



Inner Temple Library



Petyt Manuscripts

August 2015

Based on an article by Adrian Blunt in the
Inner Temple Library Newsletter Issue 28, April 2012

My devise for the succession. ^{made} 217

1. For lakke of ~~issu~~ ^{issu} ~~of my body~~ ^{of my body} to the L^{dy} Fran^{ces} ^{before my death} ~~as I have after declared~~ ^{to the issue surviving of} ~~ceses heires masles,~~ ^{and her} ~~for lakke of such issu,~~ ^{to the} L^{dy} Janes ^{heires masles,} to the L^{dy} Katerins heires masles, to the L^{dy} Maries heires masles, to the heires masles of the daughters w^{ch} she shal have hereafter. Then to the L^{dy} Mar gets heires masles. For lakke of such issu, to the heires masles of the L^{dy} Janes daughters to the heires masles of the L^{dy} Katerins daughters and so forth til you come to the L^{dy} Mar gets ^{daughters} heires masles.

2. If after my death there masle be entred into 18 yere old, then he to have the hole rule and governaunce thereof.

3. But if he be under 18, then his mother to be governaunce til he entere 18 yere old ^{and agromet}. But to dee - nothing about this use, of ~~20~~ 6 p^{ar}cel of a counset to be pointed by my last will to the nombre of 20.

4. If the mother die befor there entere into 18 the realme to be governed by the counse. Provided that after he be 14 yere al great matters of importance be ~~to~~ ^{to} open to him.

5. ~~If I died wth issu, and ther were none~~ ^{heires masles,} ~~then the L^{dy} Francess to be~~ ^{governaunce} ~~for lakke of her the her oldest daughters~~ ^{and for lakke of them the L^{dy} Margett to be}

Petyt Manuscripts

One of the best known items in the Library's collection of manuscripts, perhaps the single item most frequently mentioned, is King Edward VI's 1553 "devise for the succession". This belongs to the largest of the collection's five groups, the Petyt Manuscripts, and its citation is Petyt MS 538, vol.47 fo.317. But who was Petyt? How did the Library come to hold his manuscript collection? And what else is to be found amongst its 386 volumes?

William Petyt (1637-1707) was a member of the Inner Temple. He was a native of Yorkshire, from the village of Storiths close by the ruins of Bolton Priory near Skipton. He practised at the bar, was a writer particularly on the history and functions of Parliament, was in due course elected a Master of the Bench of the Inner Temple, and served as Treasurer in 1701-02. His legal career began, however, not in the Inner Temple but in the Middle Temple, where he was called to the bar in 1660. He was specially admitted by the Inner Temple in 1664, and thereafter clearly regarded himself primarily as an Inner Templar. Though not much is known about his legal practice, he appears to have been successful at the bar.

Petyt's five published works include *Miscellanea Parliamentaria* (1680), *Lex Parliamentaria* (1690) and the posthumously published *Jus Parliamentarium* (1739). He was a devoted parliamentarian, and it was following the success of the parliamentarian cause in the Great Revolution of 1689 that he was appointed Keeper of Records in the Tower of London. The bulk of his manuscript collection was probably assembled during the seventeen years that he held that office.

Petyt died in 1707. In his will he named six trustees who, in respect of his manuscripts and books, were to "use their utmost endeavours for preserving and keeping them safe and entire". In addition he left £150 "to buy or build a place ... for preserving and keeping them" The Library was duly extended to accommodate them, making it possible for the trustees to direct before the end

of 1708 that the collection "shall forever hereafter be deposited and kept in the late erected Library of the Inner Temple". In the new Library the manuscripts occupied most of the book presses numbered 502 to 538, and they have been cited ever since according to those original press numbers. The manuscript volumes in the bequest totalled fewer than 300, but somehow, mostly in the ensuing forty or fifty years, a number of volumes from a variety of other sources came to be associated with the Petyt press numbers, making a total of 386 volumes.

