



# CREaTE

Canterbury Research and Theses Environment

Canterbury Christ Church University's repository of research outputs

<http://create.canterbury.ac.uk>

Please cite this publication as follows:

Irwin, D. (2017) From archae to archives. *Archives: The Journal of the British Records Association*, 52 (134). pp. 1-11. ISSN 0003-9535.

Link to official URL (if available):

<https://doi.org/10.3828/archives.2017.1>

This version is made available in accordance with publishers' policies. All material made available by CReaTE is protected by intellectual property law, including copyright law. Any use made of the contents should comply with the relevant law.

Contact: [create.library@canterbury.ac.uk](mailto:create.library@canterbury.ac.uk)



## FROM *ARCHAEOLOGY* TO ARCHIVES

BY DEAN A. IRWIN\*

*Acknowledgments of debt, made to the Jews of England between 1194 and 1290, have long been known to historians. The two largest collections of acknowledgments, stored in the Westminster Abbey Muniments and The National Archives, have been utilised in very different ways. There is no substantive difference in the nature of the records themselves and, as such, it is to the archival history of these documents that one must look in order to account for that discrepancy. Thus, this paper is concerned with establishing the custodial history of the acknowledgments and determining the impact that this has had upon their use. Equally, it uses this later history in order to cast new light upon the origins of the documents.*

Keywords: *moneylending; medieval Anglo-Jewry; medieval records; Westminster Abbey Muniments; The National Archives.*

Queen Victoria's golden jubilee in 1887 was marked by many celebratory events. Among these was the Anglo-Jewish Historical Exhibition, hosted primarily at the Royal Albert Hall between April and June.<sup>1</sup> Subsidiary exhibitions were also held at the British Museum, South Kensington Museum (now the Victoria and Albert Museum) and the Public Record Office. An expressed aim of the Exhibition was 'to determine the extent of the materials which exist for the compilation of a History of the Jews in England'.<sup>2</sup> In the ensuing 130 years, a number of publications have highlighted the extent of the sources relating to the medieval Anglo-Jewish community.<sup>3</sup> A substantial group of sources have consistently been omitted from such surveys, however. These are acknowledgments of debt, which recorded individual moneylending transactions of Jewish creditors.<sup>4</sup> Traditionally, these have been labelled as 'bonds' in the historiography and archival catalogues. This term is, however, problematic given that it implies specificity and detail – both of which are absent.<sup>5</sup> A feature which is

\*DEAN A. IRWIN is an independent scholar. This paper develops and significantly expands upon some of the arguments which were originally advanced in his MA dissertation. He thanks the Jewish Historical Society of England for a research grant which facilitated the archival research embodied within this paper and Dr Pinchas Roth, as well as the anonymous reviewers for *Archives*, for their comments upon this paper.

<sup>1</sup> Hereafter referred to as the Exhibition. For further information see: 'Report to the Members of the General Committee of the Anglo-Jewish Historical Exhibition' in *Papers Read at the Anglo-Jewish Historical Exhibition*, ed. Joseph Jacobs and Lucien Wolf (1888), 289–304.

<sup>2</sup> Joseph Jacobs and Lucien Wolf, *Catalogue of the Anglo-Jewish Historical Exhibition* (1887), vii.

<sup>3</sup> See primarily: Joseph Jacobs and Lucien Wolf, *Bibliotheca Anglo-Judaica: A Bibliographical Guide to Anglo-Jewish History* (1888), xiii–xix; Hilary Jenkinson, 'The Records of the Exchequer Receipts from the English Jewry' in *Transactions of the Jewish Historical Society of England* (hereafter *Transactions*), viii, 1915–1917, pp. 19–54; H.P. Stokes, 'Records of MSS. and Documents Possessed by the Jews in England before the Expulsion' in *Transactions*, viii, 1915–1917, pp. 78–97; Hilary Jenkinson, 'Medieval Sources for Anglo-Jewish History: the Problem of Publication' in *Transactions*, xviii, 1953–1955, pp. 285–293; Paul Brand, 'The Jewish Community of England in the Records of English Royal Government' in *Jews in Medieval Britain: Historical, Literary and Archaeological Perspectives*, ed. Patricia Skinner (Woodbridge, 2003), 73–83; *Plea Rolls of the Exchequer of the Jews, Volume VI: Edward I, 1279–81*, ed. Paul Brand (2005), 49–51, 57–68.

<sup>4</sup> For ease this phrase will hereafter be abbreviated to 'acknowledgments'. This should be treated purely as an abbreviation rather than any comparison with the Christian documents which have long been identified by the same term.

