Commonwealth); Six Clerks' Series (1649-1714, 1714-1758, 1758-1800, 1800-1842); Modern Series (1842-1852, 1853-1860, 1861-1900); Affidavits (1611-1900); Depositions (Elizabeth-Charles I., 1649-1714, 1714-1842, 1842-1852, 1852-1869, 1870-1880, 1880-1899); Entry Books of Decrees and Orders (36 Henry VIII. to 1900); Reports and Certificates (1544-1900)

[2] "Placita in Cancellaria," Edward I. to Victoria.

of Letters Patent, and for the enforcement of Recognizances enrolled in the Chancery, or Bonds under the Statutes of Merchants and of the Staple, partly in virtue of the general principle that a Court has exclusive jurisdiction in all matters affecting its own officers. It did not, however, like the Exchequer, exercise this jurisdiction to such an extent as to compete for business with the Courts of Common Law.

THE EXCHEQUER.

As the Chancery springs from the King's private chapel, so does the Exchequer from his private treasure chest. From it the King drew the sums required for his expenses, and into it were paid the various sums of money which were collected by his officers, the Sheriffs, who administered his estates and levied his dues throughout the kingdom. The illiterate Chamberlains who held the keys kept their accounts by cutting notches in sticks, or tallies—which they then split, handing the one portion, or "stock,"[1] as a receipt to the person paying the money, and retaining the other portion, or "foil," themselves. Twice a year, at Michaelmas and Easter, the King and his Court held an audit. The Sheriffs were summoned, the

[1] Whence "Stocks and Shares."

stocks and foils were joined, and the balance of indebtedness was settled. As business increased, the use of writing became necessary, and an ecclesiastical official, the Treasurer, was added as a colleague to the Chamberlains. But the auditors and accountants being alike illiterate, the public audit had to be conducted by the use of a counting-board, or *abacus*, which took the form of a chequered cloth, upon which the calculations were made by means of counters disposed in rows and columns in such a way that the process of calculation would be plain even to persons who could not read and write. These audits were called Exchequers after the *abacus* or Chequer-Board employed, and the results were written down in a Great Roll.

Treasury.

The Exchequer, to give the whole organization its common name, thus consisted of three sections, the Treasury, the Exchequer of Receipt, and the Exchequer of Account. Each of these produced its own group of records. The Treasury, to begin with, served as the first national Record Office, as well as a receptacle for money and for the Crown Jewels. Here, accordingly, were kept the original Treaties with foreign Powers, Papal Bulls, Title

Deeds of the Crown Lands, and documents of special political importance.[1] Here also were Domesday Book and the rolls of the Courts of King's Bench and Common Pleas and of the Justices in Eyre. Of special interest are the Registers showing the issue and receipt of jewels and records, and the "Kalendars" of the latter with descriptions of the contents of the boxes in which they were placed, and the marks and labels by which they were distinguished. Here, too, were kept the accounts and other documents of loans by foreign merchants, of the Mint, and of certain direct payments of treasure for military and naval purposes.[2]

RECEIPT.

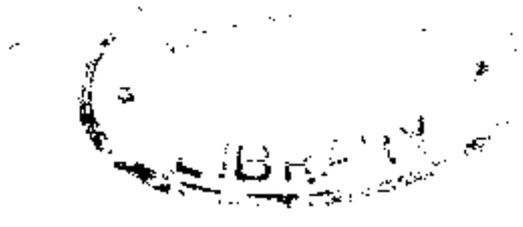
Closely connected with the Treasury, and under the control of the same officials, was the Exchequer of Receipt, or Lower Exchequer, which performed the daily business of receiving and paying money, and kept the national Cash Account. Here, besides the wooden tallies already mentioned, rolls were kept, at first term by term, but soon in regular journal form, recording the sums received and the warrants for payment cashed, and assigning

[1] Diplomatic Documents, Henry I. to James I.; Papal Bulls, Bundles 1-34; Ancient Deeds, Series A.

