

not made in his last sickness. No doubt seems to have been cast on the testimony of the witnesses. Administration of his effects was decreed to the widow, which let the daughters in to a share in the property.—*Jurist*, 1839.]

LETTER OF PRIVY SEAL,

DATED THE 14TH JANUARY, 1611,

WHEREBY KING JAMES I. REQUIRES OF ROBERT WARD, OF WALCOTE, ESQ.
THE LOAN OF TWENTY POUNDS;

COMMUNICATED

BY RICHARD WARD, OF SALHOUSE, ESQ.,

HIS HEIR AT LAW, THE EIGHTH FROM HIM IN LINEAL DESCENT.

THE following brief extract from the *Constitutional History of England* and the few accompanying remarks, it is hoped may not be considered misplaced on the present occasion, as calculated to throw light upon the annexed document.—“By the abrupt dissolution of Parliament in 1610, James was left nearly in the same necessity as before; their subsidy being by no means sufficient to defray his expenses, far less to discharge his debts. He had frequently betaken himself to the usual resource of applying to private subjects, especially rich merchants, for loans of money. These loans, which bore no interest and for the repayment of which there was no security, disturbed the prudent citizens, especially as the council used to solicit them with a degree of importunity at least bordering on compulsion. The House of Commons had in the last session requested that no one should be bound to lend money to the King against his will. The King had answered that he allowed not of any precedents from the

time of usurping or decaying princes, or people too bold and wanton; that he desired not to govern in that commonwealth where the people should be assured of everything and hope for nothing, nor would he leave to posterity such a mark of weakness on his reign; yet, in the matter of loans, he would refuse no reasonable excuse. Forced loans of benevolence were directly prohibited by an act of Richard III., whose laws, however the court might sometimes throw a slur upon his usurpation, had always been in the Statute Book. After the dissolution above mentioned, James attempted, as usual, to obtain loans; but the merchants, grown bolder with the spirit of the times, refused him the accommodation."

Disappointed therefore among the more wealthy inhabitants of the metropolis, the sovereign was compelled to have recourse to the comparatively poor ones of the country; and, making all possible allowance for the depreciation of money since the beginning of the seventeenth century, it cannot but appear extraordinary to those of the present day, that an English monarch should have been reduced so extremely low, as to have been obliged to solicit of a subject the loan of the paltry sum of £20. It were to bring forward a curious fact and to throw valuable light upon the local history of Norfolk, were it possible to ascertain how much money it was proposed thus to levy upon the county; to whom the Letters of Privy Seal were directed; and what were the sums required from the several individuals. But these are points that there seem to be now no means of tracing: they have long lain, and they must be allowed to continue to lie, in the countless heap of "*res altâ nocte et caligine mersas.*"

In this plan of raising money by voluntary, or, what might more properly be termed, compulsory loans, James had only followed in the footsteps of his predecessors. Elizabeth, whom he immediately succeeded, had often exacted such from her people; and, to go far higher, there is likewise every reason to believe that the same was also done in the time of Edward I. By the Statutes of 25 and 34 of that monarch,

it is enacted that the King shall not take any aids or tasks but by the common assent of the realm, and that no talliage or aid shall be taken without the assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other freemen of the land; for which enactments, and a similar one of Edward III., there could have been no necessity had not some such practices existed. That they did exist in the time of Richard II., decisive proof is afforded by the law which expressly provides that, "in loans which the King shall require of his subjects upon Letters of Privy Seal, such as have reasonable excuse of not lending, may there be received without further summons, travel, or grief." Thus this very law, which sets out with the colourable pretext of relieving the subject, ratifies in fact the King's prerogative of extorting loans; inasmuch as what ought to be deemed a *reasonable excuse* is left in his own breast to determine. The final close of every measure of the kind cannot be better told than in the following words of Blackstone: "The fundamental law of the country having been shamefully evaded under many succeeding princes, by compulsive loans and benevolences, extorted without a real and voluntary consent, it was made an article in the Petition of Right, 3 Car. I., that no man shall be compelled to yield any gift, loan, or benevolence, tax, or such like charge, without common consent by Act of Parliament. And lastly, by the Statute, 1 William and Mary, st. 2, c. 2, it is declared, that levying money for or to the use of the crown, by pretence of prerogative, without grant of Parliament, or for longer time or in other manner than the same is or shall be granted, is illegal."

In addition to the above general remarks upon the subject of Privy Seals, it is satisfactory to be able to subjoin, on the high authority of Sir Francis Palgrave, in reference to the present, that "it may be regarded as a curious exemplification of the mode thus adopted for raising money without the consent of Parliament." "The instruments," he goes on to say, "of which this is one, were printed, and, the blanks

being filled up, were presented to the parties who were expected to contribute. It appears that, if these parties insisted, they were repaid; and amongst the Exchequer Records are many books and documents relating to the repayments, in which case the Privy Seals were delivered up and cancelled. This document, however, being outstanding, shows that the money has not been repaid, but is at this moment due to the personal representatives of the late Robert Ward of Walcote—if they can get it.” Sir Francis is not aware that any example of this sort of Privy Seal has been published, and therefore regards it well worthy the attention of the Norfolk Archæological Society.

BY THE KING.

Trustie and welbeloued, Wee greete you well. Hauing obserued, in the presidents and custome of former times, that all the Kings and Queenes of this Realme upon extraordinary occasions, haue used either to resort to those contributions which arise from the generalitie of Subiects, or to the priuatt helpes of some well affected in particular, by way of loane: In which later course, Wee, being at this time inforced to proceed, for supply of some portions of Treasure for diuers publique seruices, and particularly for continuing and increasing our Magazins in some large proportion, in our Realme of Ireland, in our Navie and in our Fortes, (in all which, greater Summes haue bene expended of late both in building, and repairing, and in making sundry prouisions, then haue bene in twentie yeeres before :) Wee haue now in Our Eye and especiall care, that such discretion may be obserued in the choise of the lenders, and such an indifferent distribution, as the summes that Wee shall receiue may be raised with an equall consideration of men's abilities: and therefore, seeing men haue had so good experience of Our repayment of all those Summes which Wee haue euer re-

quired in this kinde, Wee doubt not but Wee shall now receiue the like argument of good affection from you amongst other of our Subjects; and that with such alacrity and readinesse as may make the same so much the more acceptable; especially seeing Wee require but that of some which few men would deny a friend; and haue a minde resolved, to expose all our Earthly fortune, for preseruacion of the generall. The summe that Wee require of you by vertue of these presents is TWENTY POUNDS, Which Wee doe promise, in the name of Us, our Heires, and Successors, to repay to you, or your Assignes within eighteene monthes after the payment thereof unto the collector. The person that Wee haue apponted to collect it, is *Sir Charles Cornwallis, Knight*, To whose handes Wee do require you to send it within twelue dayes after you haue received this Privy Seale, which together with the Collector's acquittance, shall be sufficient warrant unto the Officers of our Receipt, for the repayment thereof at the time limited. Given under Our Privy Seale at our Pallace of Westminster the xiiiith day of January in the ninth yere of our Raigne of Great Britaine, Ffrance and Ireland.

Fra. Myllers-

*Rec. the 28th of Jan: 1611. by vertue
off this Privy Seale, of Robt. Ward of
Walcotte the some of xx^l.*

Charles Cornwallis

*Addressed—To our trusty and welbeloved
Robert Ward of Walcotte.
Norff. 20.*