Almost half of the manuscripts in the Petyt bequest group are transcripts of public records, many, not surprisingly, from the Tower of London, but from a variety of other sources too, including the Rolls Chapel, the Chapter House of Westminster Abbey, Westminster Hall, the Palace of Westminster and from many private collections. To the layman these transcripts may seem less interesting than the original manuscripts in the collection, but their historical importance is considerable. Their range is wide, including Assize Rolls and other judicial records, Chancery records, Exchequer records and various parliamentary and ecclesiastical records. The parliamentary records are particularly extensive. The first Petyt press number (502), for example, is a long series of 83 volumes containing transcripts of the Journals of the House of Commons from 1604-1624 and 1660 to 1708. Some of the original documents from which Petyt made his transcripts no longer exist. Others have deteriorated since Petyt's day to the point where they are now unusable. In such instances the Petyt transcripts provide the only existing versions or the most accurate versions now available.

Most of the remaining items in the collection are original documents. One small group of volumes comprises medieval chronicles and other popular European works of the medieval period. They include an early fifteenth-century *Polychronicon* of Ralph Higden, a fourteenth-century *Speculum Historiale* of Vincent de Beauvais, and an illuminated *Historia Anglorum* of Roger de Hoveden which once belonged to the Abbey of Rievaulx and which was probably written in the Durham scriptorium about 1220. Another in this group, a manuscript of Macrobius's commentary on Cicero's *Somnium Scipionis*,

beautifully written and illuminated probably in the mid twelfth century, is thought to be the oldest manuscript in the Library.

Amongst the many legal items are some early collections and abridgments of statutes, including one printed by Machlinia and Lettou c.1481 and others printed by Machlinia c.1484 and 1485. Many other items reflect Petyt's special interest in Parliament, for example three separate drafts of Henry Elsynge's *Modus tenendi Parliamentum*, one of which is annotated by the jurist and scholar John Selden.

For many the most interesting volumes are those containing holograph letters and other documents mainly from the second half of the sixteenth century. Amongst them are letters by William Cecil (Lord Burghley), Sir Edward Coke and Sir Christopher Wren, and two letters bearing the signature of Queen Elizabeth I: the familiar, elaborately curlicued "Elizabeth R".

Most fascinating of all is a group of documents relating to the royal succession crisis of 1553. The best known of these, alluded to earlier, is a draft made in June 1553 in which the dying King Edward VI, at the instigation of his protector John Dudley, Duke of Northumberland, sets out his "devise for the succession", excluding his sisters Mary and Elizabeth in favour of Northumberland's daughter-in-law Lady Jane Grey.



Letter from Elizabeth I to Archbishop Matthew Parker, 1571

The other documents from this period include a letter from Lady Mary, later Queen Mary (written by another but with additions in her own hand), to her brother Edward VI on 16 May 1553 expressing concern for his health; a letter dated 9 July 1553 in which Mary, under signet and sign manual "Marye the Quene", announces to Sir Edward Hastings the death of Edward three days earlier; and finally a letter dated 18 July 1553 in which Lady Jane Grey, under signet and sign manual "Jane the Quene", writes to two of her supporters, just a few hours before her arrest and the end of her nine day reign.

Of the 134 "Petyt" volumes which derive from sources other than the Petyt bequest, perhaps the most notable are the fourteen volumes of papers of Sir Martin Wright, who was a King's Bench judge from 1740 to 1755. There are papers on over a thousand cases heard by the judge during that period, together with precedents, proceedings and notes. These provide much detailed information on the law and legal procedure of the time. A portrait of Sir Martin Wright hangs near the Library entrance. Other items amongst these 134 volumes include Year Books for the period 10-17 Edward III (i.e. 1336-1344) and an illuminated manuscript of Walter Hilton's *Scala Perfectionis* dating from the first half of the fifteenth century.