[2] Now part of Accounts (Exchequer), etc.

each to its proper account.[1] The Warrants for Issues and the "Tellers' Bills," or notes of receipts, were duly filed, and registers were kept of warrants for periodical payments which continued from year to year without requiring a fresh warrant.[2] The business of the department was further complicated, as time went on, by the necessity of providing for cash payments by the process of assigning prospective receipts to secure the payment of debts as they fell due, and by the raising of loans, similarly secured, for the same purpose. These processes were treated as cash transactions, although no money actually passed; and the rolls cannot, therefore, be used as a guide to the actual revenue and expenditure without comparison and analysis of both Receipts and Issues for the period investigated. There were, moreover, at various times, other offices capable of giving valid receipts for money due to the Crown, so that the records of the Exchequer of Receipt do not always contain a complete account of the national income and expenditure. The business of the department thus corresponded to the financial side of the operations of the modern Treasury, and to the

[1] Receipt Rolls, John to 22 George III.; Receipt Books (1559-1834); Issue Rolls (Henry III. to 1797); Issue Books (1597-1834).
[2] Order Books, Patent Books, Posting Books, etc.



work of its subordinate department the office of the Paymaster-General, which acts as a kind of bank for the issue of money.

The records of the Exchequer of Receipt are thus of no special interest to ecclesiastical history except in so far as particular receipts or payments concerned ecclesiastical persons or objects; but the Treasury of the Receipt, already mentioned, in its capacity of a Record Office, contained, amongst other things, the Acknowledgments of Supremacy made to Henry VIII., the Indentures of Foundation of Henry VII.'s Chapel, the Surrenders to Cardinal's College, Wolsey's Patents, a collection of Papal Bulls, and another of Correspondence, the earlier portion of which is like that preserved in the Chancery,[1] while the later is of the nature of the State Papers, to which it has been added. There is a large body of Deeds and Accounts relating to certain religious houses, notably Holy Trinity, London; St. Pancras, Lewes; Ramsey Abbey; Wykes Priory; and others. The Miscellaneous Books also contain some Ecclesiastical Surveys, and documents relating to the suppression of the monasteries and to Aske's Rebellion, as well as to the foundation of Wolsey's Colleges, and to St. George's Chapel, Windsor.

[1] Ancient Correspondence, Vols. 47-52, 54, and 58.

Exchequer of Account.

The Exchequer of Account or "Upper Exchequer," unlike the "Lower Exchequer" just described, had no administrative duties, but originated, as has been explained, in special sessions of the King's Court for financial purposes. The memory of this origin was preserved, so long as the Court of Exchequer survived, in the distinctive title of "Barons" by which its judges were known. Even in the earliest stages of its history of which we have any direct knowledge, the business of the Court had become too continuous to be carried out in such a way, and the King with his Great Officers and Barons had been replaced by a permanent staff of deputies called by the names of the officers whom they represented, and presided over by the Treasurer. The primary business of the Court was the supervision of the collection by the Sheriffs of the revenue arising in each county from the Crown Lands, and from the profits of justice, feudal incidents, wrecks, treasure-trove, and other casual profits: taxes, such as Danegeld: and the various "Fines" offered to the King in exchange for procedural advantages, or on the conclusion of a rich marriage. Out of this revenue the Sheriff had to meet certain

regular charges, and also to make such provision as might be required for the King's personal needs and the maintenance of his castles or armies. The balance was paid in at Easter and Michaelmas, in coin, into the Lower Exchequer, where the Sheriff received a "tally" showing the nominal amount paid in. An assay was made of the money so paid, so that the payments on certain accounts could be reduced to their equivalents in silver of standard weight and fineness. New tallies were made in the Upper Exchequer for these sums, and the account between the Sheriff and the Crown was adjusted accordingly, the final balance being struck at the Michaelmas Exchequer on the completion of the Sheriff's year of office.

Pipe Rolls.

