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PUBLIC RECORDS.

A DESCRIPTION

OF THE

CONTENTS, OBJECTS, AND USES

OF THE

VARIOUS WORKS PRINTED

BY AUTHORITY OF

THE RECORD COMMISSION;

FOR THE ADVANCEMENT OF

HISTORICAL AND ANTIQUARIAN KNOWLEDGE.

LONDON:

BALDWIN AND CRADOCK,

PUBLISHERS TO THE COMMISSION FOR THE PRESERVATION OF THE PUBLIC RECORDS.

1831.
P R E F A C E.

Although it is generally known that a Commission has existed during the last thirty years for the better preservation and publication of the Records of the Kingdom, but few persons are aware of the precise nature of the numerous volumes which have been printed by its authority. It is the object of the following sheets to supply that information; and, by rendering the world better acquainted with the utility of those works in illustrating British History, and, in many cases, for Legal purposes, it is conceived that an acceptable service will be rendered to historical and antiquarian literature. In executing this task, the plan has been to adopt the descriptions of the respective volumes in the remarks which are prefixed to them; and it is to be particularly understood that criticism upon their merits has been carefully avoided. For all which is said of their value, excepting what occurs within inverted commas, the writer of this tract is, however, responsible; and he has no fear that the truth of his statements will be disputed. Notwithstanding that he has not permitted himself to inquire whether the works might or might not have been more judiciously executed, or whether they were the most important which could have been undertaken, he has not withheld praise where he believed it to be due, nor hesitated to correct mis-statements where the errors were likely to mislead.
It will be obvious that the works published by the Record Commission are of great utility both in a Literary and Legal point of view; that Historical writers cannot proceed properly with their labours without consulting these volumes; and that no library of the slightest pretensions can be considered complete unless it contains them; whilst they are even of greater importance for many inquiries of a Legal, and for all investigations of an Antiquarian description.

Within the last few weeks the Record Commission, actuated by a laudable desire to diffuse the information which these works afford, has liberally ordered a very considerable reduction to be made in their prices, with the view of placing them within the reach of a greater number of persons; and in furtherance of that plan, the following description of their contents and utility is published.

Before concluding these remarks, it is proper to observe, that in many of the notices of the works, information is added on the subjects to which they refer, which may be found useful; more especially with respect to the manner of obtaining admission to the Reading Room of the British Museum, and on the regulations by which it is governed. Nor is it too much to say that some labour has been bestowed on this effort to present the Historical and Antiquarian student with a guide to various sources of intelligence connected with those interesting pursuits.

September 25, 1831.
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DOMESDAY BOOK; SEU LIBER CENSUALIS WILLIELMI PRIMI, REGIS ANGLIE.


DOMESDAY BOOK, which is the most ancient and one of the most important records in the Kingdom, affords highly valuable antiquarian and historical information. It contains the only authentic account of the state of property in England immediately after the Conquest; and was the Register from which judgment was to be given upon the value, tenure, and service of the lands described therein. Though the exact time when the Survey was commenced is unknown, it is certain that it was finished in 1086. Blackstone upon the authority of a passage in the Saxon Chronicle thus explains the cause of its being undertaken:

"We learn from the Saxon Chronicle that in the nineteenth year of King William's reign an invasion was apprehended from Denmark; and the military constitution of the Saxons being then laid aside, and no other introduced in its stead, the kingdom was wholly defenceless: which occasioned the King to bring over a large army of Normans and Bretons, who were quartered upon every landowner, and greatly oppressed the people. This

1 Domesday Book is also known by the following designations:—Rotulus Wintoniæ, Scriptura Thesauri Regis, Liber de Wintonia, and Liber Regis; and, according to Spelman, Liber Judiciarius, Censualis Anglie, Anglia Notitia et Lustratio, and Rotulus Regis.
"apparent weakness, together with the grievances occasioned
by a foreign force, might co-operate with the King's
remonstrances and the better incline the nobility to listen
to his proposals for putting them in a posture of defence.
For, as soon as the danger was over, the King held a great
Council, to inquire into the state of the nation; the imme-
diate consequence of which was, the compiling of the
Great Survey called Domesday Book, which was finished
the next year; and in the latter end of that very year the
King was attended by all his Nobility at Sarum, where all
the principal landowners submitted their lands to the yoke
of military tenure, became the King's vassals, and did
homage and fealty to his person. This seems to have
been the era of formally introducing the feodal tenures by
law."

The Survey was executed by certain Commissioners called
the King's Justiciaries, probably with the assistance of some
of the principal persons in each Shire, upon the oaths of the
Sheriffs, Lords of Manors, Presbyters of Churches, Reeves
of Hundreds, Bailiffs, and six villans of every village, who
made the following inquiries:—"The name of the place; of
the person who held it in the time of King Edward the
Confessor; who was the present possessor; how many
hides there were in the Manor; how many carrucates
in demesne; how many homagers; how many villans;
how many cotarii; how many servi; what freemen;
how many tenants in socage; what quantity of wood;
how much meadow and pasture; what mills and fish-
ponds; how much added or taken away; what was the
gross value in King Edward's time; what was the present
value; and how much each freeman or sochman has or
had. All this was to be triply estimated: first as the
estate was held in the time of the Confessor; then, as it
was bestowed by King William; and thirdly, its value as
it stood at the formation of the Survey. The Jurors
were moreover to state whether any advance could be made
in the value."

2 Introduction to "Domesday Book."
The following observation of the writer of the Saxon Chronicle proves the minuteness and fidelity with which the Inquisitors performed their task, and the indignation which was naturally felt on the subject. Anno 1085. "The King had a great Council and spoke very deeply with his Witan concerning this land, how it was held and what were its tenantry. He then sent his men over all England, into every shire, and caused them to ascertain how many hundred hides of land it contained, and what lands the King possessed therein, what cattle there were in the several counties, and how much revenue he ought to receive yearly from each. He also caused them to write down how much land belonged to his Archbishops, to his Bishops, his Abbots, and his Earls, and that I may be brief, what property every Inhabitant of all England possessed in land or in cattle, and how much money this was worth. So very narrowly did he cause the Survey to be made, that there was not a single hide nor a virgate of land, nor (it is shameful to relate that which he thought no shame to do) was there an ox or a cow, or a pig passed by, that was not set down in the accounts, and then all these writings were brought to him."

It has been conjectured, however, that the Jurors in numerous instances framed returns of a more extensive nature than was absolutely required by the King's precept, and that it is on this account that there are different kinds of descriptions in different Counties.

The following notices of the contents of the returns in Domesday Book are abridged from the "General Introduction" prefixed to the third volume, where a valuable account of the record is given, written by Mr. Henry Ellis, the present Principal Librarian of the British Museum.

Persons.—The classes of persons mentioned in Domesday Book are Bishops, Abbots, Barons, Taini or Thanes, Vavassores, the Alarli or tenants in alodidium; Milites, which is sometimes used for a soldier or military servant, and sometimes for individuals of higher rank; Liberi Homines,
signifying not merely the freemen or freeholders of a Manor, but occasionally including all the ranks previously mentioned, and indeed all persons holding by military tenure; Sochemanni or Socmens, the inferior landowners who had lands in soc or franchise of a great Baron, being privileged villans, who, though their tenures were absolutely copyhold, had an interest equal to a freehold; Rachenistres or Radmanni, tenants of a similar description to the Sochemanni; Villani, people whose tenure were held in villenage; Bordarii, who according to Lord Coke were Boors who held a little house with some land of husbandry bigger than a cottage, while other authorities consider that they were drudges, and performed vile services, reserved by the Lord on a poor little house and a small parcel of land, and others, again, that they were Cottagers. Coscets, who were apparently the same as the Cottarii and Cotmanni. Burus or Burs, a term used synonymously with Coliberti, who are described by Coke as tenants in free socage by free rent. Servi, supposed to be the pure villanes and villans in gross, who were subject to the arbitrary pleasure of their lord, and appointed to perform servile works. Ancille, who were females very similarly circumstanced to the Servi. Censarii, or Censores, who were occupiers of land, and appear to have been free persons. Porcariti, who, although they appear to have been in some instances mere swine-herds, yet are generally mentioned as free-occupiers who rented the privilege of feeding pigs in the woodlands. Homines, which includes all sorts of feudatory tenants, who claimed the privilege of having their causes and persons tried only in the court of their lord. Angli and Anglici frequently occur among the under tenants holding in different capacities.

DOMESDAY BOOK.

"Scutularius," "Stalre," "Stirman" or "Stiremannus Regis," "Thesaurarius," and "Venatores" of a higher description. The trades and offices of an inferior kind are numerous; but neither of them are remarkable, excepting, perhaps, the "Joculator Regis" and "Joculatrix," or minstrels. Among Ecclesiastical offices are "Capicerius Ecclesiae Wintoniae," the Sacrist; and "Matricularius Ecclesiae, S. Johannis Cestria." "Buzecarls" were Mariners, "Hospites" occupiers of Houses.

LANDS.—The four principal descriptions of lands are Terra or arable land, as distinct from wood, meadow, and common pasture; Silva and Nemus, the usual terms for wood; Pastura, Pasture; and Pratum, Meadow; Maresc, Marsh or Fen land.

Only four Forests, besides the New Forest in Hampshire, are alluded to, viz. Windsor Forest, the Forest of Gravelinges in Wiltshire, Wimborne in Dorsetshire, and Whichwood in Oxfordshire. There are no less than thirty-eight notices of Vineyards in different Counties. Mills and Salt Works frequently occur. No notice is to be found of Tin, but Iron and Blomes, Masses and Plumbae of Iron are several times mentioned as rents. The only Lead Works alluded to were upon the King's desmesne in Derbyshire.

Land was measured by the Hide, Carrucate, Virgate, Bovata or Oxgang, the Ferding, the Acre, and the Perch, and in Kent by the Solin or Jugum. The Leuga, which seems to have consisted of 480 perches or twelve Quaranteinis, and Quarenta, were most commonly applied to Wood Land.

Fisheries form an important source of rent in the Survey, and consisted chiefly of Eels, Herrings, and Salmon. The rent in Eels appears to have been sometimes paid numerically and sometimes by stitches or sticks, every stick having twenty-five. The Herring Fisheries occur in Kent and Sussex, once in Norfolk, and very numerously in Suffolk. Salmon are mentioned in the Survey, by name, but in few entries. The "Pisciniae," or "Vivaria," were stews or fish-
pools, and the "Heicmaris" was a sea hedge, now called a pitched net or choll net.

Money.—The different computations of money in the Survey are by the Libra or Pound, the Mark, the Ora, the Shilling, the Penny, the Halfpenny, the Farthing, and the Minuta. The Librae or Pounds appear to have been of three kinds, the "Libra ad numerum," the "Libra ad pensum," and the "Libra ad ignem et ad pensum." The "Libra ad numerum" was the pound of ready money made up not of shillings, but of Oræ, and was valued at the rate of twenty pence to the Ora. The "Librae albae," "de albo argento," "blancae," "candidae," "de albis denariis," "denariores candidorum," "alborum nummorum," et "candidorum nummorum," appear to have been the same with the "Librae ad numerum," and were valued at twenty pence to the Ora. The "Librae ad pensum" were by weight. The "Librae ad ignem et pensam," "arsae et pensatæ," or "ad pensam et arsuras," formed the payment when the coins offered at the Exchequer were defective in fineness as well as in weight, in which case the Receivers either melted a sample of the money paid, or received sixpence or a shilling over every twenty in lieu of actual combustion. The half mark both of silver and gold occurs in numerous passages. Both the mark and the half mark were computations of money only; and such also was the "ora," whatever it might have been in other parts of Europe. In many articles of bargain and sale it is used for the ounce, or twelfth part of the nummular pound. The Shilling of the Domesday Survey, like the Pound, the Mark, and the Ora, was only money of account. The Saxon Shilling consisted of five pence: that of Domesday Book is always twelve pence. The Penny was the only coin known in England till long after the date of Domesday Book. In the Survey it is usually called Denarius: but in a few instances nummi occur for denarii. The Obolus or halfpenny, and the Ferding Ferdinc, Ferting or Quadrans, were literally fractions, or broken parts of the penny. The Minuta occurs once only. From the circumstance of its being mentioned
in Cheshire, it is suspected to have been the small copper coin used by the Northumbrian Kings, called the Styca. The Aurum Regiae or Queen Gold is thrice mentioned.


"At Hereford there were seven moneyers, one of whom belonged to the Bishop. On a re-coining the royal moneyers paid twenty shillings to the King, and the Bishop had the same sum from his moneyers. When the King went there the moneyers were to make as many pennies of the King's silver as he pleased. The seven moneyers had their own soc and sac. If any one of the King's moneyers died the King had twenty shillings for a relief, and if he died without having disposed of his effects the King became possessed of his property. At Shrewsbury the King had three moneyers, who after they had purchased their dies like the other moneyers of the country, on the fifteenth day gave each twenty shillings to the King; and this was done while the money was coining. At Chester there were in the time of Edward the Confessor seven moneyers. At Norwich the Bishop was allowed a moneyer if he wished for one."

Counties.—The greater subdivisions of the Shires or Counties in the Domesday Survey appear to have been Tredings or Ridings, Lests, Rapes, Wapentakes, Hundreds, Half Hundreds, and Half Lests.

Cities and Burghs.—"The Services, Charges, and Customs of the Cities and Burghs noticed in the Survey, form a valuable illustration of the Saxon Laws. A comparison of the two shows in how small a degree the Normans interfered with the ancient institutions of the people."
This interesting subject occupies seven pages of the "Introduction," but it is impossible to abridge them.

Castles.—The Survey throws considerable light on the History of ancient Castles, a great number of them being mentioned in various parts of the Realm.

Manors.—"The ancient Demesne of the Crown as recorded in the Survey, consisted of 1,422 manors in different counties, besides some scattered lands and farms not comprehended therein, and quit rents were paid out of several other manors." "Aula, Halla, or Haula," a hall or chief mansion-house, was the usual appendage of a manor.—"Curia," which occasionally seems to have implied the Court or Manor House of the Lord only, appears in one or two entries to have a more immediate reference to manorial jurisdiction. Of the increase and decrease of manors, and of the removal of lands from one manor to another, the instances throughout the Survey are numerous. A curious instance of the formation of a new manor occurs in the account of Gloucestershire. "In Lindenee Earl W. formed a manor of four parcels of land which he purchased from the owners thereof. Of the demesne of the Bishop of Hereford three hides: of the demesne of the monks of Pershore six hides where there were six villans with four carrucates. From two Thanes he purchased three hides and a half." In Bura in the county of Essex is this entry —"To this manor are added forty acres of the land of King William." Sometimes instances occur of the removal of the "liberi homines" or "sochemanni" from one manor to another. "That manors were sometimes shifted from one hundred to another we have an instance in Gloucestershire, under Wenric, belonging to the Abbey of Winchcombe."

"Villa" was another term for a manor or lordship. A "Berewic" was a member severed from the body of a manor, as a vill or hamlet of a manor or lordship.

"Mansio."—In the Exeter Domesday Mansio is almost constantly used for manerium: and there is also one entry which tends to show that in the return for Essex the two words were considered as synonymous. In other instances
the mansio seems to have been but a member or hamlet of
the manerium. The "Prefecti" or "Prepositi Maneriorum
or Villarum," were the Reeves, Bailiffs, or Stewards of
mansors, whose business it was to collect the rents, to levy
distresses, to prevent trespasses, to keep the peace, and to
do all the offices of equity and right between the lord and
tenants. The "Bedelli" were the Under Bailiffs of
mansors.

Markets and Tolls.—Markets are frequently men-
tioned, and yielded from ten shillings to eleven pounds,
some of which are said to be recently established. The
Market at St. Germaines in Cornwall is stated to be held on
a Sunday. Fairs occur only once, namely, in the manor of
Aspella, belonging to Ralph Peverell.—Tolls, Tol, Thol,
or Thelonium, in the language of the Domesday Survey,
was not merely the liberty of buying and selling, or keeping
a market; it also signified the customary dues or rents paid
to the Lord of a manor for his profits of the Fair or
Market, as well as a tribute or custom for passage.

Tenures and Services.—Tenure in frank almoigne
frequently occurs. This is the tenure by which the ancient
Monasteries and religious Houses held the larger portion of
their Lands. "Firma unius noctis," one night's entertainment,
is a service which is often mentioned as having been rendered
in the time of Edward the Confessor. At Chintenham in
Gloucestershire a render was made, in the time of Edward,
of three thousand cakes of dog-bread: "ter mille panes
canibus." The manor of Cumbe in Kent is said to have been
worth 4l. "et servitium unius militis," which must have
been by finding a man for the wars. In Cornwall, one hide
of land belonging to the Church of St. Germaines is stated
to have rendered by custom a cup of ale and thirty pence.
The royal demesne of Portland in Northamptonshire in the
time of Edward the Confessor, paid, beside forty-eight
shillings rent, ten shillings for skins or rugs for the King's
sumpter horses. Among the baser services was "Avera,"
the service which the tenant owed to the King or other
Lord, by horse or ox, or by carriage with either, and
"Inward," the guarding the person of the King when
he lodged in a City, or attendance on the Sheriff. A burgess of Gloucester rendered for land at Quenington in that county four plough-shares. Under Achelei in Bucking-
hamshire it is stated that Godric the sheriff granted to Aluuid half a hide of land so long as he should be sheriff on condition that she should teach his daughter the art of embroidery.

**Hertiots and Reliefs** occur but rarely in the Survey.

**Criminal and Civil Jurisdictions.** — "Saca was the " power and privilege of hearing and determining causes and " disputes, levying forfeitures and fines, executing laws, and " administering justice within a certain precinct.—Soca was " the territory or precinct in which the Saca and other " privileges were exercised. Team or Theame, says Cowel, " from the Saxon cyman propagare, to teem or bring forth, " signifies a royalty granted by the King's charter to the " lord of a manor, for the having, restraining, and judging " bondmen, neifs, and villans, with their children, goods, " and chattels, in his court."

**Delinquencies and Fines.**—The delinquencies more particularly noticed are, Adulterium; Burgheristh or Bur- geret, supposed to be the same with Burghbreck or Bophabpece, fidejussionis fractio, mentioned in the Saxon laws; Forestel, Forstel, or Foristel, an assault upon the road, or hindrance of a traveller going upon his lawful business; Gribrige, the same with Pacis infractio, a viol- ation of the peace; Hainfare or Heinfare, which appears to have been the flight for murder; Handsoca, a breach of the peace in a man's house; Raptum, rape; Revelach, robbery or rapine; and Forisfactura sanguinis, bloodshed.

The payments for Transgressions are, Blodewita, an amercement for the shedding or drawing of blood; Hangewitha, an amercement for hanging a thief without judgment, or for letting him escape from custody; Homi- cidium, the mulct or payment for homicide; Latrocinium, the fine for robbery; and Legrewita or Lairwita, the for- feiture for adultery or fornication.

**Ecclesiastical Matters.**—" The precept which di-
rected the formation of the Survey laid no injunction on
"the Jurors to make a return of Churches. The mention
"of them, if at all made, was likely to be irregular. The
"whole number noticed in the Survey amounts to a few
"more than one thousand seven hundred: and it is re-
"markable that while two hundred and twenty-two churches
"were returned from Lincolnshire, two hundred and forty-
"three from Norfolk, and three hundred and sixty-four from
"Suffolk, one only can be found in the return for Cam-
"bridgeshire; and none in Lancashire, Cornwall, or even
"Middlesex. The whole number of churches recorded in
"the Survey falls considerably under what there are grounds
"for concluding they must have amounted to about or soon
"after the time of the Conquest.

"The circumstance of 'Presbyteri' occurring most fre-
"quently in Counties where scarcely any ecclesiæ are noticed,
"gives strength to the presumption that the officers of the
"Exchequer who abridged the returns considered the entry
"of the one as in most cases implying the existence of the
"other." "As the inquiries of the King's Commissioners
"probably could not have extended to churches unendowed
"with lands, we need not be surprized to find the tythes of
"churches entered for the most part incidentally, and some
"counties without the slightest mention of them even
"where there are churches: as if the churches had been
"entirely supported by voluntary oblations, dues, or masses.
"No tythes are noticed in Somersetshire, Devonshire,
"Cornwall, Middlesex, Hertfordshire and Leicestershire."

The "Æcclesiæ" and "Capellæ" of the Survey appear
have been sometimes subordinate to the "Ecclesiæ," and
sometimes separately endowed. "Beneficium," as applied
to a Church, is a term but once used in Domesday.

Persons.—Presbyteri occur in several of the counties as
holding lands like ordinary tenants. Kelham gives Rector
as one interpretation of Presbyter. The "Capellani" were
frequently domestic Priests. The "Clerici" appear to have
been in some instances the same as "Capellani." "Sacer-
dos" occurs twice in the second volume of the Survey.
"Circesset" or "Circiete," a payment of Corn to the Priest
on St. Martin's as the first fruits of harvest, frequently occurs.

Few Historical Events or persons of historical importance are noticed, and nearly all of these are mentioned casually. The reign of Cnut is thrice referred to, and the name of Æthelred, father of Edward the Confessor, once occurs. The Confessor himself is alluded to with great respect, being twice styled "Gloriosus Rex Edwardus," and his gifts to monasteries are specially recorded. Of distinguished Saxons, notices occur of Siward Earl of Northumberland; Godiva, the famous Countess of Mercia; Edric, the Admiral who after the Conquest is said to have lived an outlaw in Denmark; Hereward, the renowned hero of his time; Ælveva, sister of Harold, and one or two others, including Maud, a daughter of the Conqueror, who is not mentioned by historians. Harold is uniformly spoken of as the Usurper of the Realm: "quando regnum invasit." Once only, at Sudbertone in Hampshire, it is said of him "quando regnabat." Of William it is as constantly said "postquam venit in Angliam." Once only does the expression occur, "postquam W. Rex conquisivit Angliam;" when he conquered or acquired England. "Haraldus invasit" is also the language of the Chartulary of Battle Abbey. In a few instances the names of persons are recorded who fell either in the battle between Harold and the Norwegians, or at Hastings. The irruption of Trhearn ap Coradoc in 1074 is noticed in Glamorganshire, and the Conqueror's journey into Wales in 1079 is also alluded to. It is remarkable that not a single manor in any part of England, or even the smallest portion of land, is put down in the Survey as belonging to either of the Conqueror's sons.

Illustrations of Ancient Manners.—Several entries occur in Domesday Book which illustrate the manners and customs of the eleventh century. Thus, under Hendred in Berkshire it is said, "Aluric de Taceham saith that he hath "seen the King's writ, whereby he gave it to Godric's wife "as a gift, because she fed his dogs." Under the Manor of
Hiwi, in Wiltshire, belonging to Ralph de Mortimer, is an instance of holding for three lives: notices of Ordeal and of Wager of Duel occur in Somersetshire, Lincoln, and Ely. Land in dower is mentioned in Gloucestershire and Oxfordshire. Under Escelie, in Worcestershire, is a remarkable instance of a nuncupative will; and in the same county are two singular notices of the ancient method of giving seisin: under Witene it is said, "This land gave one Ulviet to the Church of Evesham, and placed the [deed of] gift upon the altar when his son Alviet was made a monk there. This was done in the fifth year of the reign of King Edward; but afterwards Abbot Elwin gave this land to his uncle for life, who was subsequently slain in the battle of Harold against the Norsemen, and the Church recovered the land before King William came into England."

The amusement of Hawking is illustrated by numerous entries. In several places no less than ten pounds were made the optional payment for a hawk: and at Worcester a Norway hawk is particularly specified. The custom of a widow not marrying again till after a year seems noticed under Plumstead, in Norfolk. Thus:—"Bishop Almarus seized it as a forfeiture, because the woman who held it married within a year after the death of her husband."

Original Uses and Consequences of the Survey.—"By the completion of this Survey the King acquired an exact knowledge of the possessions of the Crown. It afforded him the names of the Landholders. It furnished him with the means of ascertaining the military strength of the country; and it pointed out the possibility of increasing the revenue in some cases, and of lessening the demands of the tax collectors in others. It was, moreover, a Register of Appeal for those whose titles to their property might be disputed."

Conservation and Authority of Domesday Book in Courts of Law.—"Liber de Wintonia, the very name by which the Domesday Survey in one passage designates itself, is sufficient evidence of the first place of its deposit. Ingulphus, who lived in the reign of William the Con-
Domestic Book.

The exact time of the removal of the record, if there was originally but one copy, cannot now be ascertained. Certain it is, that at a very early period it is described, in the Dialogus de Scaccario, as the inseparable companion of the Royal Seal: and it is possible that the name of 'Liber de Wintonia' might only allude to the place where the returns from the different Counties were breviated; and that the original, immediately, or very soon after its completion, was removed to Westminster.

At Westminster it was kept with the King's Seal, by the side of the Tally Court in the Exchequer, under three locks and keys, in the charge of the auditor, the chamberlains, and deputy-chamberlains of the Exchequer, till, in 1696, it was deposited among other valuable records in the Chapter House, where it still remains.

Appeals to the decision of this Survey occur at a very early period. Petrus Blesensis notices an appeal of the Monks of Croyland to it, in the reign of Henry the First. Others occur in the Abbreviatio Placitorum, on questions of ancient demesne, in the time of King John and subsequent reigns. The proof of ancient demesne still rests with the Domesday Survey. Other cases, in which its evidence is yet appealed to in Courts of Law, are, in proving the antiquity of Mills, and in setting up prescriptions in 'non decimando.' By the Statute of 9 Edw. II. called 'Articuli Cleri,' it was determined that prohibition should not lie upon demand of tithe for a new Mill. The Mill, therefore, which is found in Domesday, must be presumed older than the 9th of Edward II., and is, of course, discharged by its evidence from Tithe.

On the discharge of Abbey lands from tithes, as proved by Domesday, it may be proper to state, that Pope Paschal the Second, at an early period, exempted generally all the
"religious from paying tithes of lands in their own hands.
"This privilege was afterwards restrained to the four fa-
"voured orders, the Cistercians, the Templars, the Hospi-
"talers, and the Premonstratensians. So it continued till
"the fourth Council of Lateran in 1215, when the pri-
"vilege was again restrained to such lands as the Abbies
"had at that time, and was declared not to extend to any
"after-purchased lands: and it extends only to lands
"‘dum propriis manibus coluntur.’ From the paucity of
"dates in early documents, the Domesday Survey is very
"frequently the only evidence which can be adduced, that
"the lands claiming a discharge were vested in the Mo-
"nastery before the year expressed in the Lateran
"Council.”

