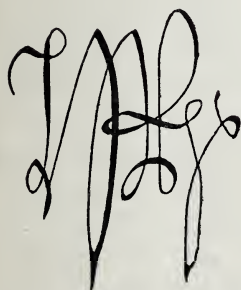


Letter Missive of King Henry VII to John Calycote
of Shepton Mallet.

BY E. CHISHOLM-BATTEN, ESQ.



“BY THE KYNG.

“**T**RUSTY and welbeloued we grete you well. and for the revengyng of the grete crueltie and dishonour that the Kyng of Scottes hath done unto vs our Realme and Subgiettes of the same as our Cōmissioners in our Countie of Som’s where ye be inhabited shall shoue vnto you at length. We lately in our grete Counseill of lordes spūall and tempall of Juges Sergeauntes in our Lawe and of othres some hed wysemen of ev’y Citie and goode Towne of this our lond have at thair Instances and by their aduyses det’myned vs to make by See and by lond ij Armees Roiall for a substantiall Warre to be contynued vppon the Scottes vnto suche tyme as We shall invade the Reame of Scotlond in our-owne pson and shall haue with godes grace revenged their grete outrages done vnto vs our Reame and subgiettes forseid so and in suche wyse as we trust the same our Subgiettes shall lyve in rest and peas for many yeres to com. The Lordes and others of our seid grete Counseill consideryng well that the seid sub-

stanciall warre can not be borne but by grete sōmeez of redy money have prested vnto vs eu'y of them for hys parte grete sōmes of money contented besides that we of our owne Cofers selfe have avauced oute of our owne Cofers. Yet nathelas fourty M^{li} poundes more as our seid Cōnseill hath cast it must of necessite be borowed and avauced in redy money of others our lovyng subgiettes for the furniture of this matier. And bicause as we here ye be a man of good substaunce we desire and pray you to make lone vnto vs of the som of ten poundes whereof ye shal be vndoubtedly and assuredly repayed in oꝝ Receipt at the fest of Seynt Andrewe next cōmyng without any maner xonr, cost or charge for the same. This money must be brought to our Receipt and ther receyved by the Tellers of the same athissid the feste of Candelmas nexte comyng withoute any further tract or delay. Of whom ye shall take oute a bill of mutuū for your true and iust repayment therof. It shal be in your lib'tie after ye haue oones gon thorough with our seid Cōmissioners to whom we pray you to yeve full and fast credence in this caas Whether ye woll come or bryng the same yourself. Orelles send som trusty ffrend or s'uñte of youres to delyu'e it before the seid Candelmas at our seid Receipt and to bryng to you the seid bille of mutuū. Orelles of trust your seid lone to be delyu'd to Cōmissioners and they to bryng the seid bille of mutuū for your indempnite in that behalf. This is a thyng of so grete weight and importance as may not be fayled and therefore fayle ye not for your seid part. Eftsones We pray you as ye entende the good and honour of vs and of this our Reame and as ye tendre also the wele and suretie of your self. Youen vnder our Signet at our Palois at Westm' the first day of Decēbr."

Indorsed: "To our trusty and welbeloved

"John Calycote of Shepton Malet."

"X^{li} Som's."

This is a letter missive, dated 1st Dec. [1496], bearing King

Henry VII's sign manual, of which the above wood-cut is a fac-simile, and sealed with his signet,¹ addressed to Mr. John Calycote, of Shepton Mallet, asking for the loan of ten pounds to make up the sum of £40,000, which a Great Council had advised must be borrowed and advanced in ready money to carry on the war against the Scots.

This document has an important bearing upon two leading questions in the constitutional history of England. These are Great Councils and Parliaments ; Public loans and Taxation.

Besides the Great Council of the Nation assembled in Parliament, there had been held down to the date of this document from time to time Great Councils of the Nation out of Parliament. "This," says Chief Justice Hale, "was commonly upon some emergent occasion that either in respect of the suddenness could not expect the summoning of Parliament, or in respect of its nature needed it not, or was intended but a preparative to it."