The account for each county was enrolled on one of the sheets or "pipes" of the yearly Great Roll of the Exchequer or "Pipe Roll." This was the Treasurer's Roll, and a duplicate of it was drawn up at the same time for the Chancellor whose business it was to act as a check on the Treasurer. These rolls were the main record of the Court, and continued to be drawn up until the abolition of the ancient Exchequer system in 1832.[1]

[1] Pipe Rolls (31 Henry I. to 2 William IV); Chancellors' Rolls (Henry II. to 2 William IV.).

In consequence of the penal legislation of Elizabeth against Roman Catholics and Nonconformists it became necessary in 1591 to assign a separate roll for the accounts of the fines imposed for "Recusancy," or failure to attend divine service. This series, like that of the Great Rolls of which it formed a part, was in duplicate, and continued until 1690, when it was brought to a close by the operation of the Toleration Act of 1689. These rolls afford a great deal of information as to the names of individual recusants, but cannot be safely used for statistical purposes, owing to the varying degrees of severity with which the law was administered in different counties.[1]

Foreign Accounts.

It will be observed that the Great Roll, which was at least as characteristic of the Court as the Chequered Cloth itself, made no pretence to contain a general account of the national finances. An account of the state of the Treasury was certainly taken in early times, but, if enrolled at all, it appeared on the Great Roll of the Receipt, not that of the Upper Exchequer. In the same way such accounts, other than county accounts, as found their way on to the Great Roll, were entered as subsidiary

[1] Recusant Rolls (Exch. L.T.R.); Pipe Series; Chancellors' Series.

to the accounts of counties, under one or other of which any balance due to the Crown was ultimately accounted for. These "Foreign Accounts" gradually came to include all kinds of departmental receipts and expenditure: Customs and Subsidies, the Mint, Forests, Lands temporarily or permanently in the hands of the Crown, Mines, Possessions in Ireland or France: so also the expenses of the King's Household, Army, Navy, and Diplomatic expenditure, and Public Works. These accounts became so important that they had to have a special section of the Great Roll allotted to them, which at last became a separate series of rolls, known as the "Roll of Accounts," or "Foreign Roll." About the same time a special department of the Exchequer was created for the settlement of the balances due on these accounts, many of which had previously been dealt with by the King's Wardrobe, which in earlier times had controlled all military, naval, and diplomatic expenditure. The balances so determined were dealt with by the full Exchequer.

The Remembrancers.

Two officers, who gradually came to be known as the "King's" and the "Lord Treasurer's" Remembrancers, had, from very early times, kept

note of the questions arising on the county accounts which could not be immediately determined in the ordinary sessions of the Court. These "Memoranda," like the Great Roll, were kept in duplicate, and the annual rolls containing them were extended so as to record the decisions of the Court on disputed points, the receipt and issue of writs, and the general course of business. In the reign of Edward II., when the system of "Foreign Accounts" was established, the functions of the two Remembrancers were formally differentiated, and two separate departments were formed. That of the King's Remembrancer undertook the settlement of the "onus," or balance due, on the several accounts; while that of the Treasurer's Remembrancer was charged with the issue of process to recover the balances recorded as due on the Great Roll. To the former, therefore, belong the particulars of account and vouchers put in by the accountants, to the latter the summonses by which the debts were levied. The Pipe Office, which drew up and kept the Great Roll, thus became intimately connected with the Lord Treasurer's Remembrancer. Thus, while the accounts in their final form are among the records of these allied departments, the details, which are often more interesting, must be sought in the particulars

and vouchers which came into the custody of the King's Remembrancer.[1]

Like the Chancery, the Exchequer had its files; these were subsidiary to the Memoranda Rolls, and contained the writs addressed to the Treasurer and Barons directing allowance of the sums expended by accountants in the King's service, or remitted to them by his grace, or giving other instructions for the conduct of business, the writs issued by the Court itself for the recovery of the King's debts with the returns to them, and the inquisitions taken in the country by Exchequer officials for the determination of liability or the detection of abuses.