DOMESDAY Book was published in 1783 in two volumes,
in consequence of an address from the House of Lords in
1767. In 1816 a volume of Indices was printed by the
Record Commission, to which a very valuable “General
Introduction” was prefixed. Those “Indices” consist
first of an Index Locorum according to the order in
which the Counties occur in the original: secondly, a
general Index Locorum, with the nature of the land;
the County, the Hundred or Wapentake, and the name
of the possessor: thirdly, an Index Nominum of Tenants
in capite; and lastly, a general Index Rerum praecipuarum;
but, unfortunately, there is no General Index Nominum.

In 1816 another volume appeared, containing the EXON
DOMESDAY, the INQUISITIO EJIENSI.S, the LIBER WINTON,
and the BOLDON Book, which require to be separately
described.

THE EXON DOMESDAY.—This record, which is
preserved among the muniments of the Dean and Chapter
of Exeter, “presents a description of the Western parts of
the Kingdom, comprising the counties of Wilts, Dorset,
Somerset, Devon, and Cornwall; and it is supposed, so
far as it extends, to contain an exact transcript of the
original Rolls or Returns made by the Conqueror’s Com-
missioners at the time of forming the General Survey from which the Great Domesday itself was compiled. The Inquisition for each Hundred states, 1st. The total number of Hides. 2nd. The number held by the King and his Barons in demesne, together with an enumeration of those for which the Tax was not paid. 3rd. The number of Hides for which the tax was paid, and its amount. 4th. The tax in arrear, and the reasons for its so remaining. In some instances the number of hides for which the tax was paid, and its amount, follow the enumeration of the hides. Many variations occur between this record and the Exchequer Domesday. The names of Tenants in King Edward’s time are far more numerously preserved in the Exon than in the Exchequer Domesday. In the systematic arrangement of the subject matter, the Exchequer Domesday bears unquestionably a decided preference over the Exon Domesday. Occasional insertions in the margin of the Exon Survey are entered in the text of that in the Exchequer.

The most striking feature, however, of the Exeter Domesday, in which it uniformly supplies us with additional knowledge to that in the Exchequer Survey, is the enumeration of live stock upon every estate; an account of the number of oxen, sheep, goats, horses, and pigs; exactly in the same manner as it is given in the second volume of the Great Domesday. The reason for omitting this enumeration in the abbreviated entries of the first volume of the Great Survey is self-evident. The live stock was altering every day and year; the enumeration of it, therefore, could be of no further use than for the time when the Survey was made. A comparison of this part of the Exeter with the second volume of the Great Survey, tends greatly to corroborate the notion that the returns of the counties of Essex, Norfolk, and Suffolk, were transcribed in full from the original Rotuli, in the same manner as the Exeter Domesday. It is singular, that in Essex, as has been noticed in the Introduction to the Great Domesday, 'soldarii' is once used for 'milites.'
"The counties of Essex, Norfolk, and Suffolk, it will be remembered, have almost as marked a variation in their language from the first volume of Domesday as the Exeter Survey."

**THE INQUISITIO ELIENSIS** "is a document of the same kind with the Exeter Domesday, relating to the property of the Monastery of Ely, recorded afterwards in the two volumes of the Domesday Survey. It is preserved in a register of the Monastery remaining among the Cotton manuscripts in the British Museum, marked "Tiberius A. vii., and is, at least, as old as the twelfth century. Another copy of this Inquisition is contained in the chartulary of Ely Monastery, preserved at Trinity College, Cambridge, called by Gale, Liber Eliensis. In point of form, arrangement, contents, peculiarities, redundancies of entry, and diction, it very much resembles the Exeter Survey. It contains the same enumeration of live stock; and beside the lands actually held by the Monastery, it formally details the state of those which were granted out as thain-lands, as well as of those of which the Abbot had the soke only. It opens with the Inquisition already mentioned in the Introduction to the Exchequer Survey, followed by the names of the Jurors in the different Hundreds of Cambridge and Hertfordshire only."

"The difference in the names of places is full as remarkable in the Inquisitio Eliensis as in the Exeter Domesday. In the names of persons the variations are fewer."

**THE WINTON DOMESDAY,** "formerly the property of James West, Esq., and now preserved in the archives of the Society of Antiquaries of London, consists of two distinct parts or records, both written upon vellum. The first is entitled 'A Book of the King's Lands in Winchester, rendering Landgable as they were used to render in the time of King Edward;'; and occupies twelve leaves of the manuscript, in double columns. The second record"
begins at fol. 13 b.—This is the Inquisition of the Lands of Winchester, whoso holdeth, and how much he holdeth, and of whom he holdeth, &c.; taken by command of Bishop Henry, in the Year of our Lord 1148, and occupies twenty leaves.

Immediately following the title of the first portion is a rubrick, stating that King Henry the First, desirous of ascertaining what King Edward the Confessor held in Winchester as of his own demesne, ordered this survey to be made, upon the oaths of the Burgesses. An Inquest was accordingly taken by four score and six of the superior Burgesses, in the presence of William the Bishop, Herbert the Chamberlain, Ralph Basset, Geoffrey Ridel, and William de Pontearchar. William Gifford, Bishop of Winchester, was consecrated in 1107; and, as he died, according to Wharton (Anglia Sacra, Part 1, pp. 278, 299), in 1128, the Survey must have been taken some time between those years.

Among the particulars in this record more peculiarly interesting to the topographer, may be mentioned the notice of a royal house in the city, distinct from that of the King. Five mints which had before existed, are represented to have been put down by King Henry; and several almshouses are mentioned distinct from the charities bestowed on religious houses. Throughout the record house-rent appears to be rated extremely high, considering the scarcity of money.

THE BOLDON BOOK, or Survey of the Palatinate of Durham, which was made by order of Hugh Pudsey, nephew of King Stephen, in the year 1183, "probably had its name from Boldon, a village and parish near Sunderland, in the same diocese, where either it was compiled, or, according to the census of whose inhabitants the other manors, &c. in that Bishoprick were regulated."

"Of the motives or reasons which led to this compilation we have no record; but Bishop Pudsey affected the state of a sovereign in his own Palatinate, in which there were
many royal rights, which had been enjoyed by its prelates long before the Conquest, and were continued long after, several of which remain even to the present day. And perhaps it was in consequence of these exclusive rights, that when the general census, known by the name of Domesday Book, was made, the Bishoprick of Durham was passed by, as it was found to contain no rights which could be claimed by the monarch, without trenching on those which had been possessed by its Bishops through a long series of years."

The autograph of the Boldon Book has probably long since perished; or, if it exists, the place of its deposit is unknown. Three different copies of it, possessing different degrees of perfection, remain;—1st. One in the Bishop's Auditor's Office, at Durham; 2nd. One in the Library of the Dean and Chapter in the same city; and 3rd. One among the manuscripts of Archbishop Laud, at Oxford."

Upon this record, the editor of the volume, Mr. Henry Ellis, has justly observed:—"It is on several accounts of great importance. 1st. It is a valuable supplement to Domesday Book, supplying a material defect in that record. 2nd. It is of great importance to the See and Palatinate of Durham, as it is frequently appealed to, and has been admitted as evidence in trials at law, on the part of succeeding bishops, to ascertain their property and seignorial rights. 3rd. It serves to cast light on ancient tenures, customs, manners, and services. 4th. It contains many words which are not found in Du Cange, or any of his continuators; the meaning of which, from the connexion with others well understood in the Boldon Book, may in general be easily ascertained. 5th. It contains several curious references to the mode of living among our ancestors in the twelfth century,—their amusements, diet, coin, the price of labour, &c. &c.; which may furnish the antiquary and historian with valuable materials, either for a more improved topographical history of the Palatinate in particular, or for a more accurate account of English customs and manners in the twelfth century in general.
"As a supplement to Domesday Book it is particularly " valuable."

Indices of Tenants in capite and Locorum, and a General
Index Nominum (a desideratum to the General Domesday
Book) to the Exon Domesday, and Indices Locorum et
Nominum to the Inquisitio Eliensis, to the Winton
Domesday, and to the Boldon Book, occur at the end of
the volume. Fac-simile plates of these Records, as well as
of the General Domesday, are given in the respective
volumes.

In most of the County Histories, the parts relating to those
counties have generally been extracted; and translations of
the Domesday Book for the counties of Wilts, Kent, Sussex, Surrey, York, Derby, Nottingham, Rut-
land, Lincoln, parts of Lancashire, Westmoreland, and
Cumberland, Middlesex, Hertford, Buckingham, Oxford,
and Gloucester, have been published.

A valuable work, entitled "Domesday Book Illustrated,"
was published by Kelham in 1789.

**SPECIMENS OF DOMESDAY BOOK.**

**Hantsceire.**—Rex tenet in Halingei, duas hidas et dimidiam. Leman
tenuit in paragio de Rege Edwardo. Heraldus abstulit ei quando regnum
invasit et misit in firma sua, et adhuc ibi est. Tunc se defendebat pro 2 hidis
et dimidiam. Modo pro nihil. Terra est 1 carucata et dimidia. In dominio
est una carucata, et unus villanus et 8 bordarii, cum dimidia carucata; et una
acra prati et dimidia. T. R. E. valebat 40 solidos, et postea 20 solidos; modo
70 solidos.

**Hampshire.**—The King holds two hides and a half in Halingei. Leman
held them in parcenary of King Edward. Harold deprived him of them when
he usurped the government and converted them into a royal manor: and so

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2 By Henry Penruddocke Wyndham, Esq., 8vo. 1786.
3 By Richard Warner, jun.; with an Introduction, containing an account of
the Record, &c., and a Glossary, 4to. 1789.
4 With an Introduction, Notes, and Illustrations, by Samuel Henshall, M.A.
and John Wilkinson, M.D. 4to. 1799.
5 With an Introduction, Glossary, and Indices, by the Rev. William Bawd-
wen, 4to. 1809.
6 Also by the Rev. William Bawdwen, 4to. 1812.
they remain. It was then assessed at two hides and a half: but it is now assessed at nothing. The land is one ploughland and a half: one ploughland is in demesne: and one villan and eight borderers occupy half a ploughland, and one acre and a half of meadow. It was worth in the time of King Edward forty shillings, and afterwards twenty shillings. It is now worth seventy shillings.

YORKSHIRE.—In Aclem and Englebi a Berewick to be taxed eleven carucates, and there may be seven ploughs. Earl Siward held this for one Manor. Now Earl Hugh has it: and Hugh, the son of Norman, under him. In demesne three ploughlands; and twelve villans with three ploughlands. A Church and a Priest. The whole Manor two miles long and one broad. Value in King Edward’s time forty-eight pounds; now, forty shillings.

DERBYSHIRE.—In Appleby the Abbot of Burton had five carucates of land to be taxed. Land to five ploughs. Lewrie the Abbot made over one carucate of this land to Countess Godeva, which the King now has. In the same vill are now in demesne two ploughlands, and eight villans and one border, with one ploughland. Value in King Edward’s time twenty shillings, now sixty shillings.

In NOTTINGHAMSHIRE and DERBYSHIRE the King’s peace, given under his hand or seal, if it shall be broken, satisfaction is to be made by eighteen hundreds; every hundred eight pounds. Of this mulct the King has two parts, and the Earl the third. That is, twelve hundreds make satisfaction to the King and six to the Earl. If any one is duly outlawed for a crime, the King alone can restore him to peace. A Thane having more than six Manors does not pay relief for lands, except to the King only, eight pounds. But if he have six only, or less, he pays relief to the Sheriff, three marks of silver, wheresoever he dwelleth, within Borough or without. But if a Thane having soc and sace shall forfeit his land, the King and the Earl have a moiety of his land and money between them; and his lawful wife, with his legitimate heirs, if there shall be any, have the other moiety.

LONDON.—Tochi, the son of Oti, had in the city thirty messuages, besides his Hall, and the patronage of two Churches, and the moiety of another: and his Hall he had quit of all custom, and had rent for thirty other messuages, and had from every messuage belonging to him in the city one penny, that is, land-gable. Upon these thirty messuages the King had toll and forfeiture, as the Burgesses have sworn: but Ulviet, the priest, contradicts these jurors, and professes himself that he will prove, by carrying hot iron, that it is not as they have given their verdict. Geoffrey Alselin holds the Hall, and his grandson Ralph. Bishop Remigius holds the above-mentioned thirty messuages, as belonging to the Church of St. Mary, so that Geoffrey Alselin hath nothing therefrom, neither by way of exchange nor other payment.

The Entries in the Exeter Domesday and the Inquisitio Eliensis are so similar to those in the General Domesday, excepting with respect to the enumeration of the stock on the land, that extracts are unnecessary.
DOMESDAY BOOK.

SPECIMENS OF THE WINTON DOMESDAY.

Godwin Socche was the chief Moneyer in the time of King Edward, and held one house of the Fee of the Bishop of Winchester. The Monks of St. Swithin’s now hold it. They do custom, and render 37 shillings.

The House of Queen Emma was quitin the time of King Edward, and is now quit. The House of Alestan Coppede rendered all customs in the time of King Edward, and now Bernard, the Queen’s Chancellor, holdeth it, and doth no custom, and part of the said house is upon the King’s land, and part on the land of the Bishop.

In Bredenestret.—Alwin, the father of Cheping, had in the time of King Edward, two houses. Now Cheping, his son, holdeth them, likewise quit, and between these two houses was a street, which his ancestors held with other land, and for this Cheping was impleaded, but he made not fine before the King’s Justice. And Cheping still holdeth it, and rendereth custom therefore.

SPECIMENS OF THE BOLDON BOOK.

P. 566. Chester, with the Villeins and Lordship, without the Stock, and with the fishery and mill of the same Town, rendereth twenty-four marks.

Weremouth.—In Weremouth and Tounstall are twenty-two villans, and each holdeth and rendereth, and worketh, like those of Boldon. The carpenter, who is an old man, hath for life twelve acres for making ploughs and harrows. The blacksmith hath twelve acres for the iron-work of the ploughs, and the coals, which he findeth. The two vills render twenty shillings for cornage. The pounder holdeth and rendereth in manner as the pounder of Boldon doth. The Lordship is at farm with a stock of twenty beeves and two hundred sheep, and rendereth with the mill 20l. The Fishery rendereth six pounds. The Borough of Weremouth twenty shillings.

Penchere.—William Basset hath Penchere in exchange for the land which his father had in Middleham, except fourteen score and fourteen acres and a half, as well of arable land as of moor, which the Bishop holdeth in capite, for which he rendereth four marks, and for a certain mill two marks. But the remainder of the vill he holdeth of Jordan de Scouland, of whom he held the land of Middleham.
THE STATUTES OF THE REALM,

Nine Volumes Folio.—Alphabetical Index, One Vol.—Chronological Index, One Vol. In all, Eleven Volumes.

This, the only authentic edition of the Statutes of the Realm, commences with the Charter of Liberties of King Henry the First, and embraces Magna Carta and the other Charters of Liberties, and all legislative enactments, down to the accession of the House of Hanover, excepting the Private Statutes in, and subsequent to, the reign of Henry the Eighth. The peculiar features of this Collection are the following:—

I. A text formed upon a collation of the most authentic manuscripts and the best early editions, the material variations between them being pointed out.

II. A verbatim copy of all Statutes, whether in force or repealed.

III. A careful translation of all the early Statutes,¹ in parallel columns with the originals.

IV. Copious Indexes as well to each volume, as a General Alphabetical Index, and a General Chronological Index, in two separate volumes.

The able and elaborate "Introduction" prefixed to the first volume, which was written by Sir Thomas Edlyne Tomlins, has obtained general praise. That article is divided into five heads, and treats, 1st. Of the former printed collections, translations, and abridgements of the Statutes, and of plans heretofore proposed for an authentic publication, or for the revision of the Statutes. 2nd. Of the Charters prefixed to this collection of the Statutes. 3rd. Of the matters inserted in this edition, and their arrangement; of the sources from whence the several matters have been

¹ Until the reign of Henry the Seventh, the Statutes were generally in French or Latin.
taken; and of the mode used in searching for, transcribing, collating, noting, and printing the text of the Statutes.

4th. Of the original language of the Charters and Statutes, and of the translations of this collection of them.

5th. Of the Collections of the Statutes of Scotland and Ireland, heretofore published by royal authority, and of the methods successively adopted for promulgating the Statutes before and since the union of Great Britain and Ireland.

Fac-simile engravings are given of the Magna Carta, and of the other Charters of Liberties.

The importance of an accurate and authentic edition of the Statutes of the Realm cannot require to be pointed out or insisted upon; and when, as is the case with this edition, immense care and labour have been devoted to the subject, its claims to a place in every legal and historical library must at once be conceded, if it can be shown that no former collection is complete or authentic. Upon these points it is observed in the Introduction—

"Upon the whole it is ascertained that no complete collection has ever been printed, containing all the matters which at different times and by different editors have been published as Statutes. The earliest editions of entire Statutes were printed at the latter end of the fifteenth century, and began with the Statutes of Edward the Third in their original language. The Statutes of Henry the Third, Edward the First, and Edward the Second, were not printed entire until the beginning of the sixteenth century, and then in small collections by themselves in their original language; and none of these printed copies quote any record or manuscript as an authority for the text which they exhibit. Later editions of the Statutes, which combine the period previous to Edward the Third with that of Edward the Third and subsequent Kings, omit the original text of the Statutes previous to Henry the Seventh; giving translations of those Statutes, and the subsequent Statutes, in English; and the most modern editions, which, in some instances, insert the original text of the Statutes, previous to Richard the Third, from the
Statute Roll and ancient manuscripts, omit the translation of many parts of them; and in other instances give a translation without the text, and also omit many Acts in the period subsequent to Henry VII. Further it is to be observed, that the several printed editions differ materially from each other in the text of the Statutes previous to Henry VIII. The copy of the Statute of Gloucester, 6 Edw. I. in the editions printed by Tottell in 1556 and 1587, and by Lord Coke in his second Institute, varies most materially, not only from that in the earlier printed editions by Pynson in 1508 and 1514, and by Berthelet in 1531, but also from that in the edition by Marshe in 1556, the same year in which the first edition by Tottell was printed. The copy of this Statute, printed by Hawkins from the Statute Roll in the Tower, varies as well from those printed by Tottell and Lord Coke, as from those by Pynson, Berthelet, and Marshe. This instance is mentioned, as the Statute of Gloucester is the earliest on any Statute Roll. Many other instances occur, even in cases where the necessity of correctness was most peculiarly requisite; such are the ancient Statutes relating to the assize of bread, the composition of weights and measures, and measuring of land: in all these the calculations in the printed copies vary from each other, and are all incorrect, some in one particular, some in another. It may be noted, moreover, that many verbal variations occur between the several editions which appear essentially to agree with each other. Thus the copies in Tottell, 1556, 1587, and the second Institute, though generally accordant, are not precisely so; and the same observation applies to the editions by Pynson, Berthelet, and Marshe. These verbal variations may be said to be innumerable, and though for the most part minute, they are occasionally important. After the commencement of the reign of Edward III. a greater degree of correctness and uniformity prevail; but so late as the reign of Henry VII. some instances of material variation continue to be met with. The Acts of Richard III. were printed in French, first by Caxton, and
afterwards in Pynson's edition of the Statutes, from the commencement of the reign of Edward III. In the editions by Berthelet, Barker, and others, these acts of Richard III. were printed in English, agreeing in substance with the French text; but in the editions by Pulton and subsequent editors, there are essential variances in the translation, not only from the sense of the French text, but also from the former English editions; and even of the Statutes of Henry VII., though always printed in English, the copies in the editions by Pulton and subsequent editors differ in several instances from those in the earlier printed collections.

It is moreover ascertained, that no one complete printed translation of all the Statutes previous to Henry VII. exists. Some, which are omitted from Berthelet in 1543, and the other early editions, including that called Rastall's, 1618, are inserted in Pulton, 1618, and in editions since published. On the contrary, several parts of the Statutes, from 1 Edw. III. to 1 Hen. VII., translations of which are inserted in Berthelet, Rastall, and other editions, are omitted, and merely abridgments thereof given in Pulton and subsequent editions. All the Statutes, therefore, which have been hitherto translated, can be found only by uniting Pulton in 1618, and Rastall 1618, together with Rastall's English collection, and the English editions by Berthelet, Middleton, and Barker. Many errors and inconsistencies occur in all the translations, resulting either from misinterpretation or from improper omissions or insertions, and there are many ancient statutes of which no translation "has ever yet been published."

Some idea may be formed of the labour and expense which have been bestowed on this edition of the Statutes, when it is known that it was about twenty-eight years in progress; that five persons, namely, Alexander Luders, Esq., Sir Thomas Tomlins, John France, Esq., William Elias Taunton, Esq. (now Mr. Justice Taunton), and I. Raithby, Esq., were employed as co-editors, besides Messrs. Illingworth,
Caley, and many other persons, as collators, transcribers, &c.; and that the work has cost 59,392£.

The Statutes of the Realm were published at 31£. 10s., which, with 2£. 12s. 6d. for each of the two volumes of Indexes, formed a total of 36£. 15s.: but the price of the entire set is now reduced to 19£. 16s.; that is, for the nine volumes of Statutes 16£. 16s., and for each volume of Indexes 1£. 10s. Any volume may be purchased separately excepting the first.
FOEDERA, CONVENTIONES, LITTERÆ,
ET CUIUSQUE GENERIS ACTA PUBLICA INTER REGES ANGLÆ, ET ALIOS QUOSVIS IMPERATORES, REGES, PONTIFICES, PRINCIPIES, VEL COMMUNITATES,


Treaties, Conventions, Letters, and Public Transactions of every kind made or concluded between the Kings of England, and various Emperors, Kings, Pontiffs, Princes, or Communities, from the Entry of William the First into England, a. d. 1066, unto our Times. Faithfully transcribed from the Autographs preserved in the Treasuries of the Royal Archives, and from other Instruments of great antiquity relating to the History of England. First published by command of Queen Anne under the superintendency of Thomas Rymer, Historiographer, and of Robert Sanderson, Esquires. Since augmented, and in many places corrected, by command of his Majesty King George the Third.

The important collection of Historical Documents usually designated "Rymer's Foedera" has long been known to the learned throughout Europe, as it has formed the chief source whence historians have derived their materials. In the reign of Queen Anne, Thomas Rymer, the Historiographer Royal, was appointed by the Government to collect and
THE FŒDERA.

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publish a selection of Treaties, Leagues, Conventions, Mandates, Letters, and Records, illustrative of the History of England, and especially of her diplomatic relations with other Countries.—This may be considered a general description of the "Fœdera;" but the variety and interest of its contents scarcely admit of being classed or defined. The work forms, in fact, an inexhaustible store-house for Historians, Antiquaries, and Biographers; and whatever may be the object of inquiry connected with the middle ages, the "Fœdera" is one of the first books consulted. If the expression may be permitted, it is, in fact, the "Bible of Antiquaries;" for, as the greater part of the documents were taken from contemporary records, the accuracy of what is there found renders the information of infinitely greater value than the statements of Chroniclers, whose narratives it often corrects, almost always illustrates, and, what is of not less importance, sometimes confirms. No Historical student can possibly proceed with his labours, nor is any Historical library complete, without this invaluable collection. Its utility has been manifested by the testimony of the learned of this as well as of other countries for more than a century, and by the constant reference which is made to it in every work of the least Historical pretensions.

The first volume of the Fœdera was published in 1704, by Rymer, who lived to complete fourteen volumes, the last of which appeared in 1713, the year he died. He left the 15th and 16th volumes prepared for press; these, with the 17th, were printed in the course of the four following years, by Robert Sanderson, Esq., his assistant, who afterwards published three additional volumes, forming in all twenty-one volumes. "Thus," it has been observed, "was completed what may be properly termed the first edition of the Fœdera, begun in 1704, and completed in 1717.1 'A second edition appeared between 1727 and 1735, edited by George Holmes, Deputy Keeper of the Records in the Tower, who professed to have collated such of the documents as were in the Tower with the originals. In 1730,

1 Introduction to the new edition of the Fœdera.
Holmes published a separate volume, folio, pp. 57, entitled "The Emendations in the new edition of Rymer's Foedera," which emendations extended to the conclusion of the 15th "volume."

A third edition of the Foedera was printed at the Hague, between 1739 and 1745, which compressed the contents of the former into nine volumes, with a tenth containing an analysis of the work, which was previously published in French, entitled "Abregé Historique des Actes publiques d'Angleterre, recueillis par Thomas Rymer," better known in this country as the "Acta Regia," together with a general Index.

As the new edition of the Foedera only extends, as yet, to the close of the reign of Edward the Third, some brief remarks may be acceptable, upon the comparative utility of the first and second London edition, and the Hague edition. It is observed, in the "Introduction" before cited, that "though the second edition professes to be 'summa fide collata et emendata ad originales chartas,' yet, from what we have seen, it appears to possess but few excellencies beyond "the former," and doubt is thrown upon the assertion that Holmes did collate the press with the originals in the Tower. To what extent Holmes may have done so, it is impossible, without a careful examination, to state; but this much is certain, that he did collate numerous documents, that he thereby corrected important errors, and supplied numerous omissions, because the writer of this tract lately saw the copy of the first edition which Holmes used for the purpose, and convinced himself, by collation, that those corrections were made in the second edition. As the Hague impression was taken from the second edition, the relative merits of each depend upon the arrangement, whilst the value of both over the first edition must be obvious.

The chief recommendations of the Hague edition are, 1. Its consisting of only ten volumes; 2. The insertion of one hundred and seven Letters from Queen Mary to Foreign Princes and States between 1554 and 1558, from the origi-
nals in the library of the Duke of Kent; 3. Greater typographical accuracy; 4. The Abregé Historique; 5. A General Index to the whole work. The two London editions have no Index to the last three volumes: and the only Indexes to the seventeen preceding volumes are merely "Locorum "et Nominum," which are divided into seventeen parts, corresponding with each volume, and sometimes require as many distinct searches. With these advantages, however, there are defects in the Hague edition, which have not been pointed out. Each volume is divided into four parts, separately paged, which not only needlessly burthens the memory in using the Index, but produces great inconvenience, as there are four pages with the same number in each volume. The General Index is extremely defective and inaccurate, and can never be depended upon. It must be noticed, however, as a merit, that a reference occurs in each page of the work to the corresponding page in the second London edition; and, on the whole, the Hague edition may be recommended as the most convenient and valuable.

In March, 1803, the Record Commission "ordered that a "new edition of Rymer's Foedera be prepared for the press, "commencing from the first year of William the Conqueror: "incorporating therein all other public instruments which "may be found in the several Repositories of Records "within this Realm," of a similar description to those con- "tained in the original work, and continuing the Collection "down to the accession of his present Majesty."