<sup>5</sup> I am grateful to Professor Louise Wilkinson and Dr Paul Webster on their advice with regards to this section.

common to all of these documents is their formulaic nature. They conventionally begin with the proclamation '*Sciant universi quod ego*' (Know all that I . . .), or some variation of that phrase. Consequently, it is more accurate to describe these records as 'acknowledgments of debt' as opposed to 'bonds'.<sup>6</sup> This is an especially important distinction when it is considered that records of Jewish business activities which were concerned with more precise terms of repayment, might be reasonably described as bonds. For example, the records of Jewish commodity dealings which were produced after the imposition of the *Statute of the Jewry* (1275) can legitimately be defined as bonds.<sup>7</sup>

Acknowledgements have often been treated as documents which, because of their size, could be overlooked. Sir Hilary Jenkinson, for example, classified them under the heading 'Stray Survivals' which were 'individual small Documents'. Given that Jenkinson regarded the *Plea Rolls of the Exchequer of the Jews* as being 'dull [. . .] and repetitious' it is perhaps unsurprising that he chose to leave the survey of acknowledgements for others.<sup>8</sup> This is not least because an acknowledgment is a single piece of parchment, typically no more than 220mm x 60mm, in the form of an indented chirograph. These were not complex legal documents, however, and the text simply consists of the names of the debtor(s) and creditor(s), the amount borrowed and on what date, a penalty clause and the date upon which repayment was expected. The two most substantial collections of acknowledgements are the 173 contained within The National Archives' (TNA) Ancient Deeds, Series D collection (now under the reference E 210) and the 131 in the Westminster Abbey Muniments (WAM) numerical series. This paper seeks to trace these documents from the moment of their production through to the journey that they took into the archival collections in which they now reside. As will be highlighted below, considering the archival history of these documents casts new light upon their origins and suggests why historians have approached the two collections in very different ways.

Anglo-Jewish moneylending activities were heavily regulated from 1194 until the general expulsion of the Jews from England in 1290.<sup>9</sup> Consequently, a great deal is known about the production and early storage history of acknowledgements of debt. During this period, it was a requirement that 'Jews' debts and pledges' be recorded in the form of a chirograph.<sup>10</sup> Originally, this was to be a bipartite instrument, however, from 1233 onwards it was to be produced in a tripartite format. An additional requirement was that a portion of the chirograph be deposited in a local *archa* (chest). Initially these had been confined to five or six urban centres, however by the 1220s there were around 21 *archae*. Finally, the 1194 regulations also stipulated that these documents were to be produced by a scribe appointed to the *archa*, who was to be paid 2d. (half by the creditor and half by the debtor).<sup>11</sup> It is, by and large, the acknowledgements which were deposited in the *archae* which have survived and now reside in archival collections.

<sup>6</sup> This phrase was also employed recently elsewhere: Judith Olszowy-Schlanger, *Hebrew and Hebrew-Latin Documents from Medieval England: A Diplomatic and Palaeographical Study* (Turnhout, 2016).

<sup>7</sup> See, for example, Herefordshire Archives and Records Centre, AH 81/84; TNA, C 146/1360. I am currently working on an article discussing the extant post-Statute bonds.

<sup>8</sup> Jenkinson, 'Records of Exchequer Receipts', 20; 'Medieval Sources', 285, 286.

<sup>9</sup> For a general discussion of this and what follows see Joe and Caroline Hillaby, *The Palgrave Dictionary of Medieval Anglo-Jewish History* (2013), 95-97, 98-100.

<sup>10</sup> Roger of Howden, *Chronica Magistri*, iii, ed. William Stubbs (1870), 266. For chirographs see M.T. Clanchy, *From Memory to Written Record: England 1066-1307* (2013), 89-90.

<sup>11</sup> For a general discussion of this see Robin R. Mundill, 'The 'Archa' System and its Legacy after 1194' in *Christians and Jews in Angevin England: The York Massacre of 1190, Narratives and Contexts*, ed. Sarah Rees Jones and Sethina Watson (Woodbridge, 2013), 148-162.

Another important set of sources for understanding the scale of thirteenth century Anglo-Jewish moneylending activities are the scrutiny rolls. These were produced on those occasions when the crown ordered that the *archae* were to be sealed and their contents enrolled. As is highlighted below, partial sets of scrutiny lists survive for 1274–6 and 1290–1.<sup>12</sup> The extent of this regulation, and the records which it produced, provides historians with an important foundation to commence a study of the archival history of these documents. Assuming that these requirements were complied with, then we know where an acknowledgement was produced and by whom. Additionally, the acknowledgements themselves contain the details of precisely when they were produced.

The scrutiny lists have traditionally relegated acknowledgements to a secondary position in the historiography on medieval Anglo-Jewish moneylending. In the case of general analyses of moneylending, the scrutinies are an invaluable source because they provide details of Jewish moneylending transactions in large quantities. Equally, when multiple scrutiny rolls are used in conjunction with each other it is possible to ascertain regional and national trends. Having said that, there are some advantages to favouring acknowledgments over the scrutinies. For example, the scrutiny rolls only provide a summary of the main elements of an acknowledgement – usually the names of the debtor and creditor, the size of the debt and the date upon which the transaction occurred. Conversely, when considering the acknowledgements themselves it is possible to view the precise terms as they were originally stated. The most obvious benefit of this approach is that it is possible to see the penalty clause, something which was never included when debts were enrolled, and the date upon which payment of the debt was due. This latter point allows historians to calculate the specified duration of the debt in addition to its size. Additionally, given the extent to which the production of these documents was regulated by the crown, it is possible to analyse the material elements of the chirographs as well as the language which was used. Unlike many previous studies, this paper only makes use of the scrutinies in those instances where they can advance our understanding of the acknowledgements themselves.