Of special ecclesiastical interest are the accounts and assessments of the Tenths levied on benefices and from time to time granted to the King either by the Pope or by Convocation;[2] of Bishops' Temporalities during the vacancy of sees; of the estates of Alien Priories taken into the King's hands because the religious houses to which they belonged were situated in countries with

[1] Accounts, etc. (Exchequer); Ministers' and Receivers' Accounts; Subsidies; Customs; etc.

[2] A special case is the grant by Parliament in 15 Edward III. of a "second sheaf" after the tithe sheaf, making one-ninth of the annual value. The assessments for this were printed by the Record Commissioners under the title *Inquisitiones Nonarum*.

which the King was at war; and returns of benefices held by alien clergy contrary to the statutes of Provisors.

The Treasury System.

A great change took place in the Exchequer at the end of the fifteenth and the beginning of the sixteenth century. The forfeitures resulting from the Wars of the Roses brought more business into the Court than it was able to get through, and it became necessary to resort to an irregular method of passing accounts. Accounts were "declared" before the Treasurer of the Chamber and certain other auditors, and acquittances given by them. These were legally invalid and were not recognized at the Exchequer. But business there was so much in arrear that it became necessary not only to legalize this procedure, but to introduce it into the Exchequer itself, without, however, abolishing the ancient and now superfluous "course" of the Court.

Tudor Innovations.

Besides this, Henry VIII. established a special "Court of General Surveyors" to audit the accounts of Crown Lands on a system more expeditious than that of the Exchequer, which had

long been in use in the Duchy of Lancaster. The same system was adopted in another new department, the Court of Augmentations, which was established to deal with the revenues accruing from the suppression of the monasteries, and to dispose of the lands so acquired. A Court of Wards and Liveries was also set up to take over the administration of the lands falling in owing to the minority of Tenants-in-Chief, and to recover the Reliefs due on succession to lands so held. All these Courts developed an equitable jurisdiction in the matters within their competence. This last Court survived till the abolition of feudal tenures by the Commonwealth, but the other two were amalgamated by Henry VIII. and reabsorbed by the Exchequer in the reign of Mary, forming a new subdepartment, the records of which were kept in the Augmentation Office, and which performed the functions now exercised by the Commissioners of Woods, Forests, and Land Revenues. These commissioners took over such of the Augmentation Office records as were required for current purposes together with a considerable number of earlier documents, some of which belonged to the King's Remembrancer. These were afterwards removed to the Public Record Office, with which the Land Revenue Record Office has since been amalgamated.

Almost all the records of this department of the Exchequer have some ecclesiastical interest. Here are the surrenders of the monasteries, the accounts which show how their possessions were administered, and how they were disposed of, the leases of them granted both before and after the Dissolution, the original title deeds, including many early royal and other charters of great interest, and the warrants for the pensions granted to the last members of the surrendered houses. Here, too, were the most of the Returns of Church Goods made in 1548 and 1552, and the Certificates of the Endowments of Colleges and Chantries made in virtue of the statute of 1547. Here, too, are the surveys of the Crown Lands and Fee Farm Rents made between 1649 and 1653, when the Parliament was raising money by the sale of them.

First Fruits and Tenths.

Finally, the assumption by Henry VIII. of the title of Supreme Head of the Church placed him in the financial position previously occupied by the Pope, and necessitated the taking over by the Crown of the duties of the Papal Collector in England. This business, like the management of the monastic lands, was at first entrusted to a separate Court, amalgamated with the Exchequer

by Mary, but continuing to exist as a separate department of that Court. Its revenues were derived from the "Annates," or first year's income of all benefices, imposed by Pope John XXII. and made permanent by Pope Boniface IX., and the tenths of the annual income levied for the recovery of the Holy Land. These levies were based on successive assessments, the "Norwich" Taxation of 1254, the Taxation of Pope Nicholas IV. in 1291, and the new taxation, or "Valor Ecclesiasticus," made by Henry VIII. in 1535. These revenues were applied by Anne in 1703 to the augmentation of poor benefices, and are now administered by the Commissioners of Queen Anne's Bounty. The records of this department accordingly include the "Valor" and the abridgment of it known as the "Liber Regis," the "Liber Decimarum" of 1709, the Bishops' Certificates of Institutions and of Benefices not exceeding £50 a year, the Composition Books recording the payment of compositions for First Fruits, arranged both under the names of the incumbents and those of their benefices, and the various Accounts, Writs, and Process Books relating to the recovery of the sums due. They form the readiest means of compiling full lists of incumbents of benefices which were, in 1708, over the yearly