The necessity of this Edition is thus stated in the Intro- duction:—"Those who are best acquainted with the "Foedera," and the nature of the originals of which it is "composed, have unanimously agreed that it is a work "capable of great improvement, and one that may be carried "to a much higher degree of perfection. On carefully con- "sidering the materials of this work, it has appeared that

3 It is much to be regretted that this part of the order was not attended to, because the only repositories (with very few, if any, exceptions) from which the new matter in the last edition of the "Foedera" was taken were the Tower and Chapter House, Westminster."
"many of them are incorrectly printed; and the nature of the mistakes is such as to prove that they have been incorrectly copied from the originals. Many instruments taken from the Tower, and particularly the French papers, and many of the earlier Bulls, taken from the Chapter House, have been copied with the most reprehensible neglect. Such considerations as these have long suggested the necessity of a new, more correct, and more extended edition of this great national work. The reasons for this measure may be thus briefly summed up:—1st. The Fœdera is a Collection of great general utility and importance; and is acknowledged to be so in every part of Europe. 2nd. To the British Nation it is as interesting as it is honourable; it is the faithful Depository of its most important Acts, the originals of which are daily perishing, or becoming less legible. 3rd. The original edition has long since disappeared; the second edition, more extensive, has been long out of print; and the Dutch edition has been long both scarce and dear. 4th. The late measures for methodizing, arranging, and preserving the Public Records of the Kingdom, have afforded peculiar and extraordinary facilities for such an undertaking."

It is desirable, for many reasons, that the superiority which it is supposed this edition possesses over the former ones should be pointed out in the words of the "Introduction."

"The principal points in which the present work has improved upon the former editions are, 1st. The extension of its limits to an earlier and later period of time. 2nd. The verification of the old materials, and the addition of others within the same reigns. 3rd. The chronological arrangement, with a reference to the Repository in which each article is to be found; and lastly, the typographical execution of the whole. The work commences now at an important era, that of the Norman Conquest in A.D. 1066,"

4 Since the Peace numerous copies of the Hague edition have been imported.
instead of A.D. 1100, the accession of Hen. I., which
forms no remarkable period in our history, nor is distin-
guished by any transaction of importance in the British
annals; and even in this reign, with which it commences,
which includes a period of thirty-five years, only two in-
struments are found in the preceding editions. Many
important articles (upwards of 600 in the first volume)
have been added under the different reigns; all either of
consequence in themselves, or necessary as connecting
links to complete the history of State transactions for
the times to which they refer. All the papers printed in
the original editions have been carefully revised; several
of the most important, where doubts arose, were compared
with the originals, where they could be found; and the
whole of those taken from the Patent and Clause Rolls
in the Tower, from the 7th of Edward I., 1278, to the end
of his reign in 1307, have been collated with the originals.
As the work has been printed from the second edition,
collated by Holmes with the originals at the Tower, it
was not thought necessary to re-collate all the papers
from that repository, although, from other sources, this
plan was adopted from the commencement; but very
carely in the reign of Edward I. such inaccuracies were
discovered, that it was resolved not to pass over a single
article in any repository where the originals were found
without re-collation. All those taken from the Bulls in
the Chapter-House have also been collated with the origi-
als, and a multitude of errors corrected, especially in the
transcripts made from the earlier Bulls. Those of later
times had been copied by Rymer with great fidelity. The
 Chronological arrangement, which was extremely defective
in all the former editions, is here, with great care and
labour, reduced to consistency and order. In many in-
stances, instruments were both mis-dated and misplaced.
"The omissa, which have been printed at the end of the volumes of the preceding editions, have been incorporated in this New Edition in their regular chronological series.

"The typographical arrangement of the matter in each page has been improved: the reader has at one view on the head of every page the name of the reigning monarch, the year of his reign, and the year of our Lord; and if Instruments occur on the same page for more than one year, that also is marked by a leading line of reference from figure to figure. The old titles have in most cases been recomposed; and all are so constructed as to give some general view of the substance or nature of the instrument to which they are prefixed. In many cases there were serious defects of this kind in the former editions. The Magna Carta and Carta de Foresta, and the modifications, explanations, and enlargements which they underwent in various reigns, with all the series of State instruments to which they gave rise, are in this edition, for the first time, carefully inserted from the originals. To the former plates, which are here all retained, and some of the most important re-engraved from the originals, there are added several new ones, consisting of fac-similes of the most important instruments, and of the Seals of the different monarchs."

To each volume Indices Locorum et Nominum are appended, and a copious Index Chronologicus is prefixed, in which the titles of such articles as are inserted for the first time in this edition are printed in Italics. The second and third volume is divided into two parts. Three volumes, or six parts, which bring the work down to the end of the reign of Edward the Third, anno 1377, have been published. Vol. i. and part 1 of vol. ii. were edited by Dr. Clarke, Mr. Bayley, and Mr. Holbrooke, and part 2 of vol. ii., as well as vol. iii., were edited by Messrs. Caley, Bayley, and Holbrooke. To show the importance which the Record Commission has attached to this reprint of the "Fœdera," the claims which it must be presumed to possess to the attention of the public, and its supposed superiority over the
previous editions, it need only be stated that three editors have been employed, and that the three volumes which have appeared have cost upwards of 30,000l. Either volume may now be purchased separately for 2l. 2s. The original cost of each was six guineas, excepting vol. iii., which was 5l. 15s. 6d.

It is important to add, that fifty-eight volumes of inedited materials, collected by Rymer, but not inserted in the "Foedera," are preserved in the British Museum, forming the Additional MSS. from No. 4573 to No. 4630. Though it is said, in the Introduction to the new edition of "the "Foedera," that those transcripts were in many instances too inaccurate to be printed from, they will nevertheless be found highly useful for Antiquarian and Historical purposes. A Catalogue of the Documents in question is given in the seventeenth volume of the second London edition of "the "Foedera," and there is an Index to the contents of each volume.
The Patent Rolls commence with the third year of the reign of King John, 1201, and extend to the present time; but those which are preserved in the Tower of London close with the reign of King Edward the Fourth, in April, 1483, the subsequent enrolments of Letters Patent being deposited in the Rolls Chapel, in Chancery Lane. On the Patent Rolls are entered all grants of Offices, Honors, Lands, Annuities, and particular Privileges, either to individuals or bodies corporate; Restitutions of Temporalities to Bishops, Abbots, and other Ecclesiastics; occasional notices of Deliveries of the Great Seal; Confirmations of grants as well to Corporations, both Civil and Ecclesiastical, as to individual; Special Liveries, Creations of Peers, Licenses of all descriptions which pass the Great Seal; Grants of Pardon, &c. On the back of the Rolls are Commissions to Justices of goal delivery, of the peace, of sewers; and, in fact, all other Commissions which pass the Great Seal are there recorded. On some of the early Patent Rolls, treaties with foreign sovereigns, and other diplomatic instruments, were frequently entered; but they rarely appear after the reign of Edward the Third.

Such, in general terms, is a description of the entries on the Patent Rolls; but there is scarcely a subject connected

1 Some Creations of Peerages will, however, be found on the Charter and Close Rolls. Copies of all Patents or Charters of Creation of Peers, from the earliest on record to the end of the reign of Edward the Fourth, have been lately printed by command of the House of Lords, and form the Appendix to the Fifth Report of the Lords' Committees on the Dignity of a Peer of the Realm.

with the history or government of this country, or with the most distinguished personages of the thirteenth, fourteenth, and fifteenth centuries, which is not illustrated by them; and they yield only to the Clause or Close Rolls in the variety and importance of their contents. An explanation of the difference between the documents entered on the Patent, and those entered on the Close Rolls, may be useful.

The King's Letters Patent were delivered open, having the Great Seal, from which they derive their legal existence, attached to the bottom. They are presumed to be of a public nature, addressed to all the King's subjects; and carry with them whatever extent of privilege, or power, or rank, or property, the Crown may think proper to bestow. The Close Rolls, on the contrary, are records of such instruments as were despatched closed, or sealed up, and were of a more private nature, being addressed to one or two individuals only, and were, in many cases, the authority to the Chancellor for issuing the Letters Patent. To these documents the King's Privy Seal was attached: they were folded up and tied round with a piece of silk.

In using the printed Calendar, it is particularly necessary to bear in mind the following observation, which is prefixed to it; namely, that "it is only a Selection, and that various "entries appear on the Patent Rolls which are not here "described; and therefore, although the work will be found "to afford abundant information, no one is to be deterred "from an examination of any record referred to elsewhere, "as being on the Patent Roll, because it is not to be dis-"covered here."

The cause of this fact may be thus explained. No perfect Calendar to the Patent Rolls has yet been compiled; and the printed volume was taken from a copy which was procured in the year 1775 by Mr. Astle, late Keeper of the Records in the Tower, for public use, but collated with two manuscripts in the Cottonian Library, marked Titus C. ii. and C. iii., which is supposed to have been compiled in the reign of James the First from the Records, by some clerk
who has selected from them what appeared to him most useful and interesting.

The volume contains copious Indexes, and will be found to comprise much information, as well for legal as for biographical, antiquarian, and historical purposes. The work was ordered to be printed on the 22nd of July, 1800, and appeared in 1802. It was edited by the Rev. Samuel Ayscough and John Caley, Esq. The original price was 1l. 16s., now reduced to 15s.

SPECIMENS OF THE ENTRIES ON THE CALENDAR OF THE PATENT ROLLS.

A°. 3 Joh.—Liberatio terrarum Willielmi de Warenna filii Comitis H. de Warenna.

Jura mentum pacis factum inter Regem et Sanctum Regem Navarre apud Eugol. 5° Februrarii, 1201.

A°. 16 Joh.—Compositio inter Regem et Barones suos adversantes viz', quod starent judicio quatuor Baronum ex parte Regis, et quatuor Baronum ex parte Baronum electorum, et quod Papa erit superior in qua adversantes sunt coram Judicis apud Windsor 10° Maii.


A°. 21 Hen. III.—Matrimonium inter Petrum filium et heredem Petri de Brus et Hilliam primogenitam filiam Petri de Malolacu, ac matrimonium inter Petrum filium et heredem Petri de Malolacu et Johannam filiam predicti Petri de Brus primogenitam.

A°. 29 Hen. III.—David filius Lewelini castrum Regis de Dissard obsessus est; ad quod rescuendum Rex destinavit mittere potentem et bellicosam gentem, apud Wodestoke 11° Julii. Ad quod exercitus Regis sit paratus apud Cestriam die Jovis in feste Sancte Margarete Virginis, &c.


Galfridus de Nevill, qui est de navigio Edwardi primogeniti Regis, captus fuit apud Lewes per Barones, et deliberatus pro Roberto Newington, nuper capto per Regem apud Northampton.

A°. 9 Edw. I.—Quod Johannes Gifford de Brymmesfeld possit fugare lupos in omnibus forestis Regis infrà Regnum.

Remarks prefixed to the printed Calendar.

A°. 18 Edw. III.—Exemplificatio ejusdam Judicij per breve de Quo Warranto, per quod Rogerus Duckett tenet unum messuagium, &c. in Nottingham de Rege in capite per servitium suspendendi probatores et capiendo appellatosa probatoribus in comitatu Nottinghamie, et ad executionem brevium Regis faciendum in codem comitatu et ad debita Regis levandum in comitatu predicto per preceptum Viccomitis ejusdem per defectu aliorum ballivorum, et ad custodiendum averia pro debitis Regis capta in Comitatu predicto antequam venditioni exponantur ac per servitium capiendo pro quolibet averio pro die et nocte unum denarium.

A°. 31 Edw. III.—Rex in auxilium pauperum prisonariorum en le Fleet concessit eis denarios vocatos Godspence collecturos de certis custumaris.

A°. 35 Edw. III.—Rex concessit Johanni de Sully, pro vita sua, in singulis forestis parcis chaceis, &c., infra Regnum semel per annum in seisona cum sibi placuerit unum tractatum de arcu suo, unum cursum cum leporariis suis, et unam sectam pro cane suo vocato Bercelette.

A°. 3 Hen. IV.—De arrestando omnes personas in Comitatibus Cumberlandie et Westmorlandie qui divulgaverint Ricardum secundum vivum esse in Scotia, &c.

A°. 11 Hen. IV.—De cantaria fundanda infra Dominium de Albrighton Husee juxta Salopiam, in quodam campo vocato Halelyfield, in quo bellum inter Regem et Henricum de Percy et alios rebelles exuit, ubi Rex triumphavit, &c.
In their more important features the Charter Rolls differ little from the enrolments of the King's Letters Patent. They consist of grants of privileges to cities, towns, corporations, and private trading companies or guilds; grants of manors, lands, markets, fairs, free-warrens, fisheries, and other manorial rights to individuals; concessions of privileges to religious houses; in a few early instances copies of treaties with foreign princes; and, after the 11th year of the reign of Edward the Second, of creations of nobility.

Charters, like Letters Patent, passed under the Great Seal; and the principal distinction between a Charter and a Patent is, that the former was witnessed by such persons as were present when it was executed, whose testimony to its execution was necessary for its validity, and that the latter was executed by the King himself. There is also a slight variation in the address. A Charter usually commences in these words: "The King to all his Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Reeves, Ministers, and all his faithful subjects, greeting;" but a Patent commences thus: "The King to all to whom these presents shall come, greeting." Charters are sometimes confirmed by Letters Patent.

The Charter Rolls in the Tower of London begin in the first year of the reign of King John, 1199, and end with the reign of Edward the Fourth, 1483. After the accession of Richard the Second in 1377 few entries, comparatively speaking, occur on the Charter Rolls; and ten pages only
of the Calendar contain a notice of all which are granted in the reigns of Henry the Fourth, Fifth, and Sixth, and Edward the Fourth. The Charter Rolls cease in the 12th Jac. I., 1614, and after that period all Charters are enrolled, promiscuously with Patents, on the Patent Rolls, which are preserved in the Chapel of the Rolls, Chancery Lane.

At the end of the Calendar to the Charter Rolls is a calendar to the miscellaneous Charters and Confirmations of Liberties, from the reign of Henry the Third to that of Henry the Sixth.

Although the exact purport of the different Charters cannot always be gleaned from the printed Calendar, it nevertheless affords much information with respect to lands and individuals; and, notwithstanding that it was only intended as a reference to the records themselves, the purport of the instruments may sometimes be learned from the Calendar, subject of course to the chance of mistakes from the very brief manner in which the documents are abstracted. In using this volume it must be remembered, that the lands, liberties, or franchises, mentioned under each name, were then granted by the King to the respective parties.

The Calendar to the Charter Rolls was ordered to be printed on the 24th of March, 1802, and appeared, under the editorship of John Caley, Esq., in 1803. It was printed from three manuscript volumes in the Tower, apparently compiled in the time of James the First.

It may be convenient to state, that in 1772, Sir Joseph Ayloffe printed a quarto volume, entitled "A Calendar of " the Ancient Charters, and of the Welsh and Scotch " Rolls in the Tower of London. Calendars of all the " Treaties of Peace, &c. between England and Scotland, " Letters, and of other Documents connected with Scotland, " in the Chapter House at Westminster; " to which were

1 The Welsh Rolls extend from the 4th to the 23rd of Edward the First, 1275-1295.
2 The Treaties, Letters, &c., which extend from the reign of Richard the First to that of Elizabeth, 1069 to 1586, are important to historians.
added, Catalogues of the Records brought to Berwick from
Edinburgh by King Edward the First, and the Transactions of the Parliament of Scotland from May, 1639, to
March, 1650; together with Memoranda concerning the
Affairs of Ireland, extracted from the Records in the
Tower.” 3 An introduction was prefixed, giving some
account of the state of the public records from the Conquest
to the time of the publication of the work. The only parts
of this useful volume that have been superseded by subse-
quent publications are the Calendar of the Scotch Rolls,
which Rolls have been printed at length by the Record
Commission, and the Catalogue of Scotch Records which
Edward the First removed from Edinburgh, which was re-
printed with notes in Robertson’s “Index,” as will be pointed
out in a subsequent page.

The Ancient Charters in the Tower were granted by
King William the Conqueror, Henry the First, Henry the
Second, John and Henry the Third, and consist of grants
of lands, liberties, and privileges. An Index Locorum is
appended to the last of them.

SPECIMENS OF THE CALENDAR OF THE CHARTER ROLLS.

Ae. 1 Joh.—GALFRIDUS DE VEEB, No. 218. Serjantia de
Cadomo................................................. Franciâ.

Ecclesia DE Saham, 217.—Datur Domui Beate Marie de
Pynn cum Capella de Bewen.

Ae. 1 Joh. P. I.—CONVENTIO inter REGEM ANGLIE et
Comitem Flandrie. Treuga perpetua ................. Flandria.

Rex ANGLIE et COMES BOLONIE. Treuga quod nullus
corum faciat Treugam cum Rege Francic.

Ae. 37 Hen. III.—HENRICUS APELDOREFELD, 65. Apel-
dorefeld Mercatum et Feria ............................ Kancia.

Ae. 39 Hen. III.—COMPOSITIO inter ELECTUM WINTONIE et BURGENSES WINTONIE. De emptione victualium
&c., in nundinis, &c., in villa Suthamptonie................. Sutht.

3 These memoranda consist of brief, but useful, notices of records connected
with the History of Ireland from the 2nd of Hen. II. to the 7th of Edw. IV.
1167.
INQUISITIONES AD QUOD DAMNUM.

A°. 43 Hen. III. Pars 1°.—EPISCOPUS EXONIENSIS. Penrin
Manerium mercatum et feria et libera Warena in omnibus domi-
nicia terris suis, quas in presenti habet in Episcopatu Cicestrie,
Wintonie, et Exoniensi ........................................ Cornubia.
A°. 26 Hen. III. — BERTRAMUS DE CROILE.—
Croxton Maneriun } concessa eadem Bertramo et { .......... Leicester.
Lechton } heredibus sui........................ { .......... Sussex.

CALENDARIUM INQUISITIONUM
AD QUOD DAMNUM.

Calendar of the Inquisitions “Ad quod Damnum.”

In the same volume with the Calendar of the Charter Rolls is a Calendar of the Inquisitions ad quod Damnum, a judicial inquiry which still occasionally takes place, arising from the necessity of protecting the rights, property, or revenue of the Crown and of the subject from injury or encroachment. This process occurred whenever a request was made to the King for licence to alienate lands in mortmain, or to hold a market or fair, or to possess any other peculiar privilege, in case a doubt existed whether the favor sought would not be to the detriment of the Crown or of some of its subjects. For example: by the alienation in mortmain of lands for which service was due to the Crown, and thereby depriving it of that service; by the grant of a market or fair, or of a mill too near to a place where one already existed, so that its tolls might be affected; or by the concession of any other new privilege which might interfere with vested rights, whether of a public or private nature. In these cases a writ was addressed to the King’s Escheator in the county where the place was situated, commanding him to assemble a jury and to ascertain by their verdict whether it would be to the damage of the King or of others, if the privilege solicited were to be granted: thence called Inquisitions “ad quod Damnum.” The Inquisitions to which this volume is a Calendar extend from the first year of the reign of Ed-
ward the Second, 1307, to the thirty-eighth year of that of Henry the Sixth, 1460. Though the result of the inquiry is not to be gathered from this Calendar, for which the original record must be consulted, it is nevertheless of much utility; for it generally proves that the parties mentioned were seised of the lands alluded to, and occasionally presents genealogical facts and curious Antiquarian and Historical information.

The Calendar of the Inquisitiones Ad quod Damnum was ordered to be printed on the 24th of March, 1802, from a M.S. prepared by Mr. Robert Lemon, late chief clerk in the Tower, and appeared in 1803. The original price of this volume was 2l., but the present price is 18s.

**SPECIMENS OF THE CALENDAR OF THE INQUISITIONES AD QUOD DAMNUM.**

**A. 1 Edw. II. No. 1.**—**Abbas de Coggeshale.** Debet reparare pontem de Stratford, inter Blanketree et Coggeshale. ... Essex.

**A. 3 Edw. II. No. 181.**—**Abbas de Abbotsbury.** Habet crassos pisces et omne resecum maris apud Abbotsbury. ... Dorset.

**A. 1 Edw. III.**—**Johannes Cavenatur.** Compulsus fuit venire ad Castrum de Porcestre, et in eodem morari quousque viginti et quinque dolia vini pro munizione Castrui cepisset, &c. ... South.

**Baldwinus Damart, Mercator Flandria.** Navis ejus capta fuit per piratas juxta insulam Vectam et marinarii interfecit. ... Wiltes.

**A. 2 Edw. III.**—**Henricus Comes Lacastrie et alii.** Venerunt ad Civitatem Wintonie, non armati versus Novam Sarum, causa Parliamenti, et pacifice morabantur, &c. ... Nottingham.

**A. 4 Edw. III.**—**Ricardus le Purser de Scozia.** In quodam loco vocato Folcroft, juxta Nottingham, fuit insultus et vulneratus in capite usque cerebrum, unde obiit, per Ricardum filium Willielmi Bullok, et Ricardum filium Simonis Bullok. ... Leicester.

**A. 4 Edw. III.**—**Johannes de Insula.** Habeat custodiaram mancierorum de Loughborough et Beaumanor, devastatorum per guerram. ...
An Abbreviation of the Pleas during the Reigns of King Richard I., John, Henry III., Edward I., and Edward II., preserved in the Chapter House, Westminster.

In variety and importance the contents of this volume are superior to those of most of the works published by the Record Commission, and it well merits a place in every Historical, Legal, and Antiquarian Library. It consists of Pleadings before the Justices of the King’s Bench, before the King and his Council, Pleadings remitted from the King’s Bench to Parliament, together with some Petitions to that Assembly; and, besides throwing light on the early Constitution of Parliament and the Concilium Regis, these Records abound in curious matter illustrative of the general History of the country, of the descent of landed property, and of the manners and state of society in the twelfth and thirteenth centuries.

An excellent "Index Rerum," together with "Indices Nominum et Locorum," afford a direct reference to the numerous subjects adverted to; but, singular as it may appear, this very useful volume has, comparatively speaking, been but rarely consulted. Among the points on which information may be found are the following:1—Appeals of Murder and other Felonies, Assise, Attaint, Bridges and Sewers, Charters and Grants to Corporations, Concorcls and Fines in real actions, Enrolments of Deeds, Damages and Costs, Dictum de Kenilworth,2 Error, Fines, Gavelkind,

1 Introduction to the volume.
2 Some valuable remarks on the "Dictum de Kenilworth," which was the award made by Commissioners appointed by Henry the Third after the battle of Evesham, for the good estate of the realm, and for the provision of certain disinterested persons, will be found in the "First Report of the Lords’ Com- mittees on the Dignity of a Peer of the Realm."—P. 158, et seq.
Heirs and the Proofs of their Age and Pedigrees, Historical Facts relative to the Rebellion and Insurrection under Simon de Montfort, the Despensers, Andrew de Harcla, Thomas Earl of Lancaster, and others; as also to the battles of Lewes and Evesham, and the incursions of the Scots into Durham and Yorkshire; Honours and Baronies, Judgment, Jurisdiction, Juries, Liberties and Privileges to Corporations, Towns, and Villages; London, Customs of, and historical Facts relative to; Measures of Land, Obsolete Words, Practice of the Courts, Prerogative, Privilege of Courts, and Punishment for Contempts; Quo Warranto, Records of the Kingdom, Statutes and Ordinances, Trial by Domesday, by the Roll of Winton, by Duel and by Ordeal, Writs of Right and other real actions.

It is observed by Mr. Illingworth, the editor, in the Introduction to the volume, that "from the commencement of " these Pleadings in the reign of Richard the First to the " end of the reign of King John, the abstract has been " formed, for the most part, from Rolls of the Curia Regis; " but as it is difficult to decide now when the proceedings in " the Curia Regis finished, and the component branches of " that Court became distinct and permanently severed, the " whole of the work has therefore been printed under the " title of ' Abbreviatio Placitorum.' During the reigns of " Edward the First and Second, far the greater part of the " abstract is collected from Rolls of Pleadings in the King's " Bench; there are, however, numerous Pleadings before " the King in his Parliament at Westminster, before the " King and his Council, before the King's Council, before " the King and his Lieutenants, before the King's Lieu- " tenants, before the Queen and the King's Council, before " the Archbishop of York and the King's Council, and " before H. le Bygod, Justiciary of England; as also from " the Pleas of the Army, and Pleas before the Justices " Itinerant and Justices of Assize."

"The work was printed under the immediate direction, " superintendence, and revision, of the Right Honorable " George Rose, Keeper of the Records in the Chapter
"House, Westminster, from abstracts of the before-mentioned Pleadings, made by Mr. Arthur Agard and other Keepers of the Records during the reign of Queen Elizabeth." It was directed to be published on the 22nd of July, 1800, under an Order of the Board of Commissioners, "That the Calendars and Indexes to the Records of the Court of King's Bench, from the 1st of Edward I. to the 10th of Henry V., and of the Common Pleas, from the 1st of Edward I. to the 18th of Edward I., and of the Placita Exercitus, 24th of Edward I., preserved in the Chapter House, Westminster, be printed."

The latter part of the order has not, however, been executed.

The price of the volume, which also contains three facsimile engravings of the Records, was originally 1l. 16s., but is now 18s.

SPECIMENS OF THE PLACITORUM ABBREVIATIO.

Ae. 5 Joh.—Radulphus de Lutelhaie fugit, cum aliis malefactoribus utlagis; quos receptaverat in domo sua, &c.; et quia fecit se comitem utlagis gerat caput lupinum de cetero.

Ae. 9 Joh.—Agnes, uxor Odonis Mercatoris, appellavit Galienam de sorceria, et ipsa liberata est per judicium ferri. Et ideo Agnes remanet in miseria.

Temp. Joh.—Vicecomes significavit quod inquisivit, &c., quod Aluredus, filius Iovinis, qui habuit uxorom Susannam, primogenitam filiam Robertu Foliot, delit Willielmo, filio Radulphi, in maritajo cum Allreda filia sua mediatatem de Caldebir, et dicit, quod Gaufridus Foliot frater predicte Susanne, delit Briano de Buterle terram de Buterle, pro cruce sua ferenda Ierusalymam, &c.

Ae. 26 Hen. III.—Preceptum fuit Viccomiti, quod assumptis secum duo-decem discretis, et legalibus militibus, et xii discretis et legalibus mulieribus in propria persona accederet ad Isoldam, que fuit uxor Henrici de Turri que false se dicit impregnantem de predicto Henrico ad exhereditationem Hugonis de Turri consanguinei ipsius Henrici, et ipsam Isoldam a predictis mulieribus coram predictis militibus videri et diligenter tractari per ubera et per ventrem faceret; et si ipsam pregnantem invenisset diligenter inquirerent de tempore quo ipsa conceperit, et de tempore quo cederent ipsam parituram.
A. 20 Edw. I.—Ob quam plurimos excessus more hostili cum vexillo displicato per Gilbertum de Clare Comitem Gloucestrie et Herefordie, et homines suos de Morgannon illatos contra Humfridum de Bohun, Comitem Herefordie et Essexie, et homines suos de Brecknocke, Dominus Rex assignavit Episcopum Eliensis, et alios commissionarios ad inquirend., &c.