Besides his books and manuscripts Petyt also left a further £50 to purchase additional books. In addition to the completion of the new building, the year 1708 saw the appointment of the Inn's first Librarian, Samuel Carter. By 1713 Carter had completed the first known catalogue, and in the same year there is the first record of an annual allocation (initially £20) being made for the purchase of books, at the discretion of the Treasurer and four other Masters of the Bench - in effect the first Library Committee. The Library's existence is first documented in 1505, but the Petyt bequest of 1707, with the direct and indirect consequences that followed over the next few years, was arguably the single most important development in its subsequent history.

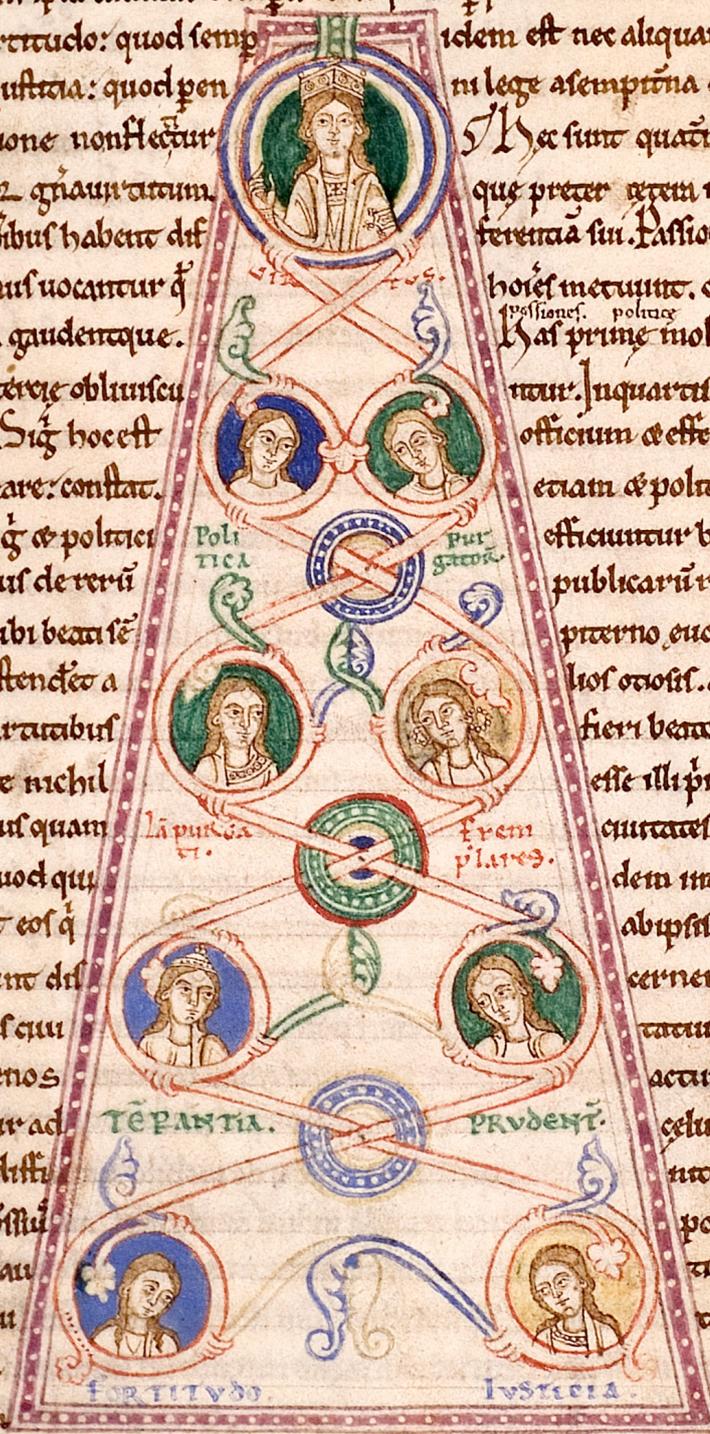
Adrian Blunt retired as Deputy Librarian in 2006.