value of £50. The valuations of 1535 were printed in Ecton's "Thesaurus" and Bacon's "Liber Regis," and the Taxation of Pope Nicholas and the "Valor Ecclesiasticus" were printed in full by the Record Commissioners.

Exchequer of Pleas.

Besides the administrative functions already mentioned, the Exchequer, from very early times, had a concurrent jurisdiction with the Courts of Common Law. Not only did it interfere to protect its own officers from having to sue or be sued in the ordinary Courts, it extended this privilege to all the King's debtors. Any of these, by a writ of "Quominus," might allege that he was prevented from paying his debt to the King by the impossibility of recovering property due to him from other persons, and thus claim the intervention of the Court. By a legal fiction this writ, the fundamental suggestion of which could not be traversed, was extended to all litigants without distinction, and the determination of the resulting suits came to be the main business of the Barons, to the detriment of the proper functions of the Court. The "Exchequer of Pleas" has, accordingly, its own series of Plea Rolls, and all the corresponding records of a Common Law Court.

A special branch of its business was the trial of all suits relating to tithes. There is a separate Calendar of these extending from the reign of Edward IV. to that of George III.[1]

COMMON LAW COURTS.

The proper Court for all civil pleas was the Court of Common Pleas, established by virtue of Magna Charta in a fixed place, normally at Westminster, while the Court of King's Bench followed the King. This latter, originally a Court for all purposes, was thus limited to criminal matters and such civil matters as directly affected the King. Here also a series of legal fictions threw the Court open to all civil pleas, so that, until the Judicature Act, there were three Courts of Common Law having, substantially, the same field of action and competing with each other for business. The system of Legal Fictions, by means of which they competed amongst themselves, was also employed to provide a legal remedy in cases, such as those of Contract, in which the Court of Chancery at first afforded the only civil means of redress.

1 Second Report of Deputy Keeper, App. II., pp. 249-272.

Palatine Jurisdictions.

Certain parts of England were beyond the jurisdiction of the Courts. The County of Lancaster was a Palatinate, with a Common Law jurisdiction of its own, and an equity jurisdiction embracing all lands held of the Duchy in other counties. The records of the Palatinate and the Duchy have been separated, those formerly kept at Lancaster or Preston being regarded as records of the Palatinate, while those kept in London are assigned to the Duchy. Both sets are now at the Public Record Office, and comprise between them substantially the same classes of documents as those already described. The same is true of the Palatinates of Chester and Durham and the Courts of Wales and the Marches, but the records of the Palatinate of Ely are still at Ely.

Spiritual Courts.

Such of the records of the Spiritual Courts as have come into the hands of the Crown are preserved either at the Registry of the Court of Probate at Somerset House, or in the provincial Probate registries; the rest are still in ecclesiastical custody. The records, however, of the Court of Delegates, established by Henry VIII. to replace the Papal

Court as a Court of Appeal in ecclesiastical cases, are at the Public Record Office. It also heard appeals from the Instance Jurisdiction of the High Court of Admiralty. In 1832 the duties of this Court were transferred to the Privy Council, and the records of these appeal cases are also at the Record Office.

Privy Seal and Secretary of State.