A. 22 Edw. I.—Johannes de Radewell querens, et Henricus filius Beatricis deforciens, in assisa pro uno messagio, &c. in Radewell. Dictus Henricus inventur esse natum per xii dies post xii septimanas, quod tempus xii est usitatum mulieribus pariendii. Ideo dictus Johannes recuperat terram suam et damna ad xxx libras. Et deforciens summunitus fuit per nomen matris sua et non per nomen patris sui presuppositionii qui esset Bartholomaeus Radewell. Et in judicio reddito hoc pro lege dictur quod ex quo dictus Bartholomaeus non habuit accessum ad predictam Beatricem per unum mensem ante mortem suam majus presumitur dictum Henricum esse bastardum.

A. 33 Edw. I.—Rogerus de Hereham monstravit domino Regi quod eum esset Justiciarius ad querelam inter Marian, quae fuit uxor Willielmi, de Brewes querens, et Willielmum de Brewes, de octingentis marcis quas eadem Maria a prefato Willielmo exigebat, audidam et terminandum, &c. et judicium per ipsum Rogerum contra predictum Willielmum pronunciamur esset. Idem Willielmus statim post pronunclationem judicii predicti contemptibiliter barram ascendit et ab ipso Rogero peciit verbis grossis et contemptibilibus si judicium illum advocare velit. Et postea eidem Rogero per medium domus Scaccarum versus dominum Regem eunti verbis acerbioribus et grossioribus insultavit dicoendo eidem sic. "Rogere, Rogere, modo habes voluntatem tuam " de hoc quod a multo tempore quesisivisti:" cui idem Rogerus dixit.—"Et quid " est hoc ad quod idem Willielmus pudorem meum et dampnum et ego hoc re- " munerabo vel regrediar vel inde cogitabo." Et super hoc idem Willielmus coram ipso domino rege et consilio suo arreatus, &c. cognoscit quod ipsa premissa fecit et dixit, &c. Que quidem contemptus et inobediencia tam ministri domini regis quam sibi ipsi aut curie sua facta ipsi Regi valde sunt odiosa et hoc ex- presse nuper apparuit cum idem Dominus Rex filiis suum primogenitum et carissimam Edwardum principem Wallie pro eo quod quedam verba grossa et acerba euidam ministerio suo dixerat ab hospicio suo fere per diuidium annui amovit nec ipsum filium suum in conspectu suo venire permitavit quousque dicto ministero de predicta transgressione satisfecerat, &c. Et quia, &c., per ipsum Dominum Regem et consiliun suum concordatum est quod prefatus Willielmus discinctus in corpore, capite nudo, et tena deposita, eat a banco ipsius dominii regis ubi placta tenetur in aula Westmonasteriensi, per medium aule predicte cum curia plena fuerit usque ad scaccarium et ibidem veniam petet a prefato Rogero, et gruntum suum faciat de dedecore, et transgressione sua factis, et postea pro contemptu facto Domino Regi, et curie sue committatur Turri ibidem mora- turum ad voluntatem domini Regis, &c.

A. d. 17 Edw. II.—Stephanus de Segrave attachiatus fuit pro eo quod cum
dominus Rex commississet illi custodiam Turris Londoniensis, et prisonariorum
ibidem existencium, &c., inter quos Rogerus de Mortuo Mari le neveu, qui pro
seditione fuit convictus, et turri adjudicatus extra turrim predictam evasit, &c.
Stephanus dicit evasionem dicti Rogeri non fuit per assensum suum, &c.; set
dicit quod ipse sedetius fuit per quemam valectum suum in quo fiduciam
habuit, et se confidit ut de seipso, et qui fuit de convivia ipsius Rogeri ad pre-
dictam evasionem faciendam, &c. qui quidam Rogerus et valectus quendam
potum inter se fecerunt ingeniosum quem dederunt custodibus sub ipso Ste-
phano infra turrim predictam bibere, occasione cujus potus idem custodes talen
do mitionem sumpsersunt quod vigilias suas et custodias super ipsum Rogerum
sicut debuerunt facere non potuerunt, dum predictus Rogerus, et similiter valectus
suus predictus cum eo extra turrim a custodia dicti Stephani evaserunt, &c.
TESTA DE NEVILL:
SIVE LIBER FEODORUM IN CURIA SCACCARII
TEMP. HEN. III. ET EDW. I.

Testa de Nevill; or Book of Fees in the Court of Exchequer in the Time of Henry III. and Edward I.

This volume, which was printed from two ancient Books, called the "Testa de Nevill," or "Liber Feodorum," in the office of the King's Remembrancer of the Court of Exchequer, contains principally an account of "Fees holden either immediately of the King, or of others who held of the King in capite, and if alienated, whether the owners were enfeoffed ab antiquo, or de novo; as also Fees holden in frank almoigne, with the values thereof respectively: of Serjeanties holden of the King, distinguishing such as were rented or alienated, with the values of the same: of widows and heiresses of Tenants in Capite, whose marriages were in the gift of the King, with the values of their lands: of churches in the gift of the King, and in whose hands they were: of Escheats, as well of the lands of the Normans as of others, in whose hands the same were, and by what services holden: and of the amount of sums paid for scutage and aid, &c. by each Tenant."

"The Books appear to have been compiled towards the close of the reign of Edward the Second, or the commencement of that of Edward the Third, partly from Inquests taken on the presentments of Jurors of Hundreds before the Justices Itinerant, and partly from Inquisitions upon Writs awarded to the Sheriffs for collecting of Scutages, Aids, &c."

"From what circumstance they have obtained the name of 'Testa de Nevill' is not ascertained: there are, however, two persons, to either of whom they may be assignable, viz. Ralph de Nevill, an Accountant in the Exchequer, and Collector of Aids in the reign of Henry the
"Third, whose name occurs in the Book, p. 39; and Jollan
de Nevill, a Justice Itinerant of the same reign, who, as
Dugdale, in his Baronage, vol. i. p. 283, supposes, may
have been the author."

"The entries, which are specifically entitled 'Testa de
Nevill,' are evidently quotations, and form comparatively a
very small part of the whole: they have, in all probability,
been copied from a Roll bearing that name, a part of
which is still extant in the Chapter House at Westminster,
consisting of five small membranes, containing ten
counties: the Roll appears to be of the age of Edward
the First, and agrees verbatim with the entries in these
Books."

It seems that the "Testa de Nevill" was not deemed a
record, in the legal sense of the word, in the fourteenth
century: for in the 7th Edward III., 1333, the Abbot and
Convent of Croyland stated in their petition, relative to a
demand made on the Abbey by the Exchequer to contribute
towards the aid for marrying the King's eldest daughter,
that the book called "Testa de Nevill" was a collection of
Inquests of Office, which "is not of record." To a trans-
script of a portion of the Testa de Nevill, on vellum, made
about the time of James I., and forming the Lansdowne MS.
257, the following note, transcribed from the original record,
is prefixed:—"Memorandum quod iste liber compositus
fuit et compilatus de diversis Inquisitionibus ex officio
captis tempore Regis E. filii R. H., et sic contenta in eodem
libro pro evidenciis habeantur hic in Scaccario et non pro
"recordo."

To the description of the work, which is prefixed to it,
little can be added in explanation of its contents, excepting
that it presents many notices of singular tenures, of the
division of property, and by whom possessed in the thirteenth

1 Rolls of Parliament, p. 70, 71, "Une livere que home appele Teste de
Nevill assemble des Enquestes de Office que n'est pas de Record."—"Dont ils
prient a nostre Seigneur le Roy, desicome les monementz avandit sourdont
de desordines accomptes des torecnouzes ministres ne sont pas de Record ne
tiele force qu'ils puissent leur tenance en franche almoigne," &c.

F. 2
century: it is also valuable for Topography and for the history of Families. The volume was ordered to be printed in December, 1804, and appeared in 1807, under the editorship of Mr. Caley and Mr. Illingworth.

The original price was 1l. 16s., but it is now sold for fifteen shillings.

SPECIMENS OF THE TESTA DE NEVILL.

P. 1.—Prior de Elye tenet totam villam de Elye in dominico in pura elemosina de Honorc de Tykehil exceptis xi solidis quos Abbas de Rupe tenet in eadem villa in escambium molendini de Serleby.


P. 87.—W. Rex Bastardus feoffavit Abbatem de Abindon de iij virgatis terre in Hulle que valent per annum iij marcas per servicium faciendi wardam Castro de Windesore. Idem Abbas feoffavit Henricum servientem suum de tota terra per servicium predictum. De Henrico descendit Hugoni ut filio et herelei qui vendidit totum tenementum Roberto de Hasting qui modo tenet.

P. 107.—Henricus de la Mare tenet in villa de Eston ij marcas terre per serjantiam custodiendi meretrices sequentes curiam domini Regis.

P. 149.—Wiltes. Mathew Turpin (tenet) WINTERLWE per serjantiam faciendi claretum Regi ad custum Regis.—Wills Esturni per serjantiam custodiendi forestam Regis.—G. fil. Geroldi ut sit Camerarius Regis.—Galfridus Luterel ut sit venator Regis.—Vitalis tenet per servicium reddendi quatuor attilia, —Ricardus de Hanez per serjantiam custodiendi canes Regis.—Robertus de Venuz ut sit Marescallus hostium coquine Regis.
An Abbreviation of the Rolls of "Originalia" of the Reigns of Kings Henry III, Edward I, II, and III, in the Court of Exchequer.

The Exchequer being the office for conducting business connected with the Revenue of the Crown, it was necessary that a notice should be sent to it of every grant by the King under which money was either to be paid by, or received into the Treasury, and that accounts should be there kept of all the territorial and other sources of the royal revenue, whether arising from fines, wardships, marriages, forfeitures, or from any other sources. For this purpose an estreat1 was transmitted from the Court of Chancery to the Lord Treasurer's Remembrancer of the Exchequer of each charter or patent whereon any rent was reserved, any salary payable, or for which any service was to be performed. The following observations are extracted from the preface to the "Index to the Originalia and Memoranda of the Lord Treasurer's Remembrancer's Side of the Exchequer, by Edward Jones," from the reign of Henry VIII. to that of Queen Anne, where much useful information may be found respecting the Office of the Exchequer, as well as on the value of records, (particularly the Originalia,) in elucidation of History.

"The Exchequer being the grand Conservatory of the King's Revenues, hath of charge the lands and casual Revenues of the Crown; and all matters, deeds, charters, or instruments, in any manner affecting those Revenues,

1 "An 'Estreat' is a true copy or note of some original writing on record, and especially of fines and amercements imposed in the Rolls of a Court, and extracted or drawn out from thence, and certified into the Court of Exchequer."
"must therefore be of record, to answer the record of "charge: thus all lands being the property of the Crown, "whilst in the Crown, must have been accounted for in the "Exchequer; and when granted out, it was necessary that "that grant should be of record, to warrant the discharge "of the original issues, and to charge the grantee by the "process of the Court with the rent or services reserved."

"With respect to the casual issues arising from fines, "issues, and forfeitures, when a Charter is granted to any "City, Borough, or Town, forming it into a body politic "and corporate, it generally gives some immunities arising "from the casual revenue within that City, Borough, or "Town, or grants it Fairs or Markets, the profits of which "had until then been accounted for; and they generally "contain some rents, dues, or services, reserved to the "Crown, or from Courts of Justice being created therein, "the casual revenues arising in which ought to be returned "to the Exchequer, to be there dealt with according to the "course of the Court. And also the commissions of the "Peace, the patents of Creations, the licenses of Deaf-and "restation, to alienate, to impark, to dispark, patents of "inventions, constitutions or patents of the officers of the "Crown, and various other matters under the Great Seal, "by reason of their connection with the Exchequer, are "transmitted there from the Petty Bag Office in Chancery, "and bear the name of Originals or Originalia."

"Also fines or forfeitures set or imposed as well in the "said Court of Chancery, as in the Court of King's Bench, "Common Pleas, Courts of Sessions for the Peace for "Counties, Cities, Boroughs, Towns, &c., and before Com- "missioners of Sewers, are likewise returned into this "Court."

The information which these Records present is still more fully shewn by an extract from a useful work, published about two centuries since, entitled Powell's "Direction for "Search of Records."

2 1622, p. 30, 32.
"From the Originalia may be obtained—

I. The names of all Sheriffs, Escheators, Customers, Comptrollers, Searchers, and Fermors as may be called unto accompt.

II. All Liveries sued out of the King's hands, that process may be had against the King's tenants for doing of their homage, and answering of their reliefs.

III. All manner of Patents granted to any person by the King, wherein is reserved or contained any homage or fealty, or else any yearly rent, or whereby a fee is granted.

IV. All manner of Commissions to Justices of the Peace, of Sewers, or of other kinds, that process may be made against them for delivering of recognizances, issues, fines, and amerciaments taken before them.

V. All manner of Commissions directed to any person or persons, to inquire of any lands or tenements, of such as have been offenders to the King; in which Commissions the Commissioners have authority to seize the said lands or tenements to the King's use, that process may be had against the said Commissioners for the profits thereof.

VI. The names of all Collectors of Subsidies, Fifteenths, Tenths, and Taxes, to call them to accompt.

VII. All pardons, of course, granted of grace for manslaughter, by which, though the life be pardoned, yet the goods of the party so pardoned are forfeited, so that process may go forth to enquire what goods or chattels he had at the time of the doing of the offence.

VIII. Also, under the title 'diem clausit extremum' are the names of such persons as the Escheator hath found to be possessed of any office or title for the King by Knights' service on the days of their deaths. And in how many Shires the said Office was found, and before what Escheators; that in case one office make no mention of any tenure for the King, whereby he should have a right, yet then they may examine all the other Shires, whether there be any Tenure for the King in them.

Also there are or should be all recognizances forfeited
"to the King in Chancery, and Charters of Denization. "And these be the contents of the Originals for the most "part, which, though it were disused in the Lord Chan- "cellor Cromwell's days, yet it was restored to its former "use afterwards."

The "Originalia" commence in the 20th year of the reign of Henry the Third, anno 1236, and the volumes published by the Record Commission close with the reign of Edward the Third, anno 1377. They were, it is said in the preface, "compiled from a careful examination of the "Office Repertories with the Records themselves, the "former, although of considerable use, having been found "not deserving of implicit reliance. An Index Rerum, an "Index Locorum, and an Index Nominum, are subjoined "to each volume."

The order for the publication of the first volume, which embraces the reigns of Henry the Third, Edward the First, and Edward the Second, is dated on the 24th of October, 1801, and it appeared in 1805. The second volume, which comprehends the entire reign of Edward the Third, was ordered to be printed in March 1805, and appeared in 1810. Similar abstracts of the "Originalia" from the 1st Ric. II. 1377, to the end of the reign of James the First, 1625, were also made, with a view to publication, but they have not been printed, and the MS. is deposited in the British Museum, a fact not generally known.

Numerous notices of an Historical and Antiquarian nature occur in the "Originalia," which throw much light on the genealogies of families, on the descent of lands, and occasionally on manners and customs, as well as on the general state of Society in the thirteenth and fourteenth centuries.

The two volumes of Originalia and Memoranda of the Exchequer, published by Mr. Jones in 1793, merit a slight

3 Additional MSS. No. 6363 to No. 6367.
4 Index to Records called the Originalia and Memoranda of the Lord Treasurer's Remembrancer's Side of the Exchequer, extracted from the Records, and from the Manuscripts of Mr. Tayler, Mr. Madox, and Mr. Chapman, formerly Officers in that Office. 2 vols. folio. London, 1793.
description. They embrace the period between the accession of Henry the Eighth and the end of the reign of Queen Anne, 1509 to 1714. The first volume, which relates to the "Originalia" only, is arranged under the different reigns, the names of the parties being placed in alphabetical order; and at the end of each reign is an Index to the Manors and other Lands that are mentioned.

The second volume of Mr. Jones's work is an Index to the Memoranda of the Exchequer, and is arranged alphabetically under the Manors and other Lands noticed in those records between 1509 and 1714, but including enrolments of Charters, Grants, and Patents to several religious Houses, and to Cities, Boroughs, Towns, Companies, Colleges, and other Public Institutions, from the earliest period. In the Addenda are Abstracts of Pleadings and Proceedings relative to the Tenures and Estates of the Nobility and Gentry; Commissions to survey Manors, Lands, and Tenements; and innumerable other matters. A copious Index Nominum affords every facility for reference. It has been said, however, by a competent judge, that Jones's work is a "very partial collection, and is deficient, in many reigns, as to the names of places and subject matter."

Before concluding this notice of the "Originalia," it is desirable to observe that "a valuable Index Locorum et Rerum to the Memoranda" of the Exchequer, from the reign of Henry the Third to the present time, excepting the Bills, Answers, and Depositions, is preserved in the Inner Temple Library, and has lately been published by the Benchers of that Society. The "Memoranda" contain enrolments of Extents of lands and proceedings thereon, Commissions of Inquiry whereby Estates forfeited or belonging to the Crown were seized by the Crown, Attainders and Forfeitures, Charters, Grants and Patents, Deeds and Conveyances by private persons and enrolled; many decrees and pleadings in equity; and numerous Pleadings and Judgments in informations of intrusion and Quo Warranto at the suit of the Crown.
SPECIMENS OF THE ORIGINALIA,
FROM THE REIGN OF HENRY THE THIRD TO THAT OF EDWARD THE THIRD.

A°. 20 Hen. III.—Eudo de Moreville finem fecit cum Domino Rege per viginti et quinque marcas pro habenda seisina Maneriis de Bradeport quod Willelmus de Morevell pater suus tenuit de rege in capite cum hundredo de la Ràdehan et hundredo de Bedminster.

A°. 3 Edw. I.—Rex Viccomiti Devonie salutem. Cum Stephanus Heym cui custodiam Alicie que fuit uxor Walteri Giffard, que non est sane mentis ut intelleximus et omnium terrarum et tenementorum ejusdem Alicie propter imbecilitatem et impotentiam suam commisisimus diem clausit extremum, ac nos de fidelitate dilecti et fidelis nostri Johannis ejusdem in balliva tua plenam seisinam habere facis, &c.—Rot. 15.

A°. 6 Edw. I.—Rex cepit homagium Radulphi de Levelaund, filii et heredis Margerie, que fuit uxor Fulconis Peyforer defuncte qui de rege tenuit in capite de serjantia custodie pallacii Westmonasteriensis et libere prisone Regis de Flete, &c.—Rot. 3.

A°. 4 Edw. II.—Kancia. Rex Rogerio le Brabazoun salutem. Cum Reginaldus de Cobham pro transgressione per ipsum facta in parco Margarete que fuit uxor Stephani de Peneest, apud Peneest de qua convictus fuit, &c. prisoque turris Londinensis adjudicatus fuisset, &c. idemque Reginaldus in priso predicta jam steterit per sex annos et amplius, &c. vobis mandamus quod accepto ad opus nostrum rationabili fine, &c. ipsum a priso predicta, &c. delibetari.—Rot. 14.

A°. 8 Edw. II.—Rex Johanni de Eure escaetore citra Trentam. Quia intelleximus quod vos terras et tenementa diversorum banerettorum militum et aliorum, qui, &c. et qui nuper apud Stryvelyn credabantur fuisse interfeci seisiri fecistis in manum nostram occasione mortis eorum; et jam nobis relatum est quod plures de illis sunt in postestate inimicorum nostrorum in partibus illis constitutis vitam duecentes inhumanam per quod volumus quod omnes terrae et omnia tenementa predicta tam illorum qui defuncti sunt quam aliorum de quorum vita adhuc dubitat, &c.
THE PARLIAMENTARY WRITS,
AND WRITS OF MILITARY SUMMONS;
TOGETHER WITH THE RECORDS AND MUNIMENTS RELATING
TO THE SUIT AND SERVICE DUE AND PERFORMED TO THE
KING'S HIGH COURT OF PARLIAMENT AND THE COUNCILS
OF THE REALM, OR AFFORDING EVIDENCE OF ATTENDANCE
GIVEN AT PARLIAMENTS AND COUNCILS. COLLECTED AND
EDITED BY FRANCIS PALGRAVE, ESQ.

Vol. I. Folio.—Vol. II. Divisions 1 and 2.

The Preface to the first volume of this work, which is edited
with great care and ability, affords the following information
of its contents. "The Collection includes all the Records
which show the constituent parts of the ancient legislative
and remedial assemblies of England, beginning with the
reign of Edward the First, and consists of—

I. "Writs of Summons addressed to the Prelates, the
Earls, and to the individuals generally, but not invariably,
"designated as 'Barons,' 'Proceres,' or 'Magnates;' and
"also to the Justices, Clerks, and others of the Council.
"In most instances the writs are extant on the dorses of the
"Close Roll, upon which each set of writs appears to have
"been entered or enrolled, from a panel or schedule (such
"as is now termed a Parliamentary Pawn), which remained
"on the file."

II. "Proxies of the Prelates, Earls, and 'Proceres.'"

III. "Precepts and Mandates issued by the Metropo-
"litan and Diocesan Prelates, pursuant to the praeumi-
"nentes Clause in the Writs of Summons, requiring the
"attendance of the inferior clergy; and Procurations issued
"by the capitular and parochial clergy, pursuant to such
"Precepts and Mandates."

IV. "Writs for the election of the members of the
"Commons House of Parliament, and Returns."
V. "Writs for levying the expenses of the Knights, Citizens, and Burgesses."

VI. "Writs of Military Summons, specially addressed to individuals usually considered as the greater or lesser Barons of the Realm."

VII. "Writs for the performance of military service, or relating thereto, addressed to the Sheriff of the County."

VIII. "Commissions of Array and other instruments relating to the military levies."

IX. "Records affording evidence of the names of the individuals who actually attended or deliberated in Parliaments or Councils."

X. "Records affording evidence of the actual performance of Military service."

"The documents comprehended under the foregoing ten sections constitute the body of the collection; those considered as forming the Appendixes are of a more miscellaneous description, such documents having been selected as explain particular facts and proceedings, or which tend to elucidate the main points of inquiry within the purview of the Collection. The latter may be thus enumerated:—

1st. Records showing the rank and condition of the individuals composing the Parliament. These are chiefly the Commissions by which the royal authority was delegated for the conservancy of the peace, the execution of statutes, &c. 2nd. Records relating to the election of Coroners, Verderers, &c., which took place in the County Court; and other documents showing the constitution of that assembly, and elucidating the history of the elective franchise. 3rd. Records relating to the customs and constitution of boroughs."

"In order to render the work more accessible to the reader, it has been accompanied by a Chronological Abstract of the Documents, with notes; a Calendar of the Writs of Election and the Returns thereof; and an Alphabetical Digest of the facts relating to persons."

"The collection is as complete as it has been possible to

1 "These documents will appear in a future volume."
make it, with the powers and means which have been afforded to the editor. He has employed all the original records which have been produced or rendered accessible to him; nor have any been omitted of which he has knowledge, or which he has been enabled to obtain. In some cases it has been necessary to have recourse to transcripts, and which are noticed in the Chronological Abstract. All the printed sheets have been carefully collated by the editor with the sources (whether original record or transcript) from whence they are taken, and they imitate or denote the peculiarities of the manuscript as closely as can be effected by typography.

With the exception of the Writs of Military Summons antecedent to the reign of Edward the First, as well as of the Writs to the Parliament of the 49th Hen. III., this work is a collection of all documents which are known to be extant illustrative of the History of Parliament, and of the Military force of England; and, to use a remark which has been before made on it, "whether, in relation to the light which is thrown upon the early history of the legislature of this country, the manner in which its armies were formed, or as materials for the biography of distinguished individuals, from the close of the thirteenth to the commencement of the fourteenth century, its contents are important to the historian, and highly interesting to the antiquary."

Volume the first, which contains upwards of 1150 pages, and embraces the reign of Edward the First, is thus divided:

I. Preface.

II. Chronological Abstract, with Historical notes, from page 1 to 76. This abstract presents an analysis of the contents of each document in English, and must be extremely useful to those who are unacquainted with the language or contractions of the original.

III. Calendar of Writs of Elections and Returns, page 1, xcvi.

IV. Parliamentary Writs, being literal copies of original documents, page 1—192.

V. Writs, Records, and Muniments, relating to the Mili-
tary service due to the Crown, whether by reason of tenure or of allegiance; also copies of original documents, page 193—330.

VI. Appendix of illustrative documents, page 381—409.

VII. Alphabetical Digest, preceded by a "Roll of the names and arms of the Bannerets of England, compiled in the early part of the reign of Edward the Second, and which affords a curious illustration of ancient heraldry." 2 Page 411—947.

An Index Nominum.

The Digest of Places and of principal matters in the first volume is to be given on a future occasion.

The second volume of the "Parliamentary Writs" embraces the reign of Edward the Second, 1307 to 1327, and is divided into two volumes, each of which is called "a Division." The editor observes in the preface:

"The writs of Election are exhibited in a series which, though by no means complete, does not offer any very important chasms; and the comparison between the number of returns, now printed for the first time at full length, and the number catalogued by Prynne, will show how many have been recovered since the age of that laborious writer."

"The several bundles of proxies contain only one executed by a temporal peer (Part 1, p. 267, No. 30), but that one is of considerable importance from the fact which it establishes, 3 viz., that a peer might consider himself as

2 This Roll was published in a small octavo, in 1828, by Pickering, Chancery Lane.

3 That Peers who were usually summoned sometimes attended a particular Parliament without being specially summoned thereto is fully shown by the Letters from the temporal Peers assembled in the Parliament at Lincoln to Pope Boniface VIII. relative to the Sovereignty of Scotland, in the 29th Edw. 1., 1301, to which no less than seventeen Barons were parties, who were summoned to previous Parliaments, but were not summoned to the Parliament at Lincoln. It is doubtful, however, if the case of the Earl of Surrey, mentioned in the text, can be considered evidence of the practice. A Parliament was commanded to meet at Rippon on Sunday next after the Feast of St. Martin (i.e. 4 November) by writs tested at Newcastle on Tyne on the 13th September, 16 Edward II. 1322, to which the Earl of Surrey does not appear to have been summoned. On the 30th of October, however, writs were addressed to
bound to attend parliament, although his name does not appear amongst the persons summoned; and that he might appoint individuals, not possessing seats in parliament, as his proxies, to appear on his behalf in that assembly."