A number of important advances have been made in the use of the WAM acknowledgements in recent decades. Vivian Lipman's classic study of the Norwich Jewry (1967) was particularly important in this respect. In his discussion of the economic activities of the community, Lipman made use of 15 acknowledgements which had originally been deposited in the Norwich *archa*. He also reproduced the Latin text of those documents in the appendix to his book, which is still an important compendium of sources today.<sup>13</sup> Two decades later, Robin Mundill made use of the WAM acknowledgements from the Canterbury and Lincoln *archae* in his doctoral thesis.<sup>14</sup> Mundill's approach was particularly significant because he utilised the acknowledgements in conjunction with the scrutiny rolls. Consequently, he was able to gain a more comprehensive understanding of Anglo-Jewish moneylending activities during the reign of Edward I than had previously been the case. The acknowledgements within this collection have become more accessible in recent years as they have all been published, either in full Latin transcript, by Lipman, or in English summary, by Ann Causton.<sup>15</sup> This was a particularly significant advance because the WAM

<sup>12</sup> Other, individual, scrutiny rolls are also extant. See, for example, TNA, E 101/249/5 and TNA, E 101/249/7.

<sup>13</sup> Vivian D. Lipman, *The Jews of Medieval Norwich* (1967), ch. 3 (esp. pp. 82–83, 86), pp. 277, 278, 284, 288, 293, 298–299, 300–301, 302, 307–309.

<sup>14</sup> Robin R. Mundill, *The Jews in England 1272–1290* (St. Andrews University, 1987), esp. ch. 4.

<sup>15</sup> See above n.13; *Medieval Jewish Documents in Westminster Abbey*, ed. and trans. Ann Causton (2007).

acknowledgements have never been individually catalogued for publication.<sup>16</sup> Even before this, however, the work of Lipman and Mundill had served to ensconce the WAM acknowledgements as a crucial set of sources for students of medieval Anglo-Jewish history.

In contrast, historians have paid comparatively little attention to the E 210 acknowledgements. That is not to say that these documents are unknown to scholars. On the contrary, the majority of these documents were catalogued in 1900, with a summary of their particulars being provided.<sup>17</sup> Equally, historians of medieval Anglo-Jewry have long known of the existence of these documents, with references being made to the collection in general, and to specific items within the collection.<sup>18</sup> All of these references, however, appear to return to the 1900 catalogue rather than to the acknowledgements themselves. Understanding why these two collections have been received so differently within the historiography is a question at the heart of this paper.

The most marked difference between the two groups of acknowledgements is in how they entered into their respective archival collections. The more problematic documents are those in the E 210 series. Given that these documents are not associated with any complete *archa* collection, it seems probable that these acknowledgements came into the possession of the Exchequer of the Jews prior to the Expulsion. The most obvious reasons which would have caused this to transpire would have been where they had been used to pay fines, as tallage payments, or as part of the death duties which the crown exacted upon the death of a Jew. The problem of determining the precise journey which these acknowledgements took from the *archae* to the central royal archives resides in the fact that the majority of the documents were produced prior to 1270. This means that a key set of sources for the study of medieval Anglo-Jewry, the plea rolls of the Exchequer of the Jews, are of little use in identifying those debts which transferred to the crown in this way given that the survival of these rolls prior to this date is extremely limited. There are, however, isolated examples of acknowledgements from the E 210 series which can be located in the Plea Rolls of the Exchequer of the Jews. An acknowledgement which was made by Richard, son of Roger de Montfort, to Cresse, son of Genta, appears to correspond to a debt that was used as part of Cresse's tallage payment in 1274.<sup>19</sup> By and large, however, such an approach is not possible because of the lacunae in the sources. It is important to note that the way in which these documents entered the royal archives also provides a tangible explanation as to how they came to be stored in the old Palace of Westminster until the nineteenth century. This is because, it has long been acknowledged that there was a 'Jews' chamber' there where the Exchequer of the Jews was based.<sup>20</sup> Consequently, when the acknowledgements were taken into the hands of the Exchequer, they would

<sup>16</sup> An unpublished slip catalogue of the collection, originally produced by Edward Scott, is available in the muniments room.

<sup>17</sup> *A Descriptive Catalogue of Ancient Deeds* (6 vols, 1990), iii, pp. 407-412, 423, 425, 434-437, 438, 446-448. This volume only catalogued the first 1,330 documents, of c. 11,000, in the E 210 series. Acknowledgements not catalogued here can be found at TNA, E 210/1354, 1362, 1364, 1395, 1482, 2027, 2041, 5145, 5251, 5278, 5332, 5350, 5408, 5415, 5440, 5711, 6178, 11325.