In this cursory sketch of the various departments existing in the Middle Ages, and of their subsequent development, we have omitted to survey the secondary institutions which arose in the natural course so soon as the forms of the primary institutions became stereotyped and inelastic. The new machine stood behind the old and took up its original functions. Thus the Keeper of the Privy Seal succeeded to the secretarial duties of the Chancellor, to be ultimately replaced by the Keeper of the Signet, the Secretary of State. Neither of these offices in early times kept any register, and such of their records as survive are distributed between the Chancery and the Exchequer, being either deposited for safe custody, or serving as warrants for the issue respectively of letters under the Great Seal and of sums of money. In the latter case they are more properly

regarded as records of the office which filed them than of that which issued them. The documents, however, which were filed as warrants in the Privy Seal office form two classes in the Treasury of the Receipt of the Exchequer, called, respectively, "Warrants for the Privy Seal," consisting mainly of letters under the Signet, and "Council and Privy Seal," containing Council Warrants and Miscellanea. The relics of the early records of the Secretaries of State must be sought among the "Ancient Correspondence" and "Ancient Petitions" which have been collected from the Miscellanea of the Chancery and the Exchequer: the latter will be described presently as "State Papers."

Wardrobe and Chamber.

Behind the Exchequer in like manner there persisted the Departments of the Wardrobe and the Chamber which were concerned with the King's private revenues and expenses. The wardrobe, until about 1320, not only kept the household accounts, but also those of naval, military, and diplomatic expenditure. When this task had been transferred to the Exchequer, it remained as the accounting office of the Household, and was finally divided into the departments of the Lord Steward

and the Lord Chamberlain. In its earlier stages the Wardrobe was a depository of diplomatic records, and was intimately connected with the office of the Privy Seal. Its records, before the sixteenth century, will be found among the "Accounts," etc. of the Exchequer, but a large proportion of them is in private hands. The "Wardrobe Books," containing detailed accounts of household expenditure, include interesting particulars of offerings at the shrines of saints and of purchases of church plate and vestments. The Chamber administered certain estates which were from time to time assigned to it, and did not as a rule account to the Exchequer. It also financed military expeditions, and other matters in which the Exchequer would have been too cumbrous. In this latter capacity it formed the foundation of the modern Treasury. In the former it was ultimately absorbed by the Land Revenue Branch of the Exchequer already described.

STATE PAPERS.

With the sixteenth century begins the great class of "State Papers," which came into the Public Record Office in 1852, when it absorbed the State Paper Office founded by Elizabeth in 1578 to take charge of the papers of the Secretaries of

State, which were finding their way into private hands. Originally mere clerks or private secretaries of the King, these officers had taken the place of the Keeper of the Privy Seal for all less formal business precisely as the latter had superseded the Chancellor. Through them the King kept himself informed of all home and foreign affairs; they drafted warrants, wrote instructions, attended the meetings of the Council, and kept up a regular correspondence with diplomatic and other agents abroad. From the first foundation of the State Paper Office these papers were divided roughly into two series, Domestic and Foreign, a third series, Colonial, being afterwards added.

For the reign of Henry VIII. the two series, Domestic and Foreign, have been amalgamated, and bound up in chronological order. They consist of Letters received and drafts of Letters sent out. They are of great importance for Church history, containing all the negotiations for the divorce of Henry VIII., the papers relating to the suppression of the monasteries, and to the Reformation, and constitution of the Established Church.

The Domestic series, which begins with Edward VI., carries on the same subject. It consists of two main classes—the loose papers, consisting of letters and drafts, and the Entry Books,

containing copies of the letters signed respectively by the King and by the two secretaries, each of whom kept his own book. There are also Warrant Books and Docket Books relating to the issue of Signet Letters.

Special series have been formed, beginning with Henry VIII., for the papers relating to Scotland and Ireland, the former of which was, until 1603, regarded as a foreign country. The Border Papers, consisting of correspondence with the Wardens of the Marches and the Council of the North, form a separate series.

The distinction between loose papers and Entry Books subsists also in the State Papers Foreign. There is a general series of correspondence, extending from 1547 to 1577, including both letters and drafts, and arranged chronologically. After 1577, the correspondence is subdivided according to the countries to which it relates. After 1688, special series begin for Royal Letters and Correspondence with Foreign Ministers resident at the English Court. News Letters, Treaties, and Treaty Papers form separate series; and so do the Archives of the several embassies. The "State Papers" go down to 1870. From 1781 this series is classified as Foreign Office Records, that Office having been established in 1782.