The portion of the text relating to military service will be found to include, in addition to the Writs of Summons, &c. all the Scutage Writs which the Rolls in the Tower can supply, and a complete series of all the Commissions of Array. These two last classes of documents, though diverse in nature, must be considered in conjunction. The reign of Edward II. is to be viewed as the transition period, when the military tenures began to lose their efficacy, and a new mode of raising the forces was gene-

the Sheriffs of Yorkshire, Nottinghamshire, and other Counties, reciting the substance of the Summons to the Parliament or "Colloquium" at Rippon, and commanding them to proclaim that all the Prelates, Earls, Barons, Magnates and Proceres, as well as all Knights of the Shire, Citizens, and Burgesses who were summoned by writ, or who were otherwise warned ("per brevia nostra vel alio modo summonit vel premunis") to attend at Rippon should be at York on the same day. On the appearance of this Proclamation at the place where the Earl of Surrey was then residing, he doubtless considered it tantamount to a Summons to the said Assembly at York, notwithstanding that he might not have received a Writ to the Assembly intended to have been held at Rippon, and he appointed proxies accordingly. The fact that a Peer might "appoint individuals not pos-
sessing seats in Parliament as his proxies to appear on his behalf in that assem-
' bly," by no means stands on the authority of the Earl of Surrey's case alone. Independently of the numerous Letters of Procuration of Bishops and Abbots given in the "Parliamentary Writs," (vol. ii. pt. 1, p. 264, 266,) by which they appointed proxies to appear for them in the said Parliament at York, some of which proxies were Spiritual Peers, and others Commoners (chiefly clergymen), the same practice is shown by the Roll of the Parliament of the 35 Edward I. It appears, from that document, that some of the temporal Peers summoned to the said Parliament were "excused by the King," and others "by the "Justices," and that Reginald Lord Grey appeared by his attorney Thomas de Wytnesham: "Reginaldus de Grey ven' p' Thom de Wytnesham attorn."—(Rolls of Parliament, i. 188, and Parliamentary Writs, i. 183.) See also Rot. Parl. vol. i. p. 189, 190, 191, and Parliamentary Writs, vol. i. p. 186, where the names of the proxies of most of the Spiritual Peers and other Ecclesiastics who were then summoned occur, and where it is shown that Theobald Lord Verdon being summoned to the Parliament at Carlisle in January, 1307, appointed John Herbert, a Commoner, his attorney, to appear for him in that Parliament, and to answer particularly concerning the service due from him in the expedition against the Scots.

Sic.—Query the meaning?
"rally adopted, which speedily deprived the Baronage of their feudal character, and caused the greatest changes in the policy of the realm."

"In the Appendix care has been taken to insert the principal documents relating to the individuals who were engaged in the civil wars and dissensions, which form the principal characteristic of this unhappy reign. Few of these materials have hitherto been published; the greater part have never been quoted. Such, for instance, are the singular records of the compositions and fines by which the opponents of the King's authority, taken in arms against him, 15 Edw. II., were allowed to redeem their lives and estates. (Part 2, p. 202—213, No. 1 to 197, &c. &c.) The attainders of the adherents of the Earl of Lancaster, and the other State Trials of this period (Part 2, p. 244—249, No. 87 to 135; p. 261—269, No. 21 to 48; p. 269—271, No. 68 to 79, &c.) may also be perused as curious illustrations both of the policy and of the jurisprudence of these times. The Roll of the Battle of Boroughbridge (Part 2, p. 194—201, No. 171 to 191), printed by permission of its owner, the Right Hon. Charles W. W. Wynne, is also an historical document of singular value. Heraldry frequently affords the best, and sometimes the only, mode of identifying individuals; and, without deciding whether this document is or is not to be considered as a record, it is unquestionably coeval, and of great authenticity.""\n
5 Upon this Roll it is necessary to make a few remarks, in order that those who consult it may not be misled by the opinion expressed as to the "singular value" and "great authenticity" of so much of the document as relates to "Heraldry." The numerous mistakes which occur in the original Roll prove that it is unworthy of a place among authentic records; and the truth of this observation will be best established by pointing out a few of the many errors which occur. The name of Mounteney is written Mountency; the well-known family of L'Isle is uniformly written Idle or Lidle; Ingoldthorpe is called Ingelthorp; Cornwall is in one place called Curteneye; Wavetie, Wadville, &c.; whilst, in some of the charges in the arms the mistakes are equally remarkable: for example, persons are said to bear "a sawketon," "Amcorlos," and "mernoundes," charges never before heard of; the correct reading being, in the first instance, an "escutcheon;" in the second, "merclos," i.e. martlets; and in the last, probably a "chevron."
"In a work intended to develope the progress of the "English constitution, the documents illustrating the state, "rank, and condition, of the individuals composing the "legislature, furnish one of the most important subjects of "inquiry. That the Prelates and 'Proceres,' who were "more immediately about the King, should be often em-
ployed upon public business, may be easily anticipated. "But it is perhaps a more instructive feature in the history "of the open 6 aristocracy of England, to observe how gene-
"rally the members of the Commons were the active, leading, "and efficient characters in the minor communities, which "they represented in the supreme assembly of the realm."

"The Digests of places and principal matters of the "reigns of Edward the First and Edward the Second will "form a part or volume by themselves;" and, as neither the "Index Nominum" nor the "Digest of Names of Persons" in the second volume, which is said in the Preface "to be "appended hereto," occur in the first or second division, it is presumed that they are to form another volume, entitled "Division III.;" so that the "Parliamentary Writs, and "Writs of Military Summons," &c. of the reigns of Edward the First and Second, A's. 1272—1327, together with the Abstracts, Digests, and Indexes, will form five volumes, of which three only have yet appeared.

The arrangement and contents of the second volume are best shown by the following analysis:

Division the First, containing about 750 pages, consists of,
I. Chronological Abstracts, with Historical Notes, p. 3—458.
II. Calendar of Writs of Election and Returns, p. i—celxxxiv.

Division the Second, containing about 1060 pages, con-
sists of,
I. Writs, Records, and Muniments, relating to the Suit and Service due and performed to the King's High Court of Parliament, and the other Councils of the Realm, or affording evidence of attendance

6 So in the Preface;—but query the meaning.
given at Parliaments and Councils during the reign of Edward the Second, p. 1—366.

II. Writs, Records, and Muniments, relating to the Military Service due to the Crown, whether by reason of Tenure or of Allegiance, during the reign of Edward the Second, p. 367—763.

III. Appendix of Records and Historical Documents illustrating the Parliamentary and Military Proceedings, p. 1—296.

Volume the first was published in 1827, and the two divisions of volume the second in 1830. The price at which the first volume was published was 4l. 4s., now reduced to 2l. 2s. The second volume (both divisions) was published at 5l. 5s., but is now likewise reduced to 2l. 2s.; sums scarcely amounting to the value of the paper; and, when it is known that these volumes have cost upwards of 17,000l., the desire of the present government to extend Historical knowledge, by placing these important records within the reach of the community at large, seems indisputable.

It would be improper, in a notice of works illustrative of Parliamentary History, to omit the Rolls of Parliament, which were published many years ago in six folio volumes, by order of the House of Commons. These important and highly interesting records commence with the 6th of Edw. I., 1278, and extend to the reign of Henry VIII.; but the Rolls, subsequent to the 19th of Hen. VII., 1503, will be found in the first volume of the Journals of the House of Lords. The value of the Rolls of Parliament can only be adequately appreciated by those who have been in the habit of consulting them; for there is scarcely a subject connected with the Parliamentary, Legal, or General History of this country, on which information may not be derived from those records. Besides containing legislative enactments, they often present the previous proceedings; and as the Journals of the House of Lords do not commence until the 1st of Henry VIII., 1509, it is from the Rolls of Parliament alone that proofs
can be found of Peers having sat in Parliament previous to that period, which proofs are requisite in claims to an ancient Barony by Writ. The Petitions to Parliament frequently contain very curious matter, abounding in biographical materials, in illustrations of the state of society, and in notices of the descent of lands.

An Index to this invaluable collection of historical and constitutional knowledge is nearly ready for publication, under the authority of the House of Lords. By that Index ready access will be afforded to information which is indispensable to those who wish to learn the History of England from the only true and authentic sources—contemporaneous records.

It is proper to observe, that the Rolls of Parliament are very defective, the proceedings of various parliaments being, it is feared, irretrievably lost. Though many Petitions are printed in the present edition, numerous others exist; and if, as would appear from the passage about to be quoted, a new edition of the Parliamentary Rolls is in preparation, its superiority will probably consist in a more accurate text, and in containing the unedited Petitions. The following observation in Sir James Mackintosh's "History of England" being, however, calculated to mislead the historical student, by creating an impression, that the defects in the Rolls themselves, i.e. the proceedings of Parliaments which are missing, can be supplied, it is desirable to remove misconception, because errors are important in proportion to the celebrity of those who commit them.

Speaking of the arrest of Humphrey, Duke of Gloucester, in the parliament at St. Edmund's Bury, in February, 1447, the learned author observes:—"If there were any Parliamentary proceedings on the subject, no part of them is to be found in the printed Rolls of Parliament;" and he adds, in a note, "The imperfect state of the Rolls revives my envy of those historical inquirers who will have the good fortune to begin their labours after Mr. Palgrave's edition shall be completed."^7  

Whereas, it is certain that no edition of the Rolls of Parliament can supply the information in question, or, indeed, any other facts connected with proceedings in Parliament, excepting the Petitions which were presented, for this simple reason, that all the Records for the purpose have long ceased to exist, with the exception of those which occur in the edition of the Rolls of Parliament printed by the House of Commons.

**SPECIMENS OF THE DIGESTS OF THE "PARLIAMENTARY WRITS."

Rot. Claus. 6 Edw. I. m. 8. d. Gloucestershire.—Writ directed to the Sheriff, commanding him to distrain all persons within his Bailiwick seized of lands to the amount of 20l. yearly value, or one entire Knight’s fee, whether held of the King in capite, or of any other Lord, and who “ought to be Knights, and are not,” to take upon themselves the degree of Knighthood before Christmas then next; and to return the names of such persons under his seal and the seals of two lawful Knights of the said county.

Rot. Vascon. 22 Edw. I. m. 9. d. Writ of Military Summons addressed to “Galfridus de Geneville,” reciting that the King of France had attempted to disinherit the King of his land of Gascony, and that he had, therefore, proposed to cross the sea in person. He is enjoined “in fide et homaggio” to meet the King at the muster at Portsmouth, 1 Sept. with horses and arms, and all his service, ready to cross the seas in defence of the said land of Gascony.

Rot. Pat. 26 Edw. I. m. 23. Passports or letters of safe conduct for various Welshmen returning from Flanders, where they had performed military service, to their own country.

Rot. Claus. 29 Edw. I. m. 17. d. Kent.—Writ de expensis, addressed to the Sheriff for the Knights of the Shire who attended the Parliament at Lincoln.

Rot. Pat. 30 Edw. I. m. 35. Lincolnshire.—Letter of credence addressed to the Knights, “Probii homines,” and all the “Communitas” of the County, enjoining them to give full faith to what shall be declared, viva voce, by “Johannes de Insula,” and “Lambertus de Thriingham,” concerning certain urgent affairs touching the King and kingdom.

Rot. Claus. 33 Edw. I. m. 20. d. Writ docketted “de veniendo ad Parliamentum,” and addressed to “Johannes de Wichio,” commanding him to appear in person in the then instant Parliament at Westminster, on certain affairs concerning the King’s free Chapel of Hastings, which cannot be conveniently dispatched without his presence.

Rot. Claus. 34 Edw. I. m. 3. d. Shropshire.—Writ addressed to the Sheriff. The King has been given to understand, that various persons propose to hold tournaments and feats of arms, to the hindrance and impediment of his affairs in Scotland. Proclamation is to be made, that no one is to presume to attend any tournaments, justs, or feats of arms, until the termination of the war in Scotland. The lands, goods, and chattels, of the offenders to be seized, and the parties themselves to be attached and brought before the King.
The Hundred Rolls of the Reigns of Henry the Third and Edward the First, preserved in the Tower of London, and in the Court of Recept of the Exchequer at Westminster.—2 vols. folio, 1812.

The nature of these Records is so well described in the account of them in the Preface, that it is only necessary to give extracts from that statement to convey a perfect idea of the information which they contain, as well as of their general utility to Antiquaries and Lawyers.

"The Rolls, officially denominated 'The Hundred Rolls,' contain Inquisitions taken in pursuance of a special Commission, issued under the Great Seal, dated the 11th day of October, in the second year of the reign of King Edward the First."

"In order to form an accurate idea of the nature of the Hundred Rolls, it will be necessary briefly to consider the articles usually given in charge to the Hundredors by the Justices in Eyre, the particular objects the King had in contemplation in issuing this Special Commission, the legislative Provisions which originated from the Returns thereto, and the subsequent Proceedings in Quo Warranto in Eyre, which took place in consequence of some of these Provisions."

"It was a function of the Justices in Eyre as well to inquire of Knights' Fees, Escheats, Wardships, Marriages, Presentations to Churches, and Usurpations of the Rights of the Crown (in order to preserve the profitable Tenures of the King, and that he might be duly answered of the Fruits of such Escheats, Wardships, &c., which formed a
material part of his revenue), as to inquire of oppressions and frauds of the King's Ministers and Officers. The Justices, therefore (as is well known), delivered in charge to the Hundredors certain articles called 'Capitula Itineris.' (Bract. 1. 2, p. 116, 117.) These were not always the same, but varied as times and places required.

During the turbulent reign of Henry the Third, the Revenues of the Crown had been considerably diminished by Tenants in Capite alienating without licence; and by Ecclesiastics, as well as Laymen, withholding from the Crown, under various pretexts, its just rights, and usurping the right of holding Courts and other Jura Regalia. Numerous exactions and oppressions of the people had been committed in this reign by the nobility and gentry claiming the rights of free chase, free warren, and fishery, and demanding unreasonable Tolls in Fairs and Markets; and again, by Sheriffs, Escheators, and other Officers and Ministers of the Crown, under colour of Law.

King Edward the First, who was on his return from the Holy Land on the death of his father, did not reach England till towards the latter end of the second year of his reign (Rot. Claus. 2 Edw. I. m. 5; and Rot. Pat. 2 Edw. I. m. 15); and these abuses remained uncorrected till his return. One of the first acts of his administration after his arrival was to inquire into the state of his Demesnes, and of the Rights and Revenues of the Crown, and concerning the conduct of the Sheriffs, and other Officers and Ministers who had defrauded the King and grievously oppressed the people.” (Annals of Waverley, 235.)

The Capitula Itineris would have nearly embraced the consideration of all these abuses; yet, as the Circuit of the Justices Itinerant, who went it generally but once in seven years, would not return till the sixth year of this King's reign, it was necessary in the interim to afford a speedy remedy to the Crown and to the subject. Before, however, any specific remedy could be provided for the correction of the abuses above described, evidence was
"requisite of their peculiar nature and extent. The King, "therefore, on the 11th October, A.D. 1273, "appointed special Commissioners for the whole Kingdom, "as appears from the Patent Rolls of that year, wherein "are enrolled thirty-five articles of inquiry. Twelve other "articles not discoverable on the Patent Rolls are to be "found among the returns, making in all forty-seven "articles. The latter were adapted to the circumstances "of the place, and some of these are applicable to maritime "Counties only."

"After the Commissioners had in the third year returned "their Rolls of Inquisitions, in obedience to the Commission "of the 2nd of Edw. I., it was necessary for the Court of Ex-"chequer to have in one view such parts of the Return as "affected the rights of the Crown, and the abuses of its "officers. To this end certain Rolls were drawn up, cont-"aining a selection, under the denomination of Extracts."

"The Rolls of Inquisitions and Extracts being in the "hands of the Treasurer and Barons of the Exchequer, the "Crown was at once furnished (amongst other things) with "evidence, upon the oath of a Jury of each Hundred and "Town in every County, of all the Demesne Lands of the "Crown, whether ancient, or newly acquired by escheat or "purchase; Manors, &c. formerly in the hands of the "Crown, the persons holding the same, the authority, and "how alienated; tenants in capite and tenants in antient "Demesne; the losses sustained by the Crown in Military "Services and otherwise by the subinfeudations made by "such tenants in capite, &c.; Alienations to the Church "under pretext of gifts in frankalmoigne; Wardships, "Marriages, Escheats; suits and services, withheld and "subtracted; fee farms of the Crown, Hundreds, Wapen-"takes, and Tythings; Courts; Wreck of the Sea; Free "Chace; Free Warren and Fishery, and other Jura "Regalia; oppressions of the Nobility, Clergy, and other "great men claiming to have and exercise such rights; "exactions by excessive and illegal Tolls in Fairs, and for "Murage, Pontage, &c.; exaction and oppressions of
Sheriffs, Escheators, and other Ministerial Officers, "under colour of Law; unlawful exportation of wools, "&c. &c."

'The Statute of Gloucester was enacted in the sixth year "of this King's Reign; and the first Chapter, relating to "Liberties, Franchises, and Quo Warranto, was founded "upon the previous Inquiries under this Commission."

Other Rolls, also called "Hundred Rolls," though of a somewhat later date, in the reign of Edward the First, and differing from the preceding in their origin and contents, are appended to the second volume.

These Records were ordered to be printed on the 25th March, 1808, and Mr. Illingworth, who signed the Preface, was directed to correct the press under the revision of the Secretary. Indices Nominum et Locorum occur at the end of each volume. The price at which the Hundred Rolls were published was 2l. 2s. for vol. i. and 2l. 12s. 6d. for vol. ii. The present price is 18s. for vol. i. and 1l. 4s. for vol. ii.

SPECIMENS OF THE ROTULI HUNDREDORUM.

COM. BEDF.—Hundredorum de Flitte.—Dicunt quod Hundredum de Flitt est pertinens ad manerium de Buton, et quod Dominus H. Rex pater domini Regis nunc dedit illud manerium Wilhelmo Marescall Comiti juniori eum Alienora soreore sua in maritagium eum omnibus pertinenciis salvis tamen Domino Regi sexaginta solidos per annum de hidagio, et eadem Alienora nunc illud tenet, et dicunt quod habet returnum et placiui de naniio vestivo furcam et assisas panis et cervisie.

COM. BUCKS.—Villata de Wycommb.—Dicunt quod Rogerus Maloyse Ballivus Wallingfordie cepit de Ada de Oxonia de Wycoumb unum par sotulariorum precii vj denariorum pro eo quod suo tempore non poncer eum in assisas. Item dicunt quod idem Rogerus in ultimo itinere Justiciariorum apud Wycommb malicieos extorsit de Agnete Bordwad vj marcas dum fuit in prisione in hospicio Symonis de Hibernia et recognovit eiam multis hominibus quod tradidit medietatem dicto Simoni.

COM. DEVON.—Veredictum Hundredi de Wonford.—Rogerus de Pridiaus Vicecomes Devonie, cepit per Willielmum Bedelliam de Halsford octo vaccas Roberti de Boxlond et fugavit ad Castrum Exoniensis et de Castro usque ad nundinas per proprios servientes suos et ibi illas vendidit injuste et sine judicio Comitatus.
Burgus de Bideford.—Jurati illius burgi dicunt quod Ricardus de Greyvill habet assisas panis et cervisie in burgo de Bideford per quod warrantum nec quo tempore nesciunt. Item dicunt quod idem Ricardus habet forum in burgo de Bideford per diem Lune et nondam in vigilia Sancte Margarete et in die per quod warrantum nec quo tempore nesciunt.

Burgus de Tiverton.—Jurati illius hundredi dicunt quod Amicia Comitissa Devonic habet assam panis et cervisie furcam tumbercellum et pilloriam quo warranto ignorant nisi nomine dotis.
The Pleas of "Quo Warranto" in the Reigns of Edward I. II. and III. preserved in the Court of Receipt of the Exchequer at Westminster.

It was stated, in the notice of the "Hundred Rolls," that on King Edward the First's return from the Holy Land, he found that during the reign of his father, Henry the Third, the revenues of the Crown had been considerably diminished by tenants in capite alienating without licence, by persons withholding from the Crown its just rights, claiming the privilege of holding courts, and oppressing the people by pretending rights of free warren, free chase, &c.; and that the measures adopted by the King to remedy these abuses gave rise to the Inquiries which form the "Hundred Rolls." The first Chapter of the Statute of Gloucester, which passed in the 6th Edw. I. relating to liberties, franchises, and Quo Warranto, is presumed to have been founded upon the inquiries under that Commission. Immediately after the passing of that statute, "the stated period of the "circuit in Eyre returned; and on the Justices going their "Iter, Writs of Right and of Quo Warranto issued very "generally against such persons as claimed Manors, "Liberties, &c., where the Jurors had previously said upon "oath before the Inquisitors, Aq. 3 Edw. I. 'nesciunt "Quo Warranto,' the parties held or claimed; and again, "where they said the party held or claimed 'sine warranto,' "in such case a writ sometimes issued; but the party "usually came in upon the general proclamation (directed "by the statute) without any special writ of Quo Warranto. "The entry in the former case being 'A. B. summonitus "fuit ad respondendum domino Regi Quo Warranto,' &c.;
and in the other, 'Presentatum fuit alias coram Inquisitoriis Domini Regis quod A. B. clamat, &c. sine Warranto.'

' The Judgments do not appear in all cases, the same being sometimes adjourned 'coram Rege,' and at other times 'coram Rege in Parliamento,' &c. &c., and frequently no Judgment whatever was given, the King's Attorney not chusing further to prosecute his writ. It may, however, be material to notice, that at the end of the Readings in several counties are to be found 'Placita Forensica,' or Pleadings in other counties; and amongst these are not unfrequently cases wherein Judgments have been adjourned from the county where originally tried into another or foreign county, and there given."

'It is also observable, that the titles to some of the Rolls run thus:—'Placita de Quo Warranto et Ragemannis,' the Justices being assigned by the King and his Council, in pursuance of the Statute called 'Rageman,' said to have been made A. 4 Edw. I., to hear and determine all Complaints of Injuries done throughout the Realm, within the twenty-five years next before the feast of Saint Michael, in the fourth year of his reign. The proceedings in these cases were by Indictment in what was termed the 'Rageman,' and were chiefly against Sheriffs, Escheators, Bailiffs, and other Officers, for extortions and oppressions under colour of Law. These, however, form but a very small portion of the Pleadings when compared with those of the 'Placita de Quo Warranto.'"

'The frequent reference in Courts of Law to the latter Pleadings, in modern times, afford a strong proof of their great importance and utility, as not only the boundaries of many free chases, free warrens, and fisheries, and the allowance in eyre of various franchises and liberties, but many royal charters, as well to ecclesiastical as to lay corporations, not to be elsewhere found on record, are very frequently set out at large therein; the descents of manors, advowsons, &c., from the earliest period, are every where apparent; many obscure passages and ob-
"solete words in charters are repeatedly explained; and " much learning illustrative of the laws and customs of the " country, both useful and interesting to the Lawyer and " the Antiquary, will be found dispersed throughout the " work."

The Rolls are arranged under Counties; and Cardigan in Wales, as well as the Islands of Guernsey and Jersey, is included; but nothing occurs relative to the Palatinate of Durham. A fac-simile of the manuscript is prefixed, and copious Indices Nominum et Locorum are appended to the volume.

The original price of this work was 2l. 12s. 6d., now reduced to eighteen shillings.
CALENDARIUM INQUISITIONUM
POST MORTEM, SIVE ESCAETARUM.

Four Vols. Folio.

A Calendar of the Inquisitions "post Mortem," or Escheats.

During the prevalence of the feudal system the greater part of the lands in England was held either mediately or immediately of the Crown. On the death of each tenant in capite, a tax, called a "relief," was due to the King; and before the heir could take possession, he was not only bound to pay it, but also to perform homage, after which ceremony livery of his inheritance was given him. In the cases, however, where the heir was a minor, or the last tenant had been attainted of treason or felony, the lands in the former case escheated to the Crown, until the heir attained his majority, made proof of his age, and performed homage; but, in the latter contingency, absolutely and for ever.

In each County an officer was appointed, called the "Escheator," whose duty it was to seize into the King's

1 A history of the office of "Escheator" is a desideratum in antiquarian literature. Many notices for the purpose will be found on the Rolls of Parliament and in the Statutes of the Realm. By Stat. 34 Edw. III. c. 13, it was provided that escheators should take their inquests, by creditable persons in good towns, openly and not privily. By Stat. 23 Hen. VI. c. 16, they were compelled to hold their inquests within one month after receiving the King's writ of "Diem clausit extremum." It is evident from these enactments, that the office had been much abused. Escheators were usually appointed during the King's pleasure; though it was forbidden by Stat. 14 Edw. III. that any Escheator should continue in his office more than a year, and enacted that they should be chosen in the same manner as Sheriffs, namely, by the Chancellor, Treasurer, and Chief Baron of the Exchequer, with the assistance of the two Chief Justices, with a salary of 10l. per annum. A copy of the oath taken by them occurs in the Red Book of the Exchequer, and is printed in the First Report on the Public Records, p. 234-5, as well as in the authorised edition of the Statutes of the Realm, vol. i. p. 249.
hands all lands held in capite of the Crown, on receiving a writ entitled a Writ " de diem clausit extremum," commanding him to assemble a jury to inquire,

1. Of what lands the party died seised.
2. By what rents or services the same were held.
3. Who was his next heir, and of what age the said heir then was.

The inquest was taken on oath, and the verdict returned under the seals of the Jury, and upon that report the Crown acted. It is thus evident that Inquisitiones Post Mortem, or, as they are sometimes incorrectly termed, "Escheats," contain valuable information connected with the descent of lands and families, and are of the first importance to topographical writers, and for genealogical evidence.

The earliest Inquisitiones Post Mortem on record are of the reign of King Henry the Third, and they were continued until the Restoration of Charles the Second, when the Court of Wards and Liveries, which had been established by Statute 32 Hen. VIII. c. 15, to control the abuses to which the system had given rise, was abolished.

The printed Calendar refers only to the Inquisitions Post Mortem in the Tower, which end with the reign of Richard the Third, the subsequent Inquisitions being preserved in the Rolls Chapel.

Vol. i. contains the Inquisitions from the reign of Henry the Third to the end of the reign of Edward the Second.

Vol. ii. contains the Inquisitions in the reign of Edward the Third.

Vol. iii. contains the Inquisitions in the reigns of Richard the Second and Henry the Fourth.