The Great Councils varied in form, according to the will of the Sovereign who summoned them. Sometimes they consisted only of the Lords, spiritual and temporal,² and of the Privy Council.³ Sometimes of the Lords, spiritual and temporal, and others whose quality is not specially recorded,⁴ and sometimes of the Lords, spiritual and temporal, and the Privy Council, and one knight elected for every county, and one citizen and burgess for every city and borough,⁵ and, lastly, as in the present case of Lords spiritual and temporal,

(1). Not a Privy seal as Spedding describes it (Bacon Ed. Spedding, vol. vi., 174 n), for it is given under the Signet and not under the Privy Seal. The first being kept by the King's Secretary, the other by the Lord Privy Seal.

(2). 9th Feb., 1st Henry IV, 1400. Nicolas' *Acts of Privy Council*, vol. iii, 102.

(3). Hallam, in his *Middle Ages*, treats this form of Great Council as the ordinary one, and so does Sir Harris Nicolas in Preface to *Acts of Privy Council*.

(4). 15th April, 7th Henry VI, 1429. Nicolas' *Acts of P. C.*, vol. iii, p. 322. The "others" is expanded, in 1435. Great Council, consisting of Lords, spiritual and temporal, and other Knights and Squires, was summoned by Privy Seal. 5th May, 12th Henry VI, 1435, Nicolas' *A. P. C.*, iv, 211.

(5). This was for the making of the Ordinance of the Staple.

Judges, Serjeants-at-Law, and head wise men of every city and good town.¹

The mode of meeting and consulting was different from that of Parliament—the Great Councils apparently met together, all sorts—Peers and Commoners—in one chamber in the Palace of Westminster. The chamber is not always specified, but once it is in the white chamber; once in the green chamber; once in the chamber of Parliament; and once in a chamber called the chamber of the Great Council.

Sixteen Great Councils are mentioned as called during the sixty-one years of the Lancastrian dynasty. Two in the reign of Edward IV, and two certainly, and most probably a third, in that of Henry VII.

The Great Council sanctioning the document now printed is mentioned by the cotemporary Chronicle;² and the document itself shows that it was a Great Council like that of the Staple in Edward III's reign, to which were summoned, not only the Lords of Parliament, but also men considered by the summoning authority as representative men belonging to the shires and cities and great towns.

This was the last but one Great Council of the Nation held in England out of Parliament. Henry VII summoned no more, and Henry VIII summoned none. The last was a Great Council of the Lords only, called by Charles I at York in 1640.

This Great Council of 1496 was summoned to obtain the sanction such a body could give to a loan of ready money to the King for the war with Scotland, and to enable the King's Commissioners in each district to point out to the lenders the security for the repayment of the loan, which security was the expected grant by Parliament of tenths, fifteenths, and subsidies.

Certainly each of Henry's Great Councils were soon

(1). See the forms of minutes of Great Councils in Nicolas' *A. P. C. passim*.

(2). Cotton MSS., B.M., Vitel A., xvi, fol. 157 b.

followed by a Parliament, which made a grant to the King; and it is to be presumed that the forms adopted in his uncle Henry VI's time, when loans were contracted to be paid *out of* monies to be granted by Parliament, were followed.

In 1455, when money was required to defend Calais, described as a "towne that is so rare a jewell for England," we find letters of credence were issued under Henry VI's sign manual,¹ with instructions to Commissioners for each county; the letters are dated 14th May, 33rd Henry VI. The Commissioners were to explain the urgency of the occasion and the necessity for the collecting a large sum of money; that the King had communed with divers lords and notable persons who had granted unto him *by way of loan* notable sums of money, and the Commissioners were to exhort others in their districts to do the same, and to explain that the advance should be by way of loan, to be repaid upon the next grant that should be made to the King in Parliament or Convocation, every man that lendeth to have a patent under the great seal, and the Commissioners were to certify in writing what every city, town, abbot, prior, or other man grants.²

Letters missive are despatches from the Sovereign, sealed up under the *Privy signet* or secret seal, and addressed on the outside like a modern letter. They differ from Privy Seal letters or bills more in form than in substance; both being the Royal instructions for the dispatch of business, the one document is sealed with the *Privy signet*, the other with the *Privy seal*; there is a marked difference in the formal parts of the two documents. The *Privy Seal Bill* commences with the Sovereign's name and titles, and addresses the person for whom it is intended by his name. It also contains in the datal clause the regnal year of the Sovereign. The *letter missive* begins with the words "By the King," and does not contain

(1). This monarch always placed the *R.* before the *H.* in his sign manual; and forged Royal grants, pretending to be of his reign, have been detected by the forger's ignorance of the fact.