<sup>18</sup> Robin R. Mundill, *England's Jewish Solution: Experiment and Expulsion, 1262-1290* (1998), 8, n.45. For the use of some specific examples see Joe Hillaby, 'A magnate among the marchers: Hamo of Herford, his family and clients, 1218-1253' in *Jewish Historical Studies*, xxxi, 1988-90, p. 50; Robin R. Mundill, 'Rabbi Elias Menahem: a late-13th-century English entrepreneur' in *Jewish Historical Studies*, xxxiv, 1994-96, pp. 163, 173; David Stephenson, 'Jewish presence in, and absence from, Wales in the twelfth and thirteenth centuries' in *Jewish Historical Studies*, xliii, 2011, pp. 10, 14.

<sup>19</sup> TNA, E 210/271 [9 August 1260]; *Calendar of the Plea Rolls of the Exchequer of the Jews, Volume 2: Edward I, 1273-1275*, ed. J.M. Rigg (1910), 188.

<sup>20</sup> Mundill, *England's Jewish Solution*, 6.

have been conveyed to Westminster, possibly even to the 'store room' which was constructed for use by the Justices of the Jews in 1235.<sup>21</sup>

It is possible to be much more accurate in determining when the WAM acknowledgements' journey into the archives began. Specifically, this can be traced to 1 November 1290, when the Edict of Expulsion came into effect.<sup>22</sup> The primary result of this was to end the Jewish presence in medieval England. Additionally, all of the remaining Jewish properties and any chattels and outstanding debts in the *archae* defaulted to the crown. It was subsequently ordered that the *archae* were to be transported to Westminster, where the contents of the *archae* were to be enrolled during the winter of 1290–1. As shall be expounded below, the *archae* were subsequently transferred to Westminster Abbey upon the completion of this process. In terms of studying acknowledgements, these scrutinies are important because they provide historians with the details of how many debts were contained in the *archae* at the time of the Expulsion. Equally, the records demonstrate that some communities had more debts outstanding, at the time of the Expulsion, than others. Thus, small *archae* like those at Winchester and Bristol contained 10 and 19 debts respectively, while the larger Lincoln chest contained 252 acknowledgements.<sup>23</sup>

Given the extensive records which were generated by the Expulsion, it would seem a relatively simple task to trace the WAM acknowledgements in the scrutiny lists. This is not the case. On the contrary, it is not possible to trace a single acknowledgement from the collection in the scrutinies.<sup>24</sup> The omission of a small percentage of acknowledgements might be regarded as scribal error but the comprehensive absence of these documents requires another explanation. One possible solution might be offered by the characteristics of the collection. More than 80% of the documents were produced between 1270 and 1276, with almost 36% being produced in 1275 alone. This concentration of documents is too specific to be regarded as a coincidence. Moreover, the absence of any documents produced in the final 15 years of the Anglo-Jewish presence in England is equally problematic. This is especially true given that the scrutiny rolls demonstrate that the Jews continued to extend credit during this period. The concentration of acknowledgments from the early 1270s is significant within the context of Peter Elman's distinction between two sets of *archae*: the *veteres archae* (old chests) and the *novae archae* (new chests).<sup>25</sup> These are terms that appear on the post-Expulsion scrutiny lists, and Elman used them to argue that the old chests contained money debts, produced prior to 1276, whilst the new chests were for commodity debts, produced after 1280.<sup>26</sup> It is important to note that the other contents of the *archae*, such as the starrs and property deeds, would not have been bound by the same division. Elman's argument was challenged by Mundill, who demonstrated a number of issues with it.<sup>27</sup> First, and foremost, he noted that the Oxford and Lincoln *archae* both contained documents produced before 1280. Additionally, he drew attention to the fact that the scrutiny of the Lincoln *archa* was labelled as the '*vetus cista*' despite the fact that it contained no debts which pre-dated 1276. Furthermore, Mundill cited the fact that the Cambridge *archa* contained debts from 1268 until 1286. This was arguably the

<sup>21</sup> *Calendar of the Close Rolls of the Reign of Henry III . . . A.D. 1234–1237* (1908), p. 100.

<sup>22</sup> For the Expulsion, and its aftermath, see Mundill, *England's Jewish Solution*, 253–6.

<sup>23</sup> TNA, E 101/250/10, 4, 12.

<sup>24</sup> TNA, E 101/250/2–11.

<sup>25</sup> Peter Elman, 'Jewish Trade in Thirteenth Century England', *Historia Judaica*, i, 1939, pp. 96–97. I am grateful to Dr Julie Mell who provided me with a copy of this article.

<sup>26</sup> *Ibid.*, 97.