2 A very curious record, affording similar information, about thirty years before any Inquisitions Post Mortem are preserved, has been recently published by Stacey Grimaldi, Esq., entitled "Rotuli de Dominabus, et Pueris, et Puellis, de donatione Regis, in xii comitatibus de Itinere Hugonis de Morewich, et alis, anno 31 Hen. II. 1185." (4to. 1839, Pickering.) This roll is extremely curious; it states the number of children of the parties mentioned, and their ages; it gives a minute account of their landed property and farming-stock; and affords many very interesting facts illustrative of the state of society in the twelfth century.
Vol. iv. contains a list of the Inquisitions in the reigns of Richard the Fifth, Henry the Sixth, Edward the Fourth, and Richard the Third; and an Appendix, with a list of a "large portion of the Inquisitions which are noted in the "preceding volumes as lost;" as well as of "upwards of "three thousand other Inquisitions Post Mortem, in the "several reigns from King Henry the Third to James the "First, inclusive," which have been recently discovered.

It is not generally known, that transcripts of the Inquisitions Post Mortem, from the reign of Edward the First to that of Charles the First, exist in the King's Remembrancer's Office in the Exchequer, which are in good preservation; and that similar Inquisitions, which were taken by escheators, virtute officii, without writ or commission, are in the same repository.

The volumes of the printed Calendar are chronologically arranged, and present the number of the Inquisition, the name of the party on whose death the Inquisition was taken, the names of all the lands mentioned therein, with generally a notice if the tenant was a felon or an idiot. To each volume copious Indices Locorum et Nominum are appended; but, in using the Calendar, some caution is necessary, and the following hints may prevent mistakes.

In many instances, and most commonly with respect to the "second numbers," notices occur of Inquisitions which were not Inquisitions post Mortem, but proceedings connected with alienation, or enfeoffment of lands to trustees, often for religious or charitable uses. It does not always follow that the lands mentioned were the property of the person to whom the Inquisition relates, though it is certain that they are mentioned therein; for they may be lordships, of which he held only a trifling tenement, or to which he was bound to pay a customary rent.

The Calendar was ordered to be printed on the 24th of March, 1802, and was taken, it is said, from "a transcript "of the Official Calendars, revised and corrected with the "originals by Mr. Robert Lemon, Chief Clerk in the Tower." Vol. i. appeared in 1806; vol. ii. in 1807; vol. iii. in 1821;
and vol. iv. in 1828; and were edited by Messrs. Caley and Bayley. The original price of vols. i. ii. and iii. was five guineas, and of vol. iv. 2l., being, for the set, 7l. 5s. The present price is, for vols. i. ii. and iii. 3l. 3s., and for vol. iv. 1l. 4s., or for the set, 4l. 7s. Vols. ii. and iii. may be purchased separately.

SPECIMEN OF THE CALENDAR OF THE INQUISITIONES POST MORTEM.

A°. 40 Hen. 3.—No. 7. Galfrid' Tregozi:—
Bellingford maner',
Peverell honor,
Redelesworth maner',

No. 8. Joh'es de Donington.—Salop 2 acr' dimid' .... Salop'.
No. 9. Walterus Wodenok.—Ilaghele 20 acr' terr' .... Suffole'.
No. 10. Juliana de Cultura.—Orchardleigh terr' .... Somerset'.
No. 11. Robertus de Petit brw e tantum.—Redford' terr' Notting'.
No. 12. Prior de Breutone.—Bri'eton hundre' terr', &c. Somerset'.
No. 13. Rad'us Bryan.—Manherebian maner' dimid' .... Hereford'.

de Honeore de Bolonye in Com. Essex'.

A°. 5 Edw. I. No. 2. Joh'es filius Will' Boydel. Cestr' com' 4 feod' Cestr'.

A°. 19 Edw. I. No. 9. Matilda uxor Will' i de Hardreshull, Saleby maner' extent' ............... Lincoln'.

A°. 10 Edw. II. No. 67. Robertus de Brus et Alia- noara uxor ejus postea nupt' Ric' le Waleys—[various lands.]

A°. 12 Edw. II. No. 20. Roh'tus de Welle et Joh' a uxor essus et Ada et Joh'es fr'es Robti.—Wyber- ton maner' ............... Lincoln'.

CALExNDARIUM INQUISITIONUM.
NONARUM INQUISITIONES
IN CURIA SCACCARII TEMP. REGIS EDWARDII III.

One Volume, 1807.

The Inquisitions of the Ninths in the Time of King Edward the Third, in the Court of Exchequer.

In the Parliament which met at Westminster on Wednesday next after Mid-Lent, in the 14th Edw. III., 29th of March, 1340, it was enacted, that in consideration of the "grants, releases, and pardons, of the chattels of Felons and Fugitives, and many other things underwritten, which the King had granted to the Prelates, Earls, Barons, and all the Commons of his Realm, for the ease of them perpetually to endure, the said Prelates, Earls, Barons, and all the Commons of the Realm, willingly of one assent and good will, having regard to the will that the King their liege Lord hath towards them, and to the great Travailes that he hath made and sustained, as well in his wars of Scotland as against the parts of France and other places, and to the good will which he hath to keep his realm, and maintain his wars, and to purchase his rights: they have granted to him the ninth Lamb, the ninth Fleece, and the ninth Sheaf, to be taken by two years then next to come. And of Cities and Boroughs the very ninth part of all their goods and chattels, to be taken and levied by lawful and reasonable tax by the same two years, in aid of the good keeping of this Realm, as well by land as by sea, and of his wars, as well against the parts of Scotland, the parts of France, Gascoyne, and elsewhere. And in right of merchants foreign, which dwell not in the Cities nor Boroughs, and also of other people that dwell in forests and wastes, and all other that live not of their gain nor store, by the good advice of them which shall be deputed Taxers, shall be set lawfully at the value of the Fifteen,
without being unreasonably charged. And it is not the
intent of the King, nor of other great men, nor the Com-
mons, that by this Grant, made to the King, of Fifteens,
the poor boraile people, nor other that live of their bodily
travail, shall be comprised within the Tax of the said
Fifteens, but shall be discharged by the advice of them
which be deputed Taxers, and of the great men which be
deputed Surveyors."

By Statute 2, in the same year, it was provided that this
grant should not be considered a precedent; that no future
aid should be granted, excepting by the common assent of
the Peers and Commons in Parliament; and that the pro-
ceeds of this aid should be wholly expended on the safeguard
of the realm, and in maintaining the wars of Scotland, France,
and Gascony.

Assessors and Venditors were accordingly appointed for
every county in England, to assess and sell the ninth and
fifteenth, and three Commissions were issued, directed to
Assessors and Venditors named under the Great Seal by
the King and Council."

The execution of the first Commission was confined to
a few parishes only within a county, and within the assess-
ment and sale the ninth of the religious was included.
The second Commission was likewise imperfectly exe-
cuted: but it was done in a way different from the first,
by assessing and selling the ninth of the articles to be
levied according to the tax or valuation of churches, com-
pleted in 1292, 20 Edw. I., called 'Pope Nicolas's Tax-
ation.'"

A third Commission was issued on the 26th of January,
15 Edw. III., 1341, addressed to the Assessors and Ven-
ditors, whereby they were instructed to levy the ninth of
corn, wool, and lambs, in every parish, according to the
value upon which churches were taxed (this means Pope
Nicolas's Valor and Taxation), if the value of the Ninth
amounted to as much as the tax, and to levy more where

1 Stat. 1. c. 20.
the true value of the Ninth should be found to exceed the "tax; but should the value of the Ninth be less than the "tax, they were directed to levy only the true value of the "Ninth and to disregard the tax; and to gain correct "information of these facts, they were directed to take "Inquisitions (the Records now published) upon the oath "of the parishioners in every parish."

These records present the finding of the Juries, which were appointed in each parish, to determine the true value of the ninth of the corn, wool, and lambs; and their Returns state the amount of the ancient tax of the Church, and the causes of the Ninth not amounting to the tax or value of the Church. When the Ninth did not exceed the tax it was attributed to other articles, such as Dos or Glebe of the Church, tythe of hay, and other tythes being included therein. If any Abbey, Priory, or other religious Corporation, had property within any parish, the ninth arising from such property was estimated and returned. The principal utility of these Rolls is in Tythe cases.

The names of the Assessors and Venditors are prefixed to the volume. They usually consist of an Abbot or Prior, and three or four lay persons of the best families in each county.

The volume was ordered to be printed in December, 1804, and appeared in 1807. The original price was 2l. 2s., but it is now reduced to 18s.

SPECIMENS OF THE INQUISITIONES NONARUM.

COM. BERK. Fynchamsted.—Rogerus Est, Johannes atte Belle, Johannes atte Hawe, et Robertus le Marchaunt parochiani dicte ville dicunt, &c. quod nona garbarum lanarum et agnorum ville antedictae nihil se extendunt ultra extentam ecclesiam, nec magis, nec minus, que quidam ecclesia se extendit ad vj marcas et dimidium. Item dicunt quod nulli catallater, nec mercatores sunt ibidem, sed omnes vivunt de terris et laboribus suis, &c.

COM. SUTH. Parochia de Bromdene.—Jur. dicunt, &c. quod nona garbarum vellerum et agnorum predictae parochie valent anno xiiij. li. s. vj d. ob. Et dicunt quod nona predicta ad taxam ecclesie predictae anno predicto attingere non potuit, pro eo quod dicta ecclesia dotata est de terra, que valet per annum v. iiij. d. Et dicunt quod decima feni et alie minute decime, cum oblationibus valent per annum xlvj. s. iiij. Et dicunt quod Prior de Seleburne habet temporalia in eadem parochia, unde nona valet anno predicto xv.
The Ecclesiastical Taxation of England and Wales, made by authority of Pope Nicholas the Fourth about the Year of our Lord 1291.

The following remarks are prefixed to this volume in explanation of its contents:

"Pope Innocent the Fourth, to whose predecessors in the See of Rome the First Fruits and Tenths of all Ecclesiastical Benefices had for a long time been paid, gave the same, A.D. 1253, to King Henry the Third for three years, which occasioned a Taxation in the following year, sometimes called the Norwich Taxation, and sometimes Pope Innocent's Valor.

"In the year 1288, Pope Nicholas the Fourth granted the Tenths to King Edward the First for six years, towards defraying the expense of an expedition to the Holy Land; and that they might be collected to their full value, a Taxation by the King's precept was begun in that year (1288), and finished as to the Province of Canterbury in 1291, and as to that of York in the following year; the whole being under the direction of John Bishop of Winton, and Oliver Bishop of Lincoln.

"A Third Taxation, entitled 'Nova Taxatio' as to some part of the Province of York, was made A.D. 1318, (11 Edw. II.) by virtue of a royal mandate directed to the Bishop of Carlisle, chiefly on account of the invasion of the Scots, by which the Clergy of those Border Countries were rendered unable to pay the former tax.

"The Taxation of Pope Nicholas is a most important record, because all the Taxes, as well to our Kings as the Popes, were regulated by it, until the Survey made in the twenty-sixth year of Henry the Eighth, and because the
"Statutes of Colleges which were founded before the "Reformation are also interpreted by this criterion, accord-"ing to which their Benefices, under a certain value, are "exempted from the restriction in the Statute 21 Henry VIII. "concerning Pluralities.

"Various detached parts of this Record have been pub-"lished in different County Histories; but the whole is "now, for the first time, edited from two Manuscripts in "the King's Remembrancer's Office, Exchequer, collated "with a Cottonian Manuscript of much greater antiquity in "the British Museum, Tiberius C. x., which has unfortu-"nately suffered some damage from the fire that happened "to the Cottonian Library whilst lodged in the Dormitory "at Westminster. The original Rolls for several dioceses "are still extant in the Exchequer, and have been consulted "in this edition: the various readings which occur in them "have been preserved: they are, however, but few, and are "of no great consideration; which circumstances evince "the accuracy of the ancient transcripts. Specimens of the "Hand-writing of the two Exchequer Manuscripts, which "appear to have been written in the reign of Henry the "Sixth, are prefixed, and a general Index is subjoined."

The "Taxatio Ecclesiastica" was ordered to be printed in November, 1800, and was published in 1802, under the editorship of Mr. Caley. This volume, and the "Valor "Ecclesiasticus," are very important works to those who are interested in the History of the Church, and of Ecclesiastical property; whilst in all disputes relative to Tythes, the value of Benefices, &c., they are indispensable books of reference, being, in fact, the highest authority on these subjects.

The original price was 2l. 2s., but the volume may now be had for 16s.
VALOR ECCLESIASTICUS.

SPECIMENS OF THE TAXATIO ECCLESIASTICA.

Decanatus de Dunstable.—Prior de Dunstable habet in Dunstable in terris redd. nundin. merct. tolt. molend. Cur. 11 10 4
Item habet ibidem in fructu gregium et animalium 0 1 0
Item habet in Honiton, Chalton, Litelgrave, Stoppesbye, in terris redd. ad pitane 6 3 8½
Item habet in Toterho apud Stortegrave in terris redd. et pratis 1 8 2

Taxatio bonorum temporaliwm Archid. Wigornie.
—Dominus Episcopus Wigornie habet apud Hambur. in salso marisco de reddit. assis. per annum 40 0 0
Et habet ibidem 5 carucat. terre et valet carucata per annum 1 6 8
Et habet ibidem unum Columbarium quod valet per annum 0 6 8
Et de placitis et perquisitis ibidem 8 0 0

VALOR ECCLESIASTICUS


Five Vols. 1810, 1825.

The Ecclesiastical Valuation made by Royal Authority in the Time of King Henry the Eighth.

In the twenty-sixth year of the reign of King Henry the Eighth, anno 1534, Parliament ratified and confirmed that Monarch's Title of "Supreme Head on Earth of the Church of England." A Statute was immediately afterwards passed, the preamble to which recites that the Lords Spiritual and Temporal and Commons desired and most humbly prayed "that for the more surety of continuance and augmentation of his Highness' Royal estate, being not only now recog-

nized (as he always indeed hath heretofore been,) the only supreme head in earth, next and immediately under God, of the Church of England, but also their most assured and undoubted natural sovereign liege Lord and King, having the whole governance, tuition, defence, and main-

tenance of this his realm, and most loving and obedient
"subjects of the same," it might be enacted "that the "King’s Highness, his heirs and successors, Kings of this "Realm, shall have and enjoy, from time to time, to endure "for ever, of every such person and persons which shall at "any time after the first day of January next coming be "nominated, elected, prefected, presented, collated, or by "any other means appointed to have any Archbishoprick, "Bishoprick, Abbacy, Monastery, Priory, College, Hospital, "Archdeaconry, Deanry, Provoostship, Prebend, Parsonage, "Vicarage, Chantry, Free Chapel, or other Dignity, "Benefice, Office, or promotion Spiritual, within this Realm, "or elsewhere within any of the King’s Dominions, of what "name, nature, or quality soever they be, or to whose "foundation, patronage, or gifts soever they belong, the "First Fruits, Revenues, and profits for one year, of every "such Archbishoprick, Bishoprick, &c. afore-named, where- "unto any such person or persons shall after the said first "day of January be nominated, &c.; and that every such "person and persons, before any actual or real possession, or "meddling with the profits of any such Archbishoprick, "Bishoprick, &c., shall satisfy, content, and pay, or com- "pound or agree to pay to the King’s use, at reasonable "days, upon good sureties, the said first fruits and profits "for one year." It was further provided, for the better "maintenance of the Crown as Supreme Head of the Church, "that the King should yearly receive "united and knit to his "Imperial Crown for ever, one yearly rent or pension "amounting to the value of the tenth part of all the revenues, "rents, farms, tythes, offerings, emoluments, and of all "other profits, as well called Spiritual as Temporal, apper- "taining or belonging, &c. to any Archbishoprick, &c. as "afore-named, within any Diocese of this Realm, or in "Wales; the said pension or annual rent to be yearly paid "for ever to the King, his heirs and successors, at the Feast "of the Nativity, and the first payment thereof to begin at "the Feast of the Nativity, A.D. 1535." It was further "enacted that the Chancellor for the time being should have "power to direct into every Diocese Commissions in the
King's name to the Archbishop or Bishop of such Diocese, and to such other persons as the King should name, authorizing them to inquire "of and for the true and just whole and yearly values of all the manors, lands, tenements, hereditaments, rents, tythes, offerings, emoluments, and other profits, as well spiritual as temporal, appertaining to any Archbishoprick, Bishoprick, &c., as afore-named, within the limits of their Commissions," and empowering them, in rating the said yearly values, to deduct "the rents resolute to the chief Lords and all other annual and perpetual rents and charges which any spiritual person or persons been bounden yearly to pay to any person or persons, &c., or to give yearly in alms by reason of any foundation or ordinance, and all fees for stewards, receivers, bailiffs and auditors, and synods and proxies," and to make certificate of the entire value of such reductions.

Pursuant to these clauses, Commissioners were appointed, and the "Valor Ecclesiasticus" is the Returns made by them on the matters mentioned in that statute. The utility of these Records in Ecclesiastical affairs is extremely great, as they form the Register by which First Fruits and Tenths are calculated. Among other miscellaneous information, the "Valor Ecclesiasticus" shows what sums were paid out of Spiritualities to lay persons or corporations, or in fees to Bailiffs, Receivers, Auditors, Sheriffs, Justices, and other Civil Officers, whose names at the time of the Survey are mentioned; the sums annually expended by Monasteries in charity; the amount distributed on anniversaries, with the names of the parties who were thus commemorated; the names of Priors, Abbots, and all other Incumbents, and sometimes of their immediate predecessors; together with

1 Their instructions, which are very minute, are printed in the first volume.

2 These notices sometimes afford biographical information. For example, it appears that Sir Thomas Wyatt, the Poet, was Chief Steward of the liberties and lands of the monastery of the Blessed Mary of Malling, in Kent, about the year 1536, with an annual fee of 53s. 4d., being then an Esquire; a fact which, however trifling, escaped the extensive researches of his biographer, Dr. Nott.
the value of lands, provisions, and other commodities; and
the record presents a complete view of the value and de-
scription of all Ecclesiastical property in the reign of Henry
the Eighth. In a few cases Commissions for a similar pur-
pose issued by Edward the Sixth and Queen Elizabeth occur.
A "General Introduction" and "General Map" will, it is
said, be delivered with the last volume; but neither is to be
found in the fifth volume, which it must be inferred is the
last, since all the Dioceses of England are now published,
with ample Indexes. The omission of that Introduction is
much to be regretted, for the accurate knowledge which the
Editor must possess of the contents of the work which he
superintended would doubtless enable him to point out the
value of the "Valor Ecclesiasticus" for legal purposes, and
the claims which it possesses to the notice of Antiquaries
and Historians in a more satisfactory manner than can be
done from casual inspection.
Vol. i., published in 1810, contains the Dioceses of Can-
terbury, Rochester, Bath and Wells, Bristol, Chichester,
and London.
Vol. ii., published in 1814, Winchester, Salisbury,
Vol. iii., published in 1817, Hereford, Coventry and
Lichfield, Worcester, Norwich, and Ely.
Vol. iv., published in 1821, Lincoln, Peterborough,
Llandaff, St. David's, Bangor, and St. Asaph's.
Vol. v., published in 1825, York, Chester, Carlisle, and
Durham.
In the Appendix to each volume a list of the Peculiars in
the respective Dioceses is given. The "Valor Ecclesiasti-
ticus" also contains Maps of the Dioceses, marking the
Ecclesiastical Divisions. Indices Capitum, Locorum, et
Nominum, occur in each volume.
The original record is deposited in the First Fruits' Office,
and was edited by Mr. Caley. It was first published at
12l. 10s., but the price is now reduced to 5l. 9s. Volumes
i., iii., iv., or v., may be purchased separately at 1l. 5s.
each.
**SPECIMENS OF THE VALOR ECCLESIASTICUS.**

**Hospitale Domus Dei Dovonn.**

*Perpetual Charges by the Foundation of the seid House.*

<table>
<thead>
<tr>
<th>£</th>
<th>s</th>
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<tbody>
<tr>
<td>40</td>
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First for the sustenaneunce of the poure people to the same House resortyng, amountyng yerely to.

Also on the daye of Seynt Pancre yerely for the soul of Hugh de Burgo one quarter of whete.

Also the same daye if it be flesshe daye one oxe, and if it be fishe daye two barrells of white heryng.

Also in the daye of the anuncyacion of our ladye for the soule of Kyng Henry the thirde, like almes.

Also in the daye of Seynt Luke for the soule of Margarete, daughter of the seid Hughe, like almes as is expressed for her seid father, amountyng yerely to.

Also to be distributed in drink at every of the seid dayes as moche drink as shall susteyn the seid persones that the seid almes shall be distributed unto.

Also for the finding of two lampes in the seid Churche of Meason dieu burnyng contynuallly by foundacion.

**Mersshe Scottes.**

Also paide yerely for mershe land scottes and waterying scottes for the defence of Romneye Mershe and saving of it agenst the see.

**Rents resolute.**

To oure soveraigne lorde the Kyng for blauncherent yerely.

To the Castell of Dovour for Castell warde oute of the maner of Pysyng every xxiv wykes v' which is by the yere.

Also to the Maire and Cominaltye of Dovour for rent yerely.
CALENDARS

Of the Proceedings in Chancery in the Reign of Queen Elizabeth; to which are prefixed, Examples of earlier Proceedings in that Court, namely, from the Reign of Richard the Second to that of Queen Elizabeth inclusive.

From the Originals in the Tower.—Two Volumes, Folio. Vol. I., 1827; Vol. II., 1830.

These Volumes contain Calendars stating the names of the Plaintiffs and Defendants, the object of each Suit, and the name and situation of the lands or tenements in dispute, with a slight account of the nature of the Claims in the Proceedings in the Court of Chancery during the reign of Queen Elizabeth, 1558 to 1603, alphabetically arranged under the names of the Plaintiffs.

This Calendar is useful to topographical writers: it affords much genealogical information; and is of considerable value for legal purposes. Prefixed to each volume are numerous specimens of Proceedings in Chancery from the 17th Ric. II., anno 1393, when they commenced, pursuant to the statute in that year, which enacted that "when the "suggestions of the Plaintiff were proved to be untrue, the "Chancellor should be enabled to award costs and damages "to the defendant, according to his discretion."

Upon the utility of these proceedings with respect to the early history of the Court of Chancery, some observations are made in the preface to the first volume; and, judging from the specimens there given of various Bills and Answers from the reign of Richard the Second to that of Elizabeth, these records are not exceeded by any that have been given

1 Stat. 17 Ric. II. c. vi.—"Item. Forasmuch as people be compelled to "come before the King's Council, or in the Chancery by Writs grounded upon "untrue suggestions, that the Chancellor for the time being presently after that "such suggestions be duly found and proved, shall have power to ordain and "award damages, according to his discretion, to him which is so troubled "unduly, as afore is said."
to the public in valuable illustrations of the state of Society at the periods to which they respectively refer: and they are likewise redundant in information relative to the descent of property, and in materials for Family history.

"These specimens," it is said in the preface, "throw considerable light on the origin of the Court of Chancery, as a Court of equitable jurisdiction; and, whilst they point out the variations that have taken place from time to time in the course of proceeding in that Court, and show under whose authority or administration those alterations have been introduced, they afford also considerable insight into the manners and customs of the times, and the orthography and phraseology of the English language when it first came into frequent use in Chancery and diplomatic proceedings."

"From these Proceedings it appears that the chief business of the Court of Chancery in those early times did not arise from the introduction of uses of land, according to the opinion of most early writers on the subject; very few instances of applications to the Chancellor on such grounds occurring among the proceedings of the Chancery during the four or five first reigns after the equitable jurisdiction of the Court seems to have been fully established. Most of these ancient petitions appear to have been presented in consequence of assaults and trespasses, and a variety of outrages which were cognizable at common law, but for which the party complaining was unable to obtain redress, in consequence of the maintenance or protection afforded to his adversary by some powerful Barons, or by the Sheriff or other officer of the County in which they occurred. The Petitions in the reign of King Richard the Second are very numerous; they are all in the French language; and, from some of the few examples which are here introduced, it will be seen that, even at that early period, the practice prevailed for the Plaintiff to find sureties to satisfy the defendant for his costs and damages, in case he failed to prove the matter contained in his Bill."
"During the active reign of King Henry the Fourth no bills or petitions addressed to the Chancellor have yet been found, and comparatively few appear to have been filed during that of his son and successor, King Henry the Fifth. From the commencement of the reign of King Henry the Sixth, the bills or petitions, and other proceedings in the Court of Chancery appear to have been preserved with greater regularity; and in his time the use of the English language, which had been partially introduced in the time of his predecessor, became generally adopted."

"For many years the usage of the Court appears to have been for the Defendant to be brought before the Chancellor and examined viva voce; but, from the time of King Henry the Sixth, a course more assimilating to the present practice seems to have been pursued; and in most cases, which were not of a mere personal nature, the answers and other proceedings are preserved in writing, as of record. But few Decrees in these early periods have been discovered, and these are generally found endorsed on the Bill, a practice which continued from the time of Henry the Sixth down to that of Henry the Eighth, if not to a later period."

The Calendars to the Proceedings in Chancery were edited by Mr. Bayley, and each volume was published at 2l. 2s., but the present price of the two volumes is two guineas.

SPECIMENS OF THE PROCEEDINGS IN CHANCERY.

The general arrangement and contents of the volume are similar to the Calendar of the Pleadings in the Duchy of Lancaster (vide infra); but prefixed are copies of proceedings, some of which are extremely curious, of a date anterior to the reign of Elizabeth. The following are specimens:—

In the Reign of Richard the Second, Robert Bridlicote complained that, as he was going along in the peace of God and of our Lord the King, the Saturday next after the Feast of St. Barnabas, on the highway, on the other side of the Town of Brentford, alone on foot, on a message to carry to Mr. Piers de Besiles, near Oxford, there the said John, with divers persons
unknown, all on horseback, met the said suppliant thus alone without defence, and on him the said John cried with a loud voice, in English, 'Slee, slee the thefe; shote, shote the thefe;' by force of which cry all the people there being surrounded the said suppliant in great numbers, and some of them bent their bows, and some drew their swords and daggers to kill the said suppliant. Whereupon, among others, a servant of the said John Forster shot the said suppliant with an arrow through all his cloaths into his arm, and thereupon he commanded the said servant to cut off his head, and the strangers there would not suffer him: whereupon the said John Forster took a bowstring and threw it into the water, and then tied both his hands so tightly that the blood gushed out of his fingers, and so led him as a thief to the Town of Brentford, and there in the presence of divers persons he would have killed him with his dagger, if it had not been for certain Esquires of my Lord the Duke of York, when the said suppliant had no other expectation than that of his death," &c.