(2). *Nicolas' Acts of Privy Council*, vi, p. 236.

either the name of the King or that of the person to whom it is addressed; nor is the regnal year often introduced into the datal clause: in addition to which a great number of letters missive, after the reign of Henry V, have the sign manual at the commencement. Perhaps the earliest mention of letters missive occurs in the Parliament roll of the 3rd of Henry VII. (Appendix II to the fifth Report of the deputy keeper of the *Public Records*, p. 35.) The will of Henry VII was sealed with his Privy Seal, his Signet, which was in the custody of his secretary; his Privy Seal of the eagle, which was in his own keeping; and with the Great Seal of England.

Henry VIII adopted the plan of borrowing money to be repaid out of the supplies voted by Parliament. Commissioners were appointed for each county, and these Commissioners were instructed to signify to the King, who, in their county, would be able to contribute to the loan. The list of these persons would be sent up as a certificate of the Commissioners. The Commissioners were to explain to the persons named the urgency of the occasion, and that the loan was to be repaid out of the grant at the next Parliament, and Privy Seals were to be delivered for repayment of the money.¹

The letter missive under the sign manual to John Calycote, now printed, is not the security; it is the authority that upon payment of the money the lender should get the security.

There are two other letters missive of the same date, 1st Dec. (1496). One in the Record office, endorsed "to our trusty and well-beloved William Skinner Baker of our Citie of Lincoln." It is *verbatim* the same as that to Calycote, with the difference "Citie of Lincoln" instead of "Countie of Soms." The other is in the British Museum, among the Cotton MSS. (Titus, B. V., fol. 145), endorsed,

"To our trusty and well-beloved Will^m Scull²
"Of the some w^t in wryten, the said Will^m Skull hath ap-

(1). Letters and Papers Henry VIII, vol. iii, p. 1051.

(2). Scull or Scoole, of Cowarne Magna, co. Hereford.

pointed and payed to the Kyng's Commissioners li. xx of money in wey of prest for the Kyng." It is also *verbatim* with this letter to Calycote, with the difference "Countie of Hereford," instead of "Countie of Soms," and "twenty pounds" instead of ten.¹

We have in the Exchequer, (Pells) Teller's Rolls, proof that Calycote's money was paid; from the Roll for 12th Henry VII we extract the following:—

"Hertfordia, De Willielmo Carpenter de Radborn de mutuo c.^s"

"Somerseta, De Johanne Coddecote de Shepton Malett—x^{li}"

"Londonia, De Maiore et Aldermannis ac Civibus, Londoniæ de mutuo—m^l. DC^{li}"

"Mutuum, De Domino Rege de Cofris suis de mutuo, iij^{ml}. DCC^{li}"

The name is no longer "Calycote" but "Coddecote," and it is possible that he was a member of the family which afterwards in Purbeck (Dorset) was called "Chaldicote."²

The system of loans to be repaid out of supplies granted by Parliament thus practised by Henry VI, Henry VII, and Henry VIII, was the foundation of England's liberties. No tax without Parliament, the voice of the nation said to Richard II. The same story is told by what took place on Charles I summoning the last Great Council. All the Peers were summoned by writs, dated seventeen days before, to meet as a Great Council at York on the 24th Sept., 1640. The King wanted money, £200,000. Lord Northampton said "one word would bring it like the dew of heaven—one word of four syllables—PARLIAMENT."³

(1). The spelling, however, of the words is in all three different; each clerk had his own opinion as to right spelling, and he followed it.

(2). Hutchins, *Dorsetshire*, vol. i, p. 591. A century later Newburgh of Berkeley, and Champneys of Orchardleigh, marry Chaldecot ladies.

(3). Sir J. Borough's *Notes of the Great Council of the Peers*, Hardwicke's *State Papers*, vol. ii., 204.