<sup>27</sup> Mundill, *England's Jewish Solution*, 126–7.



weakest element of his challenge because, although we know that there was an old and new chest at Cambridge,<sup>28</sup> it is by no means clear how the expulsion of the Cambridge Jewry in 1275 impacted upon the use of these *archae*. The fact that only four debts were recorded as being deposited in the chest after this local expulsion suggests that the use of the *archa* was much reduced.<sup>29</sup> This, in turn, may have removed the need to distinguish between chests. These inconsistencies in Elman's argument caused Mundill to conclude that the labels old and new chests were only significant within their 'local context' and beyond this the terms should not be treated as definitive.<sup>30</sup>

Clearly, Elman's distinction between 1276 and 1280 presents a serious impediment to his thesis. In the light of the dates of the WAM acknowledgements, however, Elman's hypothesis is worth reconsidering, with some obvious amendments. A possible alternative is that the establishment of the new chests was not an instantaneous process but rather was a gradual one which coincided with the scrutiny of the old chests between 1274 and 1276.<sup>31</sup> This seems plausible given that the *archae* were often sealed and scrutinised prior to the levying of a tallage.<sup>32</sup> This could have been the case with the 1274-6 scrutinies given that the so-called Great Tallage was being levied during this period. Given the imposition of the Statute of the Jewry (1275), which famously outlawed Jews from lending money at interest, it would also make sense that a new set of post-statute *archae* would have been set up to ensure the separation from the past. If this were the case then it would be logical to assume that the crown would also want to conduct an inventory of the old chests before establishing the new ones. The evidence simply does not survive to allow us to state definitely whether this was, indeed, the case. The cumulative, circumstantial, evidence makes this a viable explanation, however. Following this line of argument, Elman's distinction between the two sets of *archae* becomes a plausible way to explain the absence of any acknowledgements which were produced after 1276 within the WAM collection. Equally, this hypothesis serves to alleviate the problems raised by Mundill in relation to the Oxford *archa*. Moreover, the dates recorded on the Lincoln scrutiny, all of which fall after 1278, suggests that the use of the label '*vetus cista*' was a scribal error and this should actually read '*nova cista*'.<sup>33</sup>

This argument finds important support from the fact that six acknowledgements within the collection, from the Colchester *archa*, can be traced in the scrutiny roll which was produced in 1275.<sup>34</sup> Mundill assumed that these documents entered the Abbey collection via the 'royal treasury'<sup>35</sup> but there is no evidence that these documents ever left the Colchester *vetus cista*. Consequently, it seems more likely that they remained in the Colchester old chest at the time of the Expulsion and were subsequently transferred to the Abbey along with the rest of the *archae* contents by the end of the thirteenth century. This information does not make it possible to extrapolate how many acknowledgements might originally have been deposited in Westminster Abbey for two reasons. First, the post-Expulsion scrutiny lists have not all survived. Details of the arrival of 19 *archae* in Westminster in November 1290 survive, but there are only

<sup>28</sup> TNA, E 101/249/29.

<sup>29</sup> TNA, E 101/250/3.

<sup>30</sup> Mundill, *England's Jewish Solution*, 126.

<sup>31</sup> The schedule for these scrutinies is still extant and details who was to complete each inventory: *Calendar of the Close Rolls . . . Edward I A.D. 1272-1279* (1900), 263.

<sup>32</sup> *Medieval English Jews and Royal Officials: Entries of Jewish Interest in the English Memoranda Rolls, 1266-1293*, ed. and trans. Zefira Entin Rokéah (Jerusalem, 2000), 313, n.20.

<sup>33</sup> TNA, E 101/250/12.

<sup>34</sup> TNA, C 47/9/48.

<sup>35</sup> Mundill, *England's Jewish Solution*, 152.

11 scrutiny lists.<sup>36</sup> Second, there is no complete survey of the contents of the *veteres archae* at the time of the Expulsion. Certainly, some rolls like that for the Hereford *archa* contain the particulars of both chests, whereas others contain only information for one chest. Basic arithmetic brings us to the conclusion that there were, at the very least, originally more than 1,200 acknowledgements deposited in the Abbey and there were probably many more than this in reality.<sup>37</sup> What does seem clear, based upon what has been outlined above, is that the WAM collection of acknowledgements is formed exclusively of debts from the *veteres archae*.

This division between the origins of the two collections of acknowledgements, goes some way to explaining why the two leading authorities on the WAM acknowledgements – Lipman and Mundill – neglected the E 210 documents. The limited scope of Lipman's study meant that he would have found little material in the E 210 relating to the Norwich Jewry. Consequently, the concentration of Norwich *archa* documents in the WAM collection made it ideal for him to focus upon. Conversely, while Mundill focused upon acknowledgments more generally, his studies were geared towards understanding the activities of the Edwardian Jewry. As a result, the earlier Henrician acknowledgements from the E 210 collection featured less prominently in his research than WAM documents, which were directly relevant to his period of study. Equally, Mundill's great strength was in the records which were generated by the Expulsion. The WAM acknowledgements link into this because these documents remained in the *archae* at the time of the Expulsion, whereas the E 210 records were removed from their Jewish context several decades prior to this.