In the reign of Henry the Sixth, a man complained that he had been grievously prosecuted in the Sheriffs' Court at the suit of Richard Rede, who had slandered him, in saying that he had taken his wife and his goods:—

'The whiche forseid Richard now late cam to one Elene Faux, and wold have yeven her a goun cloth, with that she wolde have assented to be a bawde betweene Katerine his wif and me the seid John Westowe. Furrthermore the said Richard yaf counsel, and excited in all that he cowde or might to his wif for to be a strumpet, beheting here xx. with that she wolde assente and suffre the seid John Westowe to lye by here, to thentent to take hym and here togetder, and to raunson him. Also the seid Richard be hoote to oon Sire John Person preest, that if he wolde recorde afore a jugge, with the seid Richard, that the seid Katerine were founden in a taverne with the seid John Westowe, he wolde geve the seid Sire John for his record a noble," &c.

In the reign of Edward the Fourth, "St. Waultier Howard Prest (prayed) that wheras he accordyng to naturall reason and lawe was syttyng and drynkyng with his owne suster in an honest hous within the Cite of London, yet dyvers personez maliciously disposed toward yor said oratour enterd into the said hous, surmysyng that the said woman shuld not be his sister, and ther made assaulte upon hym, and hym ther toke, bette, and sore wounded, and from thens caried yor said oratour to the Compter," &c.
DUCATUS LANCASTRIÆ.


Pars Secunda:—A Calendar to the Pleadings, &c., in the reigns of Hen. VII., Hen. VIII., Edw. VI., Queen Mary, and Philip and Mary.

The first part of this work contains the Inquisitiones post Mortem which relate to the Duchy of Lancaster, beginning with the first year of King Henry the Fifth, 1413, and ending with the eighteenth year of King Charles the First, 1642. It contains a Calendar to 3659 Inquisitions; and, as the nature and utility of the records called "Inquisitiones Post Mortem" have been already explained, it is not necessary to make any additional remarks on the subject.

The second part, which commences at p. 107 of the first, and is continued in the second volume, contains "the "Pleadings, consisting of Bills, Answers, and Depositions, "and Surveys, in Suits exhibited in the Duchy Court: they "commence with the first year of King Henry the Seventh, "1485, and are continued to the present time. The "Calendar extends from the earliest date of these plead-"ings to the reign of Philip and Mary, including 5682 "records."

It is said, in the preface to the second volume, that it "contains a supplemental Calendar to the Pleadings, "Depositions, &c., temp. Hen. VII., in continuation of the "volume previously published, including several records "which had been heretofore considered as lost, but which "have been recently discovered in the Duchy Office; A "Calendar to the Pleadings, Depositions, &c., in the reigns
of Hen. VIII., Edw. VI., and Philip and Mary; and
a Calendar to the Pleadings, &c., in the reign of Queen
Elizabeth, as far as the thirteenth year of her reign
inclusive; with copious Indexes of places and persons in
the respective Calendars.

The Calendars to the remaining part of the Pleadings,
temp. Eliz., will," it is said, "be continued in a succeed-
ing volume."

The Calendars present the names of the Plaintiffs and
Defendants, a slight notice of the subjects, and of the
situation of the lands or other property in dispute. It is
material to observe, that the lands litigated were as fre-
quently in other Counties as in Lancashire; hence the
utility of the Calendar is not confined to that County, but
extends to all lands which formed part of the Duchy of
Lancaster. Copious Indexes "Nominum et Locorum" are
appended to each volume; and, as the work appears to have
required three editors, R. S. Harper, Esq., John Caley,
Esq., and William Minchin, Esq., the labour of preparing
it for press must doubtless have been infinitely heavier than
might at first sight be imagined.

The two volumes were published at 3/. 5s.: the present
price is 1/. 11s. 6d. for both.
## SPECIMENS OF THE CALENDAR OF PLEADINGS IN THE DUCHY OF LANCASTER

|-----|--------|-------------|--------------|---------------------------------|---------|-----------|
A CATALOGUE
OF THE MANUSCRIPTS IN THE COTTONIAN LIBRARY,
DEPOSITED IN THE BRITISH MUSEUM.

One Vol. Folio, 1802.

The manuscripts in the British Museum form the most important materials for Historical literature in Europe; and it is therefore highly desirable that the Catalogue of their contents should be extensively known.

The three principal collections of Manuscripts deposited in the British Museum are those of Sir Robert Cotton, Robert Harley Earl of Oxford, and William first Marquess of Lansdowne, which are generally known as the Cottonian, Harleian, and Lansdowne Manuscripts. The other MSS. in the Museum are all styled the "Additional Manuscripts," with the exception of a small collection formed by the late Francis Hargrave, Esq., which bear his name, and of which a Catalogue has been printed; and an extensive collection, entitled Cole's Manuscripts, of which a MS. Catalogue is placed in the reading-room. The Additional Manuscripts, which have been chiefly acquired by purchase from various individuals, particularly from Sir Hans Sloane, and Dr. Birch, extend to above 7,000. Of that number a classed catalogue of 5071 MSS. was compiled by the late Rev. Samuel Ayscough, and was printed in two quarto volumes in 1782. Of the remainder a manuscript Catalogue, extending from No. 4324, to No. 6718, will be found in the Reading-Room, together with a MS. catalogue of the papers of the late Sir Andrew Mitchell, lately bought by the Museum.

THE COTTONIAN MANUSCRIPTS were collected by Sir Robert Cotton, in the reigns of Elizabeth and James the First, and consist chiefly of ancient Chronicles, Biblical MSS., State Papers of the 14th, 15th, and 16th centuries; Chartularies; early copies of the Scriptures and of other works; transcripts of, and extracts from, Records; Collections relative to various Courts, Offices, &c., forming one
of the chief sources from which historians and writers on constitutional subjects, topographers, antiquaries, biographers, and, in short, all persons interested in the literature or history of past ages have derived their materials.

It is a remarkable fact, that the government twice took possession of Sir Robert Cotton's Library, on the pretence that the information it contained was too dangerous to be disseminated, or that he had allowed it to be used by the enemies of this country. On the last occasion the venerable founder declared, that "by locking his books up from him " they had broken his heart;" and he caused it to be signified to the Privy Council, that their " detaining his books " from him, without rendering any reason for the same, had " been the cause of his mortal malady." This great national benefactor died in May, 1631, without having recovered possession of his property; and it was some time before it was delivered up to his only son, Sir Thomas Cotton, from whom the library descended to his son, Sir John Cotton.

In 1700 a Statute passed for the better settling and preserving the Library kept in the House at Westminster, called Cotton House, in the name and family of the Cottons, for the benefit of the public. This act, after doing justice to Sir Robert Cotton, for forming a most valuable collection of manuscripts, papers, records, &c. " of great use and service " for the knowledge and preservation of our constitution in " Church and State, and generally esteemed the best of its " kind now anywhere extant;" and reciting that " the same " had been carefully preserved, and much augmented and " enlarged by Sir Thomas the son, and Sir John the grand- " son of the said Sir Robert Cotton," declared, " that the " said John Cotton, in pursuance of the desire and intentions " of his father and grandfather, is content and willing that his " Mansion House and Library should continue in his family " and name, and that it be kept and preserved by the name " of the Cottonian Library, for public use and advantage."

By Statute 5 Anne, c. 30, entitled "An Act for the better " securing her Majesty's purchase of Cotton House, in " Westminster," in which, after stating that the Library,
in its present situation, was by no means in the state of security, nor of the degree of utility it was intended to be, it was provided that "to the intent so great a treasure of "books and manuscripts, so generously given for the public "service, might not remain any longer useless; and that "it might be in Her Majesty's power to make this most "valuable collection useful to her own subjects, and to all "learned strangers," an agreement had been made with Sir John Cotton, grandson of the founder, for the purchase of the inheritance of the house where the Library was de- posited, for the sum of 4,500l., which purchase could not have been made without an Act of Parliament, the preceding act concerning this library having directed that the house should not be sold or alienated; and it was provided that the said house be henceforth vested in the Queen, her heirs and successors, for ever.

In the year 1712, the library was removed to Essex House, in Essex-street, in the Strand, where it remained until 1730. It was then conveyed to Westminster, and de- posited in a house in Little Deans' Yard, which was pur- chased by the Crown for the purpose. On the 23rd of October, 1731, the Library was much damaged by a fire, which destroyed some, injured many of the MSS., and was nearly fatal to the whole. The remainder were removed into a new building designed for the dormitory of Westminster School, where they remained until the establishment of the British Museum, in 1753, when the Cotton Library was directed to be deposited therein for the use of the public; and two trustees were to be nominated by the representatives of the Cotton family, in addition to those provided by the statute founding the Museum.

The Cottonian Library, which originally consisted of 958, was, by the fire, reduced to 861, volumes, of which number, when brought to the Museum, 105 were damaged bundles preserved in cases.

This Catalogue was prepared by the late Joseph Planta, Esq., Principal Librarian of the British Museum, and was published in 1802 at 2l. 10s., but the present price is 12s.
A CATALOGUE
OF THE HARLEIAN MANUSCRIPTS
IN THE BRITISH MUSEUM.

Four Vols. Folio, 1808—1812.

The Harleian Collection of Manuscripts was formed towards the end of the seventeenth century by Robert Harley, the first and celebrated Earl of Oxford of his name. In value they are fully equal to the Cottonian Library, whilst they greatly surpass it in extent and variety. Among the manuscripts of distinguished persons which were earliest acquired, were those of Sir Simon d'Ewes, Stow, and Fox the Martyrologist. Various learned men were soon induced to present to the collection many important volumes, and the Earl of Oxford, being thus stimulated to pursue his design, employed several individuals, as well abroad as in England, to purchase whatever was rare or valuable. But zeal and munificence were not Lord Oxford's only merit; for it is almost as much to his talents and judgment as to his purse, that the country is indebted for this splendid collection.

The Earl of Oxford died on the 21st of May, 1724, but his literary zeal did not expire with him. His son and successor, Edward the second earl, emulating the noble example of his father, devoted great part of his fortune to the completion of what had been so auspiciously commenced: and on his demise in June, 1741, the Harleian Library contained 7639 volumes, exclusive of forty thousand original rolls, charters, deeds, and other legal instruments. The collection then became the property of his daughter and heiress, Margaret Cavendish, wife of William second Duke of Port-

1 Of this invaluable collection of charters, rolls, &c. a good manuscript catalogue is placed in the reading-room. It is very much to be wished that it were printed.
land; and on the institution of the British Museum it was purchased of the Duke and Duchess by the country, and placed in that establishment, "to be consulted," says the Statute, 26 Geo. II. c. 22, "by the curious, and for public "use, to all posterity."

It is well observed in the Preface to the Catalogue, that "to give a critical account of the rare and curious MSS. "preserved in this admirable repository, to point out their "respective excellencies, to select their most remarkable "passages, and to enter into a circumstantial detail of their "several histories, would prove a task infinitely too difficult "for any one person who should presume to attempt it;" but some idea may be afforded of the importance of these Manuscripts by briefly recapitulating the heads into which the writer of the Preface to the Catalogue has classed them.


4. Liturgies and Liturgical Books of the Syrian, Samaritan, Russian, Roman, Greek, and English Churches. 5. Missals, Breviaries, and Hours of the Holy Virgin, according to the uses of the Roman, English, and Gallican churches, Rituals, Ordinals, Books of Offices, Processional, and Graduals, many of them illuminated and adorned with historical and other paintings. 6. Ancient Evangelistaria and Lectionaries. 7. Menologies, Martyrologies, and Lives of Saints. 8. A variety of other books of religion and devotion, consisting chiefly of Prayers in the Hebrew, Latin, Arabic, Persic, Turkish, Ethiopic, English, French, German, and Dutch
Chirurgical, Pharmaceutical, and Medical Tracts. 26. A great number of volumes of original Letters, and authentic transcripts of others, written as well by sundry persons who have been eminent for their high stations in the State, as by those who were remarkable for their literary accomplishments; together with an immense variety of MSS. which, exclusive of their importance in other respects, are highly valuable on account of the many illuminations with which they are embellished.

The Catalogue was originally commenced in 1708, by Mr. Wanley, the Librarian to Robert and Edward, the first and second Earl of Oxford. He was employed on it until his death in July, 1726, and reached to No. 2408. It was resumed in 1733 by Mr. Casley, Keeper of the Cottonian Library, who continued it to No. 5709. Soon after the death of Lord Oxford in June, 1741, the Catalogue was committed to Mr. Hocker, the Deputy Keeper of the Records in the Tower, who, in less than two years, completed it as far as No. 7355. In this state the Catalogue remained until the 22nd of July, 1800, when the Record Commission ordered their Secretary to write to the Trustees of the British Museum to express the desire of the Board, "that the Catalogue of the Harleian MSS. be revised, corrected, and printed, with proper Indexes of persons, places, and matters, and to acquaint them that the Commissioners would provide for the due execution of the work." The Trustees accordingly engaged the Under Librarian of the MS. department to revise and correct the latter part of the Catalogue, beginning from No. 3100. This task, and the revision of the previous part of the Catalogue between Nos. 2408 and 3100 was performed by him, with the assistance of the Rev. Stebbing Shaw and Mr. Douce; and the first three volumes appeared in 1808. The fourth volume, which consists of Indexes of persons, places, and matters, was published in 1812.

This Catalogue is a key to inexhaustible sources of information on almost every subject; but to those who are interested in historical, antiquarian, or biographical litera-
ture, it is indispensable; and, as well as the Cottonian and Lansdowne Catalogues, will well repay an attentive perusal, for so infinite is the variety of the subjects which occur, that the general Indexes furnish but an imperfect idea of the contents of these matchless collections.

The present price of the Harleian Catalogue is 3l. 3s. only, and the fourth volume may be purchased separately, price 18s.: the original price was 8l. 3s.
A CATALOGUE
OF THE LANSDOWNE MANUSCRIPTS.

One Volume, Folio.

The Lansdowne Manuscripts, which consist of 1245 volumes, were purchased by the Trustees of the British Museum in 1807, pursuant to a vote of Parliament, from the representatives of William first Marquis of Lansdowne, for the sum of 4,925.

The most remarkable features of the Collection are—

I. One hundred and twenty-one folio volumes of State Papers, and the miscellaneous correspondence of Lord Burleigh. These documents fell into the hands of Sir Michael Hicks, his lordship's secretary: they were sold by his great grandson about 1682 to a stationer in London, of whom they were bought by Strype, the author of the Annals of the Reformation, who made great use of them in his works.

II. The correspondence and other papers of Sir Julius Caesar, Judge of the Admiralty in the reign of Queen Elizabeth, and Chancellor of the Exchequer and Master of the Rolls in that of James the First and Charles the First, consisting of fifty volumes.

III. The Manuscripts of Dr. White Kennett, Bishop of Peterborough, in 107 volumes, chiefly relating to Ecclesiastical history and biography of churchmen.

IV. Materials for English History, consisting of Letters and State Papers from eminent personages between the reign of Henry the Sixth and that of George the Third.¹

V. Petyt's Parliamentary Collections; a Treatise on the Star Chamber; Selections from the Patent Rolls, in fifteen volumes;² Reports of Law Cases from the reign of Henry

¹ A Collection of Royal Proclamations from 19 Hen. VII. to 17 Car. I. is deserving of particular notice. Lansd. MSS. 198.

² Nos. 297—301.
the Eighth to that of Charles the First, in fifteen volumes; and other manuscripts of a Legal nature.

VI. Collections for Topography and Heraldry, including Warburton's Collections for Yorkshire, Holles' Collections for Lincolnshire, Registers and Chartularies, and various Heraldic MSS. by Segar, St. George, Dugdale, Le Neve, and other Heralds.

The Lansdowne Collection likewise contains a few valuable Biblical and Classical MSS., and many others of a miscellaneous description.3

The Catalogue of the Lansdowne MSS. was ordered to be “revised, corrected, and printed” on the 15th of June, 1810, and was published in 1819. It is said in the Preface, which was written by Henry Ellis, Esq., the present Principal Librarian, that “a very large portion of the numbers in the “second part of the volume were catalogued by Francis "Douce, Esq., the late Keeper of the Manuscripts in the "British Museum. The remainder, including the Caesar "and Kennett Papers, with about two hundred other vo- "lumes, together with the revision of the whole of the second "part, was made by the present Keeper of the Manuscripts.” It must be particularly remembered, when consulting the Lansdowne Catalogue, that there are two Indexes: the first of which refers only to the Burghley Papers, that is, to No. 122.

On concluding these notices of the Catalogues to the Cottonian, Harleian, and Lansdowne Manuscripts, a few remarks will be made, with the hope of rendering the public better acquainted with the establishment in which these, with numerous other literary treasures, are preserved.

No individual can possibly consider his information, on any point of history, antiquities, biography, or bibliography, complete, until he has ascertained what exists in the Library of the British Museum. This observation applies, a fortiori, to persons about to publish on either of those subjects; and it is not too much to say, that a laborious study of all the

3 Preface to the Catalogue.
Catalogues is indispensable. To do this with advantage, excepting in a private apartment, is impossible; hence the recent reduction of the price of the Catalogues of the most extensive and important MSS. in the Museum is likely to confer great benefit upon literature, because those Catalogues are now placed within the reach of individuals whose pecuniary resources are limited;—the six folio volumes being only 4l. 13s.

It is, however, not only by enabling students to ascertain the existence of particular documents or other materials, that historical literature is benefitted, but by rendering it probable that accurate references will be given to authorities. Every writer well knows how much more likely he is to verify his references if he can do so in his own library, than if he must go purposely to a public institution; and, in many cases, he will be able to ascertain how far his notes may be depended upon in dates and names,—points upon which errors of a fatal, and sometimes of an absurd, nature are committed.

The value of the Library of the British Museum having been so strongly alluded to, it may be useful to state, briefly, how access to it is to be obtained, and the rules by which it is governed.

Admission is gained by an application in writing to the Principal, or senior Under Librarian, stating the name, rank in life, and residence, of the applicant: and if he be a stranger to the librarians or to the other officers of the Museum, his request must be accompanied by a recommendation from a gentleman in the metropolis, whose public appointments, or situation as a resident householder, reputation, or any other circumstance, may guarantee the respectability of the person applying. It may be safely said, that difficulties are never unnecessarily or improperly made in granting admission; but should an individual suppose that obstacles are wilfully thrown in his way, an application to the Archbishop of Canterbury, the Lord Chancellor, the Speaker of the House of Commons, or any other of the official Trustees, will at once obtain redress. Upon a person's receiving a ticket of admission, which endures for six months, and is
renewable at the expiration of that term, he has only to present himself in the reading-room, and to write, upon pieces of paper kept for the purpose, the title of the printed book or the number of the MS. which he requires, signing the ticket with his name, and affixing the date. Within a reasonable time the volume is brought to him, and he is permitted to make any extracts he pleases. He may obtain two or more books together, and change them as often as he thinks proper, writing for each in the manner just pointed out, the attendants taking them and bringing him others. At the entrance of the reading-room is placed a stand containing the various catalogues; and, in case of difficulty, it is only requisite to state what is desired to the librarian in waiting, to ensure prompt and obliging attention. The Library is open from ten until four every day, excepting on Sundays, and for one week at Christmas, Easter, and Whitsuntide; excepting, also, on the 30th of January, Ash-Wednesday, Good Friday, the 5th of November, and any Fast or Thanksgiving-day.

The following rules are the only ones which are necessary to be remembered:

"Readers are allowed to take one or more extracts from any printed book or manuscript; but no whole or greater part of a manuscript is to be transcribed, without a particular leave from the Trustees. The transcribers are not to lay the paper on which they write on any part of the book or manuscript they are using; nor are any tracings allowed without particular permission of the Trustees. No person is, on any pretence whatever, to write on any part of a printed book or manuscript; but if any one should observe a defect therein, he is requested to signify the same to the officer in waiting."

Upon the regulation that no entire manuscript, or the greater part of one, is to be transcribed without leave of the Trustees, it is right to observe that this rule is no impediment whatever to a student. The Trustees, with the most praiseworthy liberality, encourage the publication of manuscripts, so that permission is rarely, if ever, denied; and it
is seldom, indeed, that any remark is made upon the quantity that is copied.

The Reading-room of the British Museum is, in truth, an establishment of which every Englishman has reason to be proud. It does honour to the country; and, in the liberality of its regulations, as well as in the facility and continuity of access to its contents, it challenges a comparison with the public libraries of any other nation, and serves as a model by which all public institutions in Great Britain, containing materials for the illustration of British History, ought to be regulated; but to most of which, however, it forms, alas! a striking and melancholy contrast.
THE ACTS
OF THE PARLIAMENTS OF SCOTLAND.

Vol. II. to Vol. XI.

The great importance of an authorized and authentic edition of the Acts of Parliament of Scotland is sufficiently manifest; and, from the care and ability with which this edition has been prepared by Thomas Thomson, Esq., the Deputy Clerk Register, it possesses the strongest claims to the attention of those who are interested in the History and Antiquities of Scotland. The second volume commences with the Acts of the Parliaments of Scotland in the reign of King James the First, anno 1424. The eleventh and last volume terminates with the Session of 1707, immediately preceding the Union of the two Kingdoms, and in the Appendix to that Volume the proceedings of the Commissioners relative to that event, printed from authenticated copies preserved in the General Register House, are given. To the Acts of the Parliaments of each reign an Appendix has been annexed of certain Acts and Instruments which could not with propriety be blended in the preceding series; but, in the chronological table of the contents of the volume, these articles are set down in the order of time, and the particular sources from which they have been derived are there specified.

A chronological table of the contents, together with comparative tables showing the Statutes contained in former editions, and included in the respective volumes of this edition, as well as Indices Nominum et Locorum, occur in each volume.

The first volume, which is nearly ready for publication, will, it is believed, contain observations on the Parliamentary History of Scotland, with many illustrative Historical documents, and an account of the age, authority, and
contents of the several Manuscripts which have been used for collations, of which MSS. five plates, with fac-similes of the hand-writing, will be found in the second volume.

The Acts of the Parliaments of Scotland were ordered to be published in December, 1807, under the following order of the Record Commission:— "Resolved, that, in pursuance of a plan proposed by Thomas Thomson, Esq., Deputy Clerk Register, the publication of the Parliamentary Records of Scotland shall commence with the reign of King James I., and be carried on progressively; and that it shall be divided into two separate series,—the Statutes and all other Proceedings held in full Parliament to form one of these; and the Judicial Proceedings in Civil causes, held before Committees of different kinds, to form a separate series: the first of these to be printed as a second volume, in order to leave room in the series of volumes for the more ancient Parliamentary Proceedings prior to the reign of King James the First."

The original price of the ten volumes already published was 15l. 15s., which is now reduced to 9l.
The Register of the Great Seal of the Kings of Scotland, preserved amongst the Public Archives, A. D. 1306 to 1424.

This volume contains copies of various Charters granted by the Kings of Scotland from the accession of Robert Bruce in 1306, to the return of James the First in 1424, consisting of grants of Dignities, Offices, Lands, Churches, Regalities, Fisheries, Liberties, Privileges, Rents, Annuities, &c., and was edited by Thomas Thomson, Esq., the Deputy Clerk Register of Scotland in 1814, pursuant to the recommendation of the Deputy Keeper of the Records in the General Register House in Edinburgh, "that it would be highly proper to print the twelve existing Rolls and the first Book of Royal Charters, because the writing of those Rolls and of that Book is much decayed;" and in consequence of the recommendation of the Select Committee of the House of Commons, "that it might be expedient to print the earliest of the Royal Charters of Scotland."

"In the progress of this work," it is said in the preface, "it has appeared to be expedient and proper to extend the measure beyond the limits originally prescribed, and to give to the public a collection of select Royal Charters, from the earliest period of authentic record to the Union of the Kingdoms of Scotland and England in the year 1707."

"The nature and objects of this more enlarged collection of Charters, and the relation of the present volume to the general design, may be sufficiently understood from the statement in the fourth Annual Report of the Deputy
"Clerk Register of Scotland for the year 1810." That statement is remarkable for showing the lamentable devastation which has occurred in the Royal Charters of Scotland.

It appears that the Registers of the Great Seal of Scotland were originally of great extent and importance, comprehending, probably, a record of Grants from the time of Alexander the First, or David the First, to the death of Alexander the Third, i.e. from A.D. 1108, or 1125, to 1285. In the subsequent period, from "the accession of Robert Bruce, in 1306, to the return of James I., in 1424, a part of the record of Royal Charters, or, as it is technically called, the Register of the Great Seal, has been preserved; but that part plainly bears a small proportion to what has been lost or destroyed within the last two hundred years. Of about fifteen rolls, containing nearly seven hundred Charters of Robert I., which were extant at the beginning of the seventeenth century, and of which official Calendars are preserved, there is now only one Roll to be found, containing ninety-four Charters, or somewhat less than one-seventh part of what were probably lost in the removal of the Public Records to England in 1651. Even those fifteen Rolls can be considered as but the remains of a more extensive series of records; for the great number of authentic Charters of Robert I. still preserved, of which no entry is to be found in the official Calendars above alluded to, leaves little room for doubt that many other rolls of the Charters of that Sovereign had been lost at a still earlier period. In the subsequent reign of David II., the loss is little less considerable. Of about twenty-eight rolls of various magnitude, containing nearly six hundred Charters of that King, of which official Calendars are extant, not one has been saved; but in a Book, now called the First Book of the Great Seal, nearly three hundred Charters of David II. are recorded. In the two succeeding reigns of Robert II. and Robert III., and in the regency of the Dukes of Albany, the injuries which this record has suffered are comparatively smaller;
yet the number of existing original Charters, not entered in that record, is such as to indicate its very imperfect state. The same is equally true of the reigns of James I. and James II., and even in that of James III. the apparent defects are very considerable; nor is it till about the commencement of the sixteenth century that the series of Registers of the Great Seal begin to be tolerably complete.

If the design of collecting and printing such Royal Charters of the Scottish Monarchs as can be recovered from the archives of public bodies or private individuals should ever be carried into execution, this volume will form the first part of the second volume of the Select Royal Charters of Scotland; but in itself it is also a complete work, and as such, there have been here added to it very copious Indexes of the names of persons and of places.

It is material, in reference to the Royal Charters of Scotland, to allude to a quarto volume by William Robertson, Esq., entitled, "An Index of many Records of Charters granted by the different Sovereigns of Scotland between the Years 1309 and 1413, most of which Records have been long missing," and published in 1798, because it notices many of the Charters granted within the period embraced by the "Registrum Magni Sigilli," but which are no longer extant. That "Index" contains a copy of an Inventory which was compiled about the year 1629 of Charters granted by Robert I., David I., Robert II., Robert III., and Robert Duke of Albany, as Regent of Scotland, between 1309 and 1413. An Index Nominum is given for each reign, instead of one general Index of Names; but the Index Locorum is a general Index of all the places mentioned throughout the volume.