Privy Council.

Closely connected with the State Papers are the registers of the Privy Council. These begin in 1540: such proceedings as survive from earlier dates will be found in the Chancery and Exchequer classes of Parliamentary and Council proceedings, and among the Warrants for the Great and Privy Seals respectively. Many of them are among the Cotton MSS. at the British Museum, and from them, and Rymer's transcripts of documents now at the Public Record Office, Nicolas printed his "Proceedings and Ordinances of the Privy Council." The Registers have been printed from 1542 to 1604, and the entries relating to the Colonies calendared from 1613 to 1783.

Departmental Records.

The Departmental Records, which are not technically in the custody of the Master of the Rolls, continue the series already described. Thus from 1782 the Home Office Records take the place of State Papers Domestic, and with them are grouped the records of the Privy Seal and the Signet. Privy Seal Office Records form a separate class; the Signet Office was not disestablished till the middle of the nineteenth century. A special

series of Church Books contains entries of Warrants, Presentations, and Ecclesiastical Preferments.

The Foreign Office Records continue the State Papers Foreign from 1782.

There is no distinct class of State Papers Colonial. They are all included in a general series.

The Colonial Office Records take the place of the State Papers Colonial from 1699, and include the records of the Committee of the Privy Council for Trade and Plantations up to 1782, as well as those of the Secretary of State.

The Public Record Office also contains the records of the Admiralty; the War Office; the Audit Office, which carries on the series of Accounts and Vouchers formerly falling into the Exchequer; the Board of Trade, which succeeded to the functions of the Committee of Council for Trade from 1784; the Customs, the Office of Works, and the Treasury, all of which carry on the work of the old Exchequer; the Lord Chamberlain and the Lord Steward, who have succeeded to the duties of the Wardrobe; and the Ecclesiastical Commission, which holds the Court Rolls, Ministers' Accounts, and Rentals of early date relating to the property of the various Sees and Chapters which it administers. It also contains the records of various expired Com-

missions. Most of these are open to the public down to 1837, but in some cases, particularly that of the Ecclesiastical Commissioners, a permit from the department is required.

Calendars and Indexes.

The means of reference to all these documents is by printed and manuscript Calendars and Indexes. A Calendar is a book containing abstracts of the contents of the documents in many cases sufficiently full to dispense the ordinary student from the necessity of consulting the originals. An Index is a list, alphabetical or otherwise, merely indicating the subject of the documents.

The principal series of Calendars are the following:

The Patent Rolls have been printed in full down to 1232, and calendared to 1509. From that date they are included in the general Calendar of "Letters and Papers" of Henry VIII. The Close Rolls have been printed in full from 1204 to 1247, and are to be printed down to 1272. They have been calendared from 1272 to 1881. The Fine Rolls are printed to 1216, the genealogical entries only are printed from 1216 to 1272, and the rolls are calendared from 1272 to 1347. The Charter Rolls are printed for the reigns of Edward I. and

down to 1216, and calendared from 1216 to 1417. The Liberate Rolls are calendared from their beginning in 1226 to 1240. The Inquisitions Post Mortem are calendared down to 1351 and from 1485 to 1506, and the Miscellaneous Inquisitions to 1349. The principal entries in the Treaty Rolls are printed in Rymer's "Fœdera," and briefly calendared down to 1485 in Carte's "Rôles Gascons." The Gascon Rolls are also calendared by Carte, and printed in full by the French Government to the end of Edward I. There is a printed list of all the Chancery Rolls. The Rolls of Parliament have been printed down to 1553.

Most of the Exchequer records are uncalendared. Domesday Book is printed in full and also facsimiled. The "Pipe Rolls" of Henry I. and Henry II. have mostly been printed by the Record Commission and the Pipe Roll Society. There are printed lists of the principal Enrolled Accounts and of the particulars and vouchers called "Accounts," etc.