What happened to the *archae* and, by extension, the acknowledgements in the immediate aftermath of their enrolment is not clear. Causton has found evidence from 1303 which demonstrates that they were stored in Westminster Abbey from at least 1298, and possibly earlier.<sup>38</sup> At that point a fire, which started at the nearby Palace of Westminster spread to St. Katherine's Chapel, adjacent to the Abbey infirmary, where the *archae* had been deposited. The extent of the damage caused by this fire upon the contents of the chapel is unclear. Following the thesis advanced above, however, it seems that if all of the *archae* were stored in the same location, as seems likely, then the contents of all of the *novae archae* were destroyed along with a number of the *veteres archae*. Keeping the acknowledgements in such close proximity to the Palace of Westminster was vital so as to enable the crown to collect the debts if it wished. Though, as Mundill has demonstrated, there is no evidence that any concerted effort was made to do this.<sup>39</sup> In any event, the crown's need to retain these documents was removed in 1326 when the incoming government of Edward III cancelled all remaining debts which had been owed to Jews.<sup>40</sup> At this point the acknowledgements remained in Westminster Abbey and, over the course of time, came to be integrated into the Abbey's archives.<sup>41</sup> This, in itself, is unusual given that many royal documents, such as those stored in the Chapter House and the Chapel of the Pyx, were subsequently transferred to the Public Record Office. The fact that the *archa* documents were stored

<sup>36</sup> *Archae* arrived from Bedford, **Bristol**, Colchester, **Cambridge**, **Canterbury**, **Devizes**, **Exeter**, **Hereford**, Huntingdon, Ipswich, **Lincoln**, London, Northampton, **Norwich**, **Nottingham**, **Oxford**, **Winchester**, Worcester, and York. The towns highlighted in bold are those for which scrutiny lists survive.

<sup>37</sup> This figure combines the 1,106 debts listed in the post-Expulsion scrutinies with the 131 extant acknowledgements.

<sup>38</sup> *Medieval Jewish Documents*, ed. Causton, 2.

<sup>39</sup> Mundill, *England's Jewish Solution*, 256-7.

<sup>40</sup> *Ibid*, 257.

<sup>41</sup> As Richard Mortimer points out the *archae* documents form part of a relatively small set of documents within the WAM numerical series which can be regarded as 'Extraneous Material': Richard Mortimer, *Guide to the Muniments of Westminster Abbey* (Woodbridge, 2012), 52-5.



in the muniments room explains why the documents remained in the Abbey, given that their obvious connection to the royal archives had been severed. Thereafter, the evidence relating to the archival history of the WAM acknowledgements falls silent for the rest of the medieval period. It seems evident that in the late fourteenth century the acknowledgements were transferred into the so-called Cambridge Ark. It is possible to date the Ark thus because when it was undergoing the process of restoration in 1909 a compartment was discovered containing documents from 1344 and 1353.<sup>42</sup> Consequently, whilst the name might suggest that this was one of the *archae* in which the acknowledgements was stored at the time of the Expulsion, the date rules out this possibility. Equally, although H.P. Stokes long ago suggested that there might be at least one *archa* extant in the Abbey, there is no evidence to support such a statement.<sup>43</sup>

★   ★   ★

The post-medieval location of both collections of acknowledgements has played an important role in ensuring their survival. In the case of the WAM documents, the Abbey's archives, unlike those of many English monastic foundations, survived the Reformation of the sixteenth century intact. This was largely as a result of the privileged status which the Abbey had enjoyed since the thirteenth century. During the 1220s the Abbey had been removed from the jurisdiction of the English episcopacy, and was placed under the authority of the papacy. This arrangement survived the Reformation, with the pope being replaced by the monarch and the last abbot, William Boston, becoming the first dean.<sup>44</sup> The continuity which the Abbey enjoyed during this turbulent point in English history has been identified as a major factor in the maintenance of the Abbey's muniments.<sup>45</sup> Its archives were not broken up either by the dissolution of the foundation or by the confiscation of its lands and the corresponding documentary evidence of ownership. Consequently, the WAM acknowledgments remained undisturbed in the Cambridge Ark when, had they been deposited in any other monastic foundation, the collection could have been broken up and possibly even lost.

If continuity of location has played an important role in the survival of the WAM acknowledgements, then the opposite is the case for the E 210 documents. At the beginning of the nineteenth century the acknowledgements remained in the old Palace of Westminster, where they had been since the thirteenth century.<sup>46</sup> In 1831 this collection was transferred out of the palace, first to Charing Cross and thence to Carlton Ride in 1835. The records were already in a lamentable condition at the time of the first move and they would deteriorate still further in the following five years. Had they remained in the Palace, then they would almost certainly have been destroyed by the fire of 16 October 1834. As it was, their transfer had ensured their safety, even if their poor state meant that the future of these documents was unclear.

The establishment of the Public Record Office (PRO) in 1838 was, in part, a reaction to the deteriorating condition of the King's Remembrancer documents.<sup>47</sup> The Carlton Ride branch of the PRO, as it became, remained open until 1858 and

<sup>42</sup> Lawrence E. Tanner, 'The Nature and Use of the Westminster Abbey Muniments' in *Transactions of the Royal Historical Society*, lxx, 1936, p. 63. The Ark is still housed in the Abbey though it is not currently on display or available to the public. I am grateful to Miss Christine Reynolds for this information.