Of this Catalogue it is observed in the preface, "On an attentive examination, this Index was found to comprehend twelve Rolls and one Book of Charters, which now exist, and have always been kept with the other Public Records of Scotland. But besides these, it comprehends and
"relates to a much greater number of Rolls and Books of "Charters which are not now to be found in the Public "Records of Scotland. The number falling under this "description is no less than fifty-one Rolls of Royal "Charters, and three Books, consisting partly of Charters, "partly of Decrees in Parliament."

"These fifty-one Rolls and three Books, together with "two Rolls of Decrees in Parliament, though proved by "this Index to have been known and patent in 1629, have "been mislaid or disappeared during so long a period, that "neither the Editor, nor any person known to him, had any "knowledge of their having ever existed, till he had access "to, and perused the Index which makes the subject of the "present publication."

"The fifty-one Rolls and three Books above mentioned "as not now existing in the Public Records of Scotland, "seem to have contained about 1845 Charters and 30 "Decrees in Parliament, exclusive of the contents of the "two Rolls of Decrees in Parliament, which do not appear "to be particularly stated in the Index."

Upon comparing the "Index" with the "Registrum "Magni Sigilli," it appears that none of the Charters men- tioned between page 1 and page 4 of the "Index" occur in the "Registrum," the first Charter printed in the latter being the one thus described in line 5 from the bottom of page 4 of the "Index,"—"a Charter whilke cannot be read," which is followed by a Charter to James Lord of Douglas. The "Registrum" and "Index" then correspond until page 18 of the former, and page 9 of the latter, that is, to the Charter No. 94 of the Roll now marked I. of the Charters granted by Robert the First.

Of the list of Charters in the "Index" from page 9 to page 70, containing notices of many hundred instruments, part of which were granted by Robert I., and part by his successor David II., not one occurs in the "Registrum," and the enrolments of them are presumed to have perished. The next Charter which is printed in the "Registrum" is the Confirmation Charter to John de Graham, dated in the
23rd year of that monarch’s reign, A.D. 1361, which is mentioned in page 70 of the “Index,” and is printed at length in p. 21 of the “Registrum.” The “Index” and “Registrum” again correspond from those pages until page 98 of the former, and page 93 of the latter. The eight Charters mentioned in p. 99 of the “Index” do not appear to be in the “Registrum.”

The pages of the “Index” between p. 100 and p. 112 are occupied with an account of the contents of an ancient and valuable MS. found in the State Paper Office, and delivered to the Lord Clerk Register in November, 1793.1

At page 113 of the “Index,” the Catalogue of Charters is resumed, and the seven documents noticed therein seem to be those which are again noticed in p. 123 of the “Index,” and are printed in pages 153, 154, and 155 of the “Registrum.” Page 114 to page 117 of the “Index” correspond with the pages from p. 95 to p. 111 of the “Registrum.” Page 118 to page 123 of the “Index” correspond with the pages from p. 127 to p. 152 of the “Registrum.” Page 123 to page 125 of the “Index” correspond with the pages from p. 161 to p. 167 of the “Registrum.” Page 125 to page 126 of the “Index” correspond with the pages from p. 177 to p. 180 of the “Registrum.” Pages 126, 127 of the “Index” correspond with p. 183 to p. 191 of the “Registrum.” Page 128 to page 129 of the “Index” correspond with the pages from p. 153 to p. 160 of the “Registrum.” Page 130 to page 132 of the “Index” correspond with the pages from p. 119 to p. 128 of the “Registrum.” Page 132 to page 134 of the “Index” correspond with the pages from p. 169 to p. 176 of the “Registrum.” Page 134 to page 136 of the “Index” correspond with the pages from p. 113 to p. 117 of the “Registrum.” The two hundred and ninety-seven Charters noticed from page 137 to page 150 of

1 See preface, p. iv. and v. The documents in this MS. are said to be “the most ancient book of Scottish record now known to exist,” and consist “chiefly of Papal Bulls, Treaties, Commissions, Proceedings of divers Parliaments, and other documents illustrative of the History of Scotland in the 13th and 14th centuries.”
the "Index" do not appear to be printed in the "Registrum," and are presumed to be lost. Page 150 to page 158 of the "Index" correspond with the pages from p. 193 to p. 214 of the "Registrum." The fourteen Charters noticed from page 159 to page 160 of the "Index" are not in the "Registrum." Page 161 to the end of the "Index" correspond with page 217 to the end of the "Registrum."

It must be evident, from the preceding statement, that the utility of Robertson's "Index," in reference to the Royal Charters of Scotland between 1306 and 1424 is very great; but it has also other claims to attention. The Introduction to the volume presents much information on the records of that Kingdom, and contains—

I. A copy of the Catalogue of the Muniments removed from Edinburgh by King Edward the First, in 1292, when he undertook to decide upon the claims of the Competitors for the Scottish Crown.

II. A Catalogue of the Records which were delivered by King Edward to Alexander Baliol, the Chamberlain of Scotland, after he had pronounced his decision in favour of Edward Baliol.

III. Copies of Schedule of Bulls, Charters, and other Muniments found in the Treasury of the King of Scots, at Edinburgh, 20 Edw. I., of which records Edward the First obtained possession in September, 1296. Upon these documents many valuable remarks occur, which are inserted as "Notes," together with some "Observations on the Act of Settlement of the Crown of Scotland in the first Year of the Reign of Robert the Second, 1371."

In a notice of works relative to the Royal Charters of Scotland, it is impossible to omit the "Diplomata Scotiae,"

2 See particularly the postscript to p. xlvi. and p. liii.
3 Ibid. p. xiv. to p. xvii.
4 Ibid. p. xxv. to p. xli.
5 Selectus Diplomatum et Numismatum Scotiae Thesaurus, in duas partes distributus; prior Syloegen complectitur veterum Diplomatum sive Chartarum Regum et Procerum Scotiae, una cum eorum Sigillis, a Duncano II. ad Jacobum I. il est ab anno 1094 ad 1412. Adjuncta sunt reliquorum Scotiae et Magnae Britanniae Regum Sigillia, a predicto Jacobo I. ad nuperam duorum
which is alluded to in the preface to the “Registrum Magni Sigilli Regum Scotorum.” This splendid volume was prepared, at the expense of the Parliament of Scotland, by James Anderson, a writer to the Signet, of whose learning and indefatigable industry several imperishable monuments remain. As Anderson did not live to witness the publication of the “Diplomata Scotiae,” which appeared in 1739, the preface to it was written in Latin by Thomas Ruddiman, of which a translation, with notes, was printed in 12mo. in 1783.

The “Diplomata Scotiae” contain—

I. Fac-simile engravings of numerous Charters granted by the Kings, or other illustrious persons in Scotland, from the reign of Duncan the Second, in 1094, to 1412, with beautiful engravings of the seals attached thereto; together with one Charter of Mary Queen of Scots, and of her husband, Francis the First.

II. Engravings of the Great Seals of the Scottish Monarchs, from James I. to Queen Anne.

III. Plates explanatory of the hand-writing of, and abbreviations which occur in, early records.


Anderson, besides various other works, compiled that most laborious and useful volume entitled “Royal Genealogies, or the Genealogical Tables of Emperors, Kings, Princes, from Adam to these Times,” folio, 1732. For his “Essay showing that the Crown and Kingdom of Scotland is imperial and independent,” he received the thanks of the Parliament of Scotland, and was voted a pecuniary reward.
IV. Plates of the Coins of the Kings of Scotland, from Robert the Third to Queen Anne.

V. Plates of the "Symbola Heroica Regum Scotiæ," or Medals of the Sovereigns of Scotland.

The preface, which consists of 126 folio pages, contains much information on the Records and History of Scotland, the nature of Charters, and on the usage of Seals. The dissertation on the coins of that country is likewise very valuable.

The "Registrum Magni Sigilli" was published at 2l., but the price is now reduced to 15s.
ROTULI SCOTLE,
IN TURRI LONDINENSI, ET IN DOMO CAPITULARI
WESTMONASTERIENSI ASSERVATI.

Two Vols. Folio.

The Scotch Rolls, preserved in the Tower of London, and in the Chapter House, Westminster.

The Scotch Rolls consist of documents which arose from the public affairs between this country and Scotland for nearly three centuries, namely, from June, 19 Edward I., 1291, to May, 8 Henry VIII., 1566, and afford important historical, biographical, and antiquarian information.

These Records have been thus classed in the Introduction to the second volume.

I. Political transactions of the reign of Edward the First.—This class of documents relates to the disputed succession to the Crown of Scotland, on the death of Margaret of Norway; to the claims of King Edward as superior Lord of Scotland; and to the contest between Baliol, Bruce, and other competitors for the Scottish throne; the attempts of the King, and many of his successors, to conquer Scotland; safe Conducts to Ambassadors; Negotiations and Treaties of Peace; Truces; Precepts to the Lords Marchers respecting the keeping of the Marches; and orders to other persons for the same purpose.

II. Naval and Military transactions.—The records in this department comprise, Preparations for War with Scotland; Precepts to the Lords Marchers, and to the Sheriffs of Counties, for levying Men; Orders concerning their Pay and Provision; Instructions to Officers; Orders for garrisoning, fortifying, and victualling Castles; Exemptions in favour of particular persons from serving in the Wars, or in Garrisons; Impressment of Ships and Seamen for various Expeditions, together with notices of the par-
ticular classes of soldiers employed, and of their arms and other equipments.

III. The proceedings relative to Prisoners of War include Negotiations for ransoming them; Licences and Safe Conducts to the families and agents of Prisoners of War, to pass and repass; Especial Negotiations for the ransom of David Bruce, King of Scotland, and Acquittancies for the same.

IV. Rewards to Partisans.—This class of instruments comprehends Grants of Estates, &c., generally to persons in Scotland, who had rendered essential aid to the Kings of England in their claims to the Crown of Scotland.

V. Attainders of persons for having acted against Edward the First or his successors, and grants of Pardon to them.

VI. Revenue.—Under this head are contained Orders for raising Money by various means; particularly by Customs to be levied on merchandise, especially at Berwick, the grants and orders concerning which are exceedingly numerous.

VII. Trade.—In this class are comprised Licences to Scottish merchants to trade in certain English ports, and to English and Scottish merchants to trade with Foreign ports.

VIII. Ecclesiastical Documents.—These include Grants of Benefices; Licences and Safe Conducts to persons going on pilgrimages to reputed Holy places in Palestine and elsewhere.

IX. The Miscellaneous Papers which cannot, with propriety, be referred to any of the preceding classes, consist of materials for forming lists of State Officers; Licences to particular persons to fight Duels in Scotland; Licences to Students in Scotland to prosecute their studies in England, particularly at Oxford and Cambridge; Grants of Wardships, &c. &c.

"These important national documents may," it was justly added, "enable future historians to correct errors, and supply defects, and to clear up many obscurities in the Histories..."
"of England and Scotland; the orders for levying forces, and also those for collecting provisions for victualling forresses, may furnish grounds whereon to estimate the comparative population and fertility of the respective English counties in early times; and these records will, in various respects, furnish much other curious information relative to the state of England, its manners and usages, during the period they embrace."

For early biography, also, these records present highly valuable materials. In the middle ages almost every person of the rank of a gentleman served in the field; and it is from documents connected with political and military affairs, that the lives of eminent individuals must be mainly composed. Of many of the most distinguished characters of the fourteenth century not a word is said by any contemporary historian; and the little which can be collected respecting them must be wholly gleaned from records. The poet Chaucer is a memorable example of this remark; for scarcely a circumstance is known of his life, excepting what is derived from the Patent or Clause Rolls. Between Scotland and this country there was always a constant connexion, either of a warlike or pacific nature; and it must be at once obvious, that the Scotch Rolls are of the utmost utility to persons who are interested in the history of either kingdom. These records are preserved in the Tower, with the exception of those of the 13th and 34th of Edward III., which are in the Chapter House, at Westminster. They were ordered to be printed on the 16th of December, 1807, under the editorship of Mr. Macpherson, who compiled the first, and the greater part of the second, volume; but, on his death, the task devolved on Mr. Caley and Mr. Illingworth. The Indexes were compiled by the Rev. T. H. Horne, who also furnished the Introduction. A Chronological Table of the various documents, with a fac-simile of the records, are prefixed to each volume; and, at the end, are Indices Nominum et Locorum.

The present price of the Scotch Rolls is 2l. 2s.; the original price having been 5l. 10s.
INQUISITIONUM

AD CAPELLAM DOMINI REGIS RETORNATARUMQUE IN PUBLICIS ARCHIVIS SCOTLE ADHUC SERVANTUR ABBREVIATIO.

Three Volumes, Folio.

An Abbreviation of the Inquisitions returned into the King's Chapel, which are preserved in the Public Archives of Scotland.

The Record, of which an abridgment is here given, comprehends all those proceedings by "Inquest," or the verdict of an "Assize," which originate in certain writs issuing from Chancery, and which are ultimately transmitted or "retoured" to that office.

Of these Proceedings the most considerable in number and importance originate in a Writ issuing from Chancery in the King's name, sometimes called the "Brieve of Mortancestry," but, more properly, the "Brieve of Succession;" the purport of which is, to establish a claim by inheritance, or to be "served nearest lawful heir" to those lands of a feudal nature, in which the alleged ancestor of the claimant was vested at the time of his death.

According to the law of Scotland, the complete and effective right to such property does not pass immediately and spontaneously from the ancestor to the heir, but is said to remain "in hereditate jacente" of the deceased owner, until the claim of the heir has been formally recognised and established by the procedure under a Writ of Succession.

By that writ, the Judge to whom it is addressed is authorised and required to ascertain, by the verdict of a jury, 1. In what lands and annual rents, within the limits of his jurisdiction, the alleged ancestor of the claimant died vested and seised as of fee, at the faith and peace of the King. 2. If the claimant be the nearest lawful heir of the deceased in these lands. 3. If he be then of lawful
age. 4. What is the annual value of the lands, according to certain valuations, usually called the Old and the New Extent. 5. Of whom, as feudal superior, the lands are held. 6. By what feudal service or species of tenure. 7. In whose possession the lands now are, and on what account, and how long they have been so possessed. The Judge is directed to transmit the result of these inquiries, duly authenticated, to Chancery, together with the original Brieve.

The Proceedings, which are held in pursuance of a "Brieve of Succession," are usually denominated a "Service." Those which have relation to a particular estate of inheritance are denominated the "Service of an Heir in Special," or a "Special Service," in contradistinction to those other Proceedings, which are denominated the "Service of an Heir in General," or a "General Service." These Proceedings sometimes involve much of judicial discussion; but whether in a special or a general service, it is only the ultimate verdict of the jury, framed in a certain "technical form, that is transmitted to Chancery. It is there entered on record by the Director of Chancery, or his deputies: an extract of that record is given to the claimant; and, in this completed state, it is commonly termed the 'Retour of the Service.'"

It is presumed that it was the ancient practice of Chancery to preserve some record or memorandum of the Inquisition "retoured," and to deliver the original, instead of an extract, to the private party.

"Of the original Inquisitions retoured to Chancery, the present series begins in the year 1547; and no original "retours of prior date have been found, but such as have "been preserved in the custody of individuals, and after-"wards deposited and recorded in the Office. The imper-"fections in the series subsequently, even to the period "above mentioned, are very great."

"Of the present series of Inquisitions retoured to Chan-"cery, commencing in the minority of Queen Mary, no "record appears to have been made until about the year
"1630, when they were recorded in a series of books; and, "from that period, the practice of recording Inquisitions "has been regularly continued. The whole of the series, "ending in March, 1811, consists of one hundred and two "volumes in folio. The fifth volume, relating to the years "1611—1614, is lost, and many original Retours have been "discovered, which are not contained in any of the existing "volumes of the record."

"The importance of the record of Retours, independently "of its primary purposes, is too well known to require illus- "tration. With certain limitations, it may be considered "as exhibiting an authentic history of the transmission, by "inheritance, of the far greater part of the landed property "in Scotland, as well as that of the descent of the greater "number of its considerable families during the course of "the last two centuries. That part of the record which "precedes the date of the Scottish statute of 1681, 'con- "cerning the Election of Commissioners for Shires,' derives "a peculiar importance from its affording the appropriate "evidence of a certain class of freehold qualifications. But, "in all these respects, the usefulness of this record has been "hitherto greatly diminished by the difficulties of research; "and a methodized abridgment of its contents must there- "fore be considered as an important public work, by which "the value of the original record will be greatly enhanced."

"In the Abridgment of the Retours of Special Services, "a local arrangement has been adopted, according to the "several counties in which the lands are situated; sub- "dividing the complex Retours, and arranging their dif- "ferent portions under the counties to which the lands "respectively belong. In arranging the Retours of each "county, the order of time has been exactly observed; and, "in framing the abridgment of each retour, whether simple "or complex, there is given the date of the service; the "names of the heir and the ancestor; their natural relation "to each other; the specific description of heirs to which "the former belongs; an exact enumeration of the lands "and annual rents to which the claimant has been served
heir;" and a statement of the valuation of the whole, or of its different portions, according to the old and new Extent. There is subjoined a reference to the volume and folio of the record; and, where the Retour is of a complex kind, there is added a reference to the other counties, under which, in their chronological place, the other portions of the Retour are to be found. In connexion with this part of the work there are given alphabetical Indexes, both of persons and of places; and, for the sake of easy reference to these Indexes, the successive articles of the abridgment under each county are regularly numbered.

In the arrangement of the Retours of General Services the order of time has been observed; and, in framing the abridgment of each, nothing more has been necessary than to specify the names of the heir and the ancestor; their natural relation to each other; and the particular description of heirs to which the former belongs. In like manner as in the Abridgment of the Special Retours, there is subjoined a reference to the original record; and, in connexion with this part of the work, there is given an alphabetical Index of Persons, in which the references are likewise made to the numbers of the successive articles of the Abridgment.

The other classes of Inquisitions retoured to Chancery, and there recorded, are the 'Brieve of Tutory,' for the purpose of ascertaining who is the person that, by law, ought to be appointed to the office of Tutor to a minor under the age of puberty, as being the nearest agnate or paternal relative of the age of twenty-five years; and the 'Brieve of Idiotycy, or Furiosity,' for the purpose of ascertaining the mental incapacity of the individual alluded to, for the management of his own affairs, and who is the nearest agnate of proper age and capacity, on whom that management is to devolve. These have been arranged together in the order of time, under the general title of "Inquisitiones de Tutela."

Two other sorts of Retours have been found in these records, namely, Inquisitions of the Extent or estimated
value of the whole of the lands of a county or other district; and Inquisitions taken under an Act of the Scottish Parliament, 1584, c. 2, for the purpose of ascertaining the real estates of which persons, forfeited for treason, were in possession for five years preceding their forfeiture. These are few in number, and are printed in the Appendix.

The present work has been brought down to the end of the seventeenth century. It embraces the contents of about forty-nine volumes of the Record: as also those more ancient Retours which have been deposited in Chancery at a later period; and an abridgment of those original Retours, of which the existing books contain no record.

"Throughout the whole of the Abridgment the names of places, as given in the record, have been exactly followed. Where the record was known to be grossly erroneous in this respect, the true name or spelling has been frequently added, within brackets; and where a gross error was suspected, a conjectural reading, followed by a point of interrogation, has sometimes been inserted. But there is good reason for believing that many other errors of the same kind exist in the Record, and have been unavoidably transferred into the Abridgment, of which only a minute local knowledge could possibly have afforded the means of detecting." To this satisfactory explanation of these useful volumes, which is prefixed to them by the editor, Thomas Thomson, Esq., it is only necessary to add, that there is a close resemblance between the "Retours" and the "Inquisitions post Mortem," in England. The object with which they were taken was the same, and arose from the interests which the feudal system gave the Sovereign in the greater part of the lands of both countries.

The three volumes of "Inquisitionum Retornatarum" were published at 7l. 17s. 6d.; but the present price is 3l. 13s. 6d.
SPECIMENS OF THE ABBREVIATIO INQUISITIONUM RETORNATARUM.


Nov. 26. 1646.—BANFF. ALEXANDER HAY de Munktoun, hæres domini Alexandri Hay de Quhytburgh militis aliquando designati Alexandri Hay, filii legitimi Alexandri Hay, directoris cancellarie, patris,—in manso cum acris terrarum nuncupatis Clerks croft, et ruid terre vocato Buidrig, cum decimis, in domino de Fordyce. A. E. 10s. 6d. N. E. 32s. ............... xviii. 302
EXPLANATIONS OF THE CONTRACTIONS USED IN RECORDS.

As the volumes published by the Record Commission are printed with the contractions which occur in the originals, it is desirable to append the table explaining those contractions, which is inserted in the first volume of the authorized edition of the Statutes of the Realm.

A straight line over a vowel denotes the omission of the letter *m* or *n* following:

<table>
<thead>
<tr>
<th>quā</th>
<th>quam</th>
<th>cōmun</th>
<th>commun</th>
</tr>
</thead>
<tbody>
<tr>
<td>antiqū</td>
<td>antiquam</td>
<td>avaūníz</td>
<td>avaunditz</td>
</tr>
<tr>
<td>hōīū</td>
<td>hominum</td>
<td>statī</td>
<td>statim</td>
</tr>
<tr>
<td>nō</td>
<td>non</td>
<td>volūtātē</td>
<td>voluntatem</td>
</tr>
</tbody>
</table>

The straight line over *m* in the middle of a word denotes the omission of the letter *n* following:

| oīmes | omnes | oīnia | omnia |

A crooked line over some letter, or a line through some letter of the word contracted, denotes the omission of one or more letters of the word:

<table>
<thead>
<tr>
<th>grā</th>
<th>gratia</th>
<th>dīns</th>
<th>dominus</th>
</tr>
</thead>
<tbody>
<tr>
<td>baīs</td>
<td>ballīvis</td>
<td>dicī</td>
<td>dictum, &amp;c.</td>
</tr>
<tr>
<td>noīb</td>
<td>nobis</td>
<td>cō, tō</td>
<td>cion or tio</td>
</tr>
<tr>
<td>hicat</td>
<td>habeat</td>
<td>coronācōis,</td>
<td>coronacionis</td>
</tr>
<tr>
<td>saīf</td>
<td>salutem</td>
<td>expeditaōō,</td>
<td>expeditacio</td>
</tr>
<tr>
<td>epīs</td>
<td>episcopis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>omīs</td>
<td>omnes</td>
<td>malīcōse</td>
<td>maliciose</td>
</tr>
<tr>
<td>libītates</td>
<td>libertates</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A small superior letter denotes an omission, of which such letter forms a part:

<table>
<thead>
<tr>
<th>qām</th>
<th>quam</th>
<th>pīmis</th>
<th>primis</th>
</tr>
</thead>
<tbody>
<tr>
<td>qā</td>
<td></td>
<td>pīs</td>
<td>prius</td>
</tr>
<tr>
<td>occāone, occasione</td>
<td></td>
<td>sī</td>
<td>sibi</td>
</tr>
<tr>
<td>impōsonetē, imprisonetur</td>
<td></td>
<td>nī</td>
<td>nisi</td>
</tr>
</tbody>
</table>
CONTRACTIONS USED IN RECORDS.

The following characters or abbreviations have certain explicit significations, viz.:

<table>
<thead>
<tr>
<th>Character</th>
<th>Signification</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>us</td>
</tr>
<tr>
<td></td>
<td>sometimes ct</td>
</tr>
<tr>
<td>9</td>
<td>us</td>
</tr>
<tr>
<td>above the line</td>
<td></td>
</tr>
<tr>
<td>os or ost</td>
<td>sometimes</td>
</tr>
<tr>
<td>even with the line</td>
<td></td>
</tr>
<tr>
<td>ǂ or ǀ</td>
<td>que</td>
</tr>
<tr>
<td>ǂ</td>
<td>er</td>
</tr>
<tr>
<td></td>
<td>sometimes re</td>
</tr>
<tr>
<td>ǂ</td>
<td>rum</td>
</tr>
<tr>
<td>ǂ</td>
<td>and</td>
</tr>
<tr>
<td>ǂ</td>
<td>ecciam</td>
</tr>
<tr>
<td>9</td>
<td>Not being the dative or ablative plural:</td>
</tr>
<tr>
<td></td>
<td>huj₃ modi }  hujusmodi</td>
</tr>
<tr>
<td></td>
<td>huj₃         hujus</td>
</tr>
<tr>
<td></td>
<td>dedim₃       dedimus</td>
</tr>
<tr>
<td></td>
<td>exec₃ sāre   excusāre</td>
</tr>
<tr>
<td></td>
<td>post</td>
</tr>
<tr>
<td></td>
<td>postea</td>
</tr>
<tr>
<td></td>
<td>contenta</td>
</tr>
<tr>
<td></td>
<td>communia</td>
</tr>
<tr>
<td></td>
<td>absque</td>
</tr>
<tr>
<td></td>
<td>usque</td>
</tr>
<tr>
<td>3</td>
<td>Frequently used also for quod and quia:</td>
</tr>
<tr>
<td></td>
<td>exercitum</td>
</tr>
<tr>
<td></td>
<td>itinere</td>
</tr>
<tr>
<td></td>
<td>infregiment</td>
</tr>
<tr>
<td></td>
<td>devers</td>
</tr>
<tr>
<td></td>
<td>egressum</td>
</tr>
<tr>
<td></td>
<td>transgressum</td>
</tr>
<tr>
<td></td>
<td>antecessor</td>
</tr>
<tr>
<td></td>
<td>nostorum</td>
</tr>
<tr>
<td>3</td>
<td>Sometimes to mark an abbreviation beginning with r:</td>
</tr>
<tr>
<td></td>
<td>coronacionem</td>
</tr>
</tbody>
</table>
## Contraction of Words Used in Records

<table>
<thead>
<tr>
<th>Character</th>
<th>Signification</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>est</em></td>
<td></td>
<td>fecit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>estum</td>
</tr>
<tr>
<td><em>mer</em></td>
<td></td>
<td>amicietur</td>
</tr>
<tr>
<td></td>
<td></td>
<td>merator</td>
</tr>
<tr>
<td><em>ser</em></td>
<td></td>
<td>svicium</td>
</tr>
<tr>
<td></td>
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### As the Prepositions per and pro in forming words:

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### Also the Saxon Characters:

- *p*  | *th*
- *s*  | *y*
Published by Baldwin and Crawlock,

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Containing Tables, Calendars, and Miscellaneous Information, for the Use of Historians, Antiquaries, and the Legal Profession.

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