The Calendar of "Letters and Papers, Henry VIII." includes all the documents in the Public Record Office for the period which are of obvious historical importance, together with many similar documents in the British Museum, and others in foreign archives of which transcripts exist at

the Public Record Office. This forms the link between the Mediæval and the State Paper Calendars.

From the end of Henry VIII. onwards the Calendars are limited to documents in the Public Record Office, and transcripts made for it of documents in foreign archives. The State Papers Domestic are complete, but for two short breaks (1680-1689, 1697-1702), down to 1703; the Foreign to 1585; Scottish to 1603, but the Scottish Office is replacing this brief Calendar by a more extended one; Colonial:—East Indies to 1659, including the continuation published by the India Office; America and West Indies to 1708.

Of the Departmental Records, the Treasury Books and Papers are calendared down to 1745, but between 1685 and 1730 the Books are still uncalendared, and the Home Office Papers (now classed as State Papers Domestic) are calendared from 1760 to 1775.

The most interesting, ecclesiastically, of the calendars of documents in Foreign Archives is that of the Papal Registers, which includes Papal Letters from 1198 to 1455 and Petitions from 1342 to 1419, so far as they relate to the affairs of England, Scotland, and Ireland. A small proportion relate to matters of political interest,

but the vast majority are purely administrative, and illustrate the activity of the Papal Court as a final Court of Appeal, and its constant interference in ecclesiastical promotions and appointments, notwithstanding the English statutes to the contrary. Another Calendar, for the reign of Elizabeth, deals with the reports of Papal Nuncios to various European Courts, and other documents of the nature of State Papers. This extends from 1558 to 1571.

Similar series deal with documents at Venice from 1202 to 1629; at Simancas, Brussels, and Vienna from 1485 to 1553, with abstracts of printed documents from Simancas from 1558 to 1603; and at Milan from 1385 to 1618. There is also a calendar of early documents in France down to 1206, which is valuable for the history of the possessions of French religious houses in England, and for the genealogy of the families who gave the estates in question.

There is also a printed Catalogue of about 27,000 Ancient Deeds, many relating to possessions of religious houses.

HINTS TO STUDENTS.

Besides the printed Calendars described there are manuscript Calendars, less detailed, but covering

longer periods, and printed and manuscript lists, which are available for searchers.

In emphasising the points in which the Public Records affect ecclesiastical history, it may seem as though their general historical value was ignored. But on reflection this will be seen to be untrue. On looking through the list of materials the pure historian will fasten on the State Papers, the Chancery Rolls, the Parliamentary Records, the Ancient Correspondence and Petitions, the Exchequer Accounts and their Enrolments, and the Memoranda Rolls; the Lawyer will turn to the Plea Rolls and the Chancery proceedings; the Genealogist to the Inquisitions Post Mortem, the Subsidy Rolls (those at least which contain lists of names), the Feet of Fines, and the Plea Rolls; the Topographer to the same set of records and to the Rentals and Surveys, Ministers' and Receivers' Accounts. To deal with all these in detail would enlarge this tract without materially adding to its usefulness, and would end in a vain effort to displace the existing "Guide" to which the inquirer is hereby referred for further information. He must also bear in mind that, in a sketch like the present, exact statement of the facts in administrative history is neither possible nor desirable, and regard this pamphlet as containing only

such an approximation to the truth as its scale demands.

In conclusion, it may not be out of place to add two cautions. In the first place, it is unwise to begin research on manuscript material without having exhausted the printed sources, and without acquiring some knowledge of the nature of the documents consulted, and the languages in which they are couched. It is especially necessary to study the machinery of administration lying behind the documents. Secondly, it must be remembered that the series are more or less imperfect, and need to be supplemented by the study of similar documents, of which there are many, in the British Museum and in private hands. For the later period, particularly, say, from the reign of Elizabeth, full use should be made of the reports of the Historical Manuscripts Commission, as well as of biographies, collections of letters, and so forth. In many cases the most important materials are not in official custody at all.

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