<sup>43</sup> H.P. Stokes, *Studies in Anglo-Jewish History* (Edinburgh, 1913), 198.

<sup>44</sup> *Muniments of Westminster Abbey*, 1, 5.

<sup>45</sup> *English Benedictine Libraries: The Shorter Catalogues*, ed. Richard Sharpe *et al.*, (1996), p. 609.

<sup>46</sup> See Caroline Shenton, *The Day Parliament Burned Down* (Oxford, 2013), 55–6.

<sup>47</sup> 'Records of the King's Remembrancer', <http://discovery.nationalarchives.gov.uk/details/r/C565> (accessed 1 Feb. 2017).

the E 210 acknowledgements appear to have remained there during that period. The arrival of Joseph Hunter (1783–1861), who had been appointed as an assistant keeper of the PRO in 1840, at Carlton Ride in 1843 marked an important milestone in the history of the E 210 acknowledgements.<sup>48</sup> While Hunter does not seem to have been aware of the full extent of the collection of acknowledgements, probably as a result of the lack of order in the collection, he certainly knew of some of them. In 1845 he wrote that he had ‘had the opportunity of inspecting several bonds’, and included a transcription of an acknowledgement of a 20s. debt made to Cresse, son of Genta.<sup>49</sup> With the closure of the Carlton Ride branch of the PRO in 1858, the documents were transferred to the newly completed Public Record Office in Chancery Lane (London). The E 210 acknowledgements underwent a final move at the end of the twentieth century when they were transferred from Chancery Lane to The National Archives, Kew (Richmond). The relocation of the medieval documents took place in 1995, following the modern documents which had been moved in 1977.<sup>50</sup>

As is the case with the medieval evidence, we know much more about the archival history of the WAM acknowledgements. Indeed, from the mid-eighteenth century onwards, it is possible to pinpoint their location within the muniments room. As was noted above, from the late fourteenth century onwards, the acknowledgements were stored in the Cambridge Ark. This suggests that the first modern scholar who knew of their existence was Thomas Madox (1666–1727), the antiquarian and historian. In his *The History and Antiquities of the Exchequer*, Madox included a chapter on the Exchequer of the Jews.<sup>51</sup> As part of this he discussed acknowledgements and the *archae* system in some detail. There is strong, circumstantial, evidence that Madox was referring to the WAM acknowledgements here because later in the chapter he directly referenced one of the rolls which would, from the end of the nineteenth century onwards, become known as the Norwich Day-Book.<sup>52</sup> In accessing this document Madox would also have been confronted with the acknowledgements. It is from several decades later, however, that the first concrete evidence of the acknowledgements emerges. In c.1735 Richard Widmore (1681–1764) was appointed by the Abbey authorities to catalogue the charters and deeds within the Muniments and to organise them into presses.<sup>53</sup> It was Widmore who removed the acknowledgements from the Cambridge Ark.<sup>54</sup> It is not entirely clear when he did this but his catalogue of the Muniments, *An Account of the Records of the Collegiate Church of Westminster*, listed their location as ‘Press 6, Number 32’, so it had certainly been done by 1741.<sup>55</sup> Widmore’s catalogue also reveals that at this point, all of the Jewish documents, including the acknowledgements, were stored in ‘a Parcell, and two canvas Baggs’.<sup>56</sup>

A century later, during the late 1860s, Joseph Burtt (1818–76) was tasked with organizing the contents of the Muniments Room. This process seems to have had a relatively small impact upon the acknowledgements given that Burtt’s addendum to the Widmore catalogue recorded the new position of these documents as ‘Press 6, Box

<sup>48</sup> ODNB.

<sup>49</sup> Joseph Hunter, *New Illustrations of the Life, Studies, and Writings of Shakespeare* (2 vols, 1845), i, 305. I have, as yet, been unable to trace this document in the modern collection.

<sup>50</sup> I am grateful to the anonymous reviewer to drawing this to my attention.

<sup>51</sup> Thomas Madox, *The History and Antiquities of the Exchequer of the Kings of England* (2 vols, 1711), i, 150–178.

<sup>52</sup> *Ibid.*, p. 162 and n. x. The roll which Madox referenced is now WAM 9012, the text of which has been reprinted in Lipman, *The Jews of Medieval Norwich*, 215–225.

<sup>53</sup> ODNB.

<sup>54</sup> Lawrence E. Tanner, ‘The Nature and Use of the Westminster Abbey Muniments’ in *Transactions of the Royal Historical Society*, lxx, 1936, p. 63.

<sup>55</sup> WAM, LM/02/04/001 f. 121.

<sup>56</sup> *Ibid.*

1'.<sup>57</sup> The editors of the *Fourth Report of the Royal Commission on Historical Manuscripts* (1874) do not appear to have been made aware of this shift given that they cited Widmore's description verbatim.<sup>58</sup> The WAM acknowledgements were rearranged for a final time by Edward Scott who was working in the muniments from 1891 until his death in 1918. The referencing system which Scott imposed upon the WAM numerical series, reflects his experience with the British Museum's additional manuscript series on which he had previously worked. His decision to order the muniments sequentially, as opposed to thematically, has been criticised in some quarters.<sup>59</sup> In the case of the Jewish documents generally, and the acknowledgements specifically, this system causes relatively few problems given that they were arranged together, in two groups.