M^{ys} the Quene

Trusty and welbelovyd we grete you wth. By cause we
 doubt not but that I most hartely possession of the crowne
 in fewe dayes tyme of the nobilitie of our Realm. And yet
 the state of the same is both generally knowne & uncomonly
 is a most loving subjecte, therefore we do not verily
 the same out more most hartely will and require & by our
 great goodwill and compassions muste & leave all the
 power we can possibly make wth our grace to be
 offered to you as before we have in former refering
 the right trusty & most welbelovyd counsaillors
 of our Realme & Parliamt. have thought to be offered
 And as the same to be done in all possible speede
 touching the same for the suppressing & punishing of such
 tumults and rebellions made here against us and our
 by certain persons made for the suppressing w^{ch} we
 have given order to diverse persons in the said
 shires of York & other as we do to be done in like
 manner to the same shire. So as we nothing doubt
 but you have the of such & loving subjecte as be
 appointed for that purpose to the place where the said
 people yet remaine for some space. And we have
 to be about the said matters purpose. & we will be
 your self and execution as the same shal be
 distinction of your nobilitie & commoners and the subjection
 of all men in your degree by rebellion of the
 multitude of your w^{ch} we have sent forward as
 which hath been thus made by the infusion of
 the said noble w^{ch} we have sent forward as
 to your wisdom and fidelity in the matter touching
 you self both in power and good for the same
 in your power as by our will and desire. And
 also we have sent forward as by our will
 of you to be in the said shire & send forward
 to be understood to be done in the said shire
 as by your will & desire.

Letter from Lady Jane Grey as Queen, 18 July 1553

est mens ipsa diuina. **Tempantia:** q̄ in se p̄petua intentione conūsa
 est. Fortitudo: quod temp
 tatur. Iusticia: quod pen
 etiuatione non flectitur
 quatuor q̄na uirtutum
 impassibilibus habent dif
 ut scimus uocantur q̄
 doletur. gaudentque.
 auter. t̄re obliuiscu
 noiri. Sic hoc est
 tum beare: constat.
 tutes. Iq̄ & politici
 q̄ tullius de rerū
 dixit. ubi beati s̄
 Qui ut ostendit a
 tiolis uirtutibus
 absolute nichil
 acceptus quam
 ierit quod qui
 fiat. ut eos q̄
 incipiunt dis
 toribus qui
 p̄teruenos
 p̄antur ad
 autē disti
 quid p̄stū
 quid cau
 noe cui
 quam
 hoium
 cetisque iure sociati quatuor
 appellatur. Nam & seruit̄ q̄ndā
 & gladiatoria manus concilia hoium & cetis fuerūt. sed non iure sociati.
 Illa autem iusta sola est multitudo: cui uniuersitas in legum consensu
 obsequium. Quod uero ait. harū rectores & seruitores hinc p̄fecti huc



idem est nec aliquando mu
 ni lege a se p̄p̄na op̄i sui
 Hec sunt quatuor uir
 tus preter q̄tem maximā
 ferentia sui. Passioes autē
 hoies metunt. cupiuntq̄.
 Has prime mollunt. secte
 ntur. In quartis. nefas est
 officium & effectus uirtu
 etiam & politicas eē uir
 efficiuntur beati. Iure
 publicarū rectoribus
 p̄terno. quo fruuntur.
 Hos otiosos. alios nego
 fieri beatos: non dicit
 esse illi p̄ncipi dō
 ciuitates. sed ad
 dem interris
 ab ipsi celestib̄
 cerneuer arec
 tatum. quib̄
 actus ter
 celum. Illa
 nitione
 potest eē.
 tuis de
 tatum.
 conalia
 inquit
 Vn̄ aie a q̄ reitanc̄.

Macrobius Commentary on Somnium Scipionis.
 Mid 12th Century. Image copyright © Ian Jones