The evidence also allows us to determine those occasions upon which the acknowledgements were absent from the Abbey for any sustained period. Two occasions in particular stand out in this respect. First, at the time of the Exhibition in 1887, the Abbey sent its entire collection of medieval Anglo-Jewish documents, including the acknowledgements, to the Royal Albert Hall. The acknowledgements were presumably sent in response to the organisers' request for 'Relics and Records [...] of the Expulsion and Pre-Expulsion Periods'. Given the shortage of space which was experienced within the Royal Albert Hall, it seems unlikely that the acknowledgements were put on public display.<sup>60</sup> The Exhibition's catalogue included all items which had been sent for inclusions, so we know that they were sent.<sup>61</sup> Similarly, the E 210 acknowledgements also appear to have been used at the Exhibition. Unlike the WAM documents, however, these were housed at the subsidiary event at the PRO, 'owing to the stringent conditions which prevent the authorities at [the PRO] from letting any of their treasures pass beyond their immediate control'.<sup>62</sup> The fact that both collections of acknowledgements were displayed at the Exhibition, though at different venues, is important because, as Robert Stacey has identified, this was the beginning of "The Heroic Age" of Anglo-Jewish historical scholarship.<sup>63</sup> Consequently, the disparity in the use of these documents by historians cannot be attributed to the absence of one group of documents from the Exhibition.

The WAM acknowledgements were removed from the Abbey for a second, much longer, period during the Second World War. The threat that this posed to the Abbey's treasures and the contents of the muniments were, wherever possible, mitigated by their evacuation. So as to ensure the safety of the collections being evacuated, they were transported to separate locations, with the majority of the acknowledgements being transported to Bosington House (Hampshire). Thereafter, on 30 December 1941 they were transferred to Somborne Park (Hampshire) under the care of Sir Frederick Hervey-Bathurst. The nature of the numerical system which operates in the muniments, means that several of the acknowledgements would have been stored at Georges in Houghton (Hampshire).<sup>64</sup> Conversely, the records contained within the PRO, including the E 210 acknowledgements, remained largely in situ during the war because of the scale of its collections. It simply was not feasible to evacuate the majority of the Public Records. As it was, the PRO suffered relatively little damage during the

<sup>57</sup> WAM, LM/02/04/001, f. 124A.

<sup>58</sup> This also prints Burt's addendum. *Fourth Report of the Royal Commission on Historical Manuscripts* (2 vols, 1874) i, 182.

<sup>59</sup> *Muniments of Westminster Abbey*, 12-15.

<sup>60</sup> 'Report to the Members . . .', *Papers Read at the Anglo-Jewish Historical Exhibition*, pp. 292, 301.

<sup>61</sup> *Catalogue of the Anglo-Jewish Historical Exhibition*, xxv.

<sup>62</sup> 'Report to the Members . . .', *Papers Read at the Anglo-Jewish Historical Exhibition*, p. 293.

<sup>63</sup> Robert Stacey, 'Recent Work on Medieval English Jewish History' in *Jewish History*, ii, 1987, p. 61.

<sup>64</sup> Westminster Abbey Muniments Room, 'Schedule of War Removals in 1939-43' (Dec. 1942), 14, 17.

war.<sup>65</sup> Therefore, the measures which were employed in order to ensure the safety of the two collections performed as had been desired given that both sets of documents survived intact.

The archival history of the WAM and E 210 acknowledgements outlined above has highlighted that the two collections experienced markedly different histories. Indeed, in many ways, the two collections are the antithesis of each other. Conversely, the archival history of these two collections of acknowledgements has contributed, in no small part, to the survival of the documents. The commonalities highlighted above suggest that there are two fundamental reasons which have caused historians to favour one group of documents, above the other. First, the way in which the acknowledgements entered their respective archival collections was crucial. Although the E 210 acknowledgements have a longer history of being stored in a central archive, having entered the royal archives some decades prior to their cousins in the WAM collection, the fact that they were removed from the *archae* by the crown also means that they were removed from a cogent collection of acknowledgements, and instead formed a small part of a much larger collection of Exchequer documents. The impact of this was seen in later centuries when the abundance of deteriorating Exchequer documents meant that the acknowledgements were largely inaccessible. In contrast, the WAM acknowledgements retained their integrity at the time of the Expulsion and formed part of a wider corpus of Jewish documents which are also important documents for medieval Anglo-Jewish historians. Equally, the comparative order and accessibility of the muniments room means that these acknowledgements were accessible to historians from a much earlier point in their history. Despite their different archival histories, both collections of acknowledgements have a great deal to offer historians of medieval records and thirteenth century England.

<sup>65</sup> John D. Cantwell, *The Public Record Office, 1838–1958* (1991), 430–2.