

si contingat quod aliqui fuerint articuli de quibus adeo festinanter non possit inquiri prefigatur alius terminus competens ad inquisitionem illam rite faciendam. Ita tamen quod de aliis articulis de quibus sufficienter inquisitum fuerit nichilominus procedat consideratio sine dilacione prout secundum iustitiam fuerit faciendum. Et sciendum quod bene licebit domino Regi pro parte sua et similiter predicto comiti pro parte sua dicere et proponere coram prefatis inquisitoribus ea quae eis viderint competere et similiter salvis eisdem domino Regi et comiti rationabilibus calumpniis suis cum perventum fuerit ad considerationem faciendam quo ad personas eorum qui considerationi intererunt. Et sciendum quod predicti Archiepiscopus et Episcopi cum perventum fuerit ad considerationem faciendam quo ad personas eorum qui considerationi intererunt iuraverunt in verbo dei ad predictam inquisitionem fideliter et sine fictitia faciendam. Si vero omnes iidem Archiepiscopus et episcopi predictae inquisitioni interesse non possint quattuor eorum qui presentes fuerint ad inquisitionem illam faciendam procedant.

Early Notes of Fines

THE Notes of Fines practically duplicate the information contained in the better-known Feet of Fines, and for this reason they have generally been used only to make good gaps or defects in the latter series. It has recently been observed, however, in the study of Fines by Sir H. C. Maxwell Lyte for Somersetshire and by Canon C. W. Foster for Lincolnshire,¹ that some of the earliest Notes have not been engrossed as Feet, and that these can be distinguished by the absence of endorsement with the letter 'H'.

The earliest Notes preserved are not dated, but mostly appear to belong to the latter part of the reign of Edward I. Then for a period, beginning in Easter term, 2 [Edward II], the day and regnal year are given, but not the name of the king. This first appears in Hilary term, 12-13 Edward III, and is regularly given afterwards.

The original files of Notes for Edward III and later are made up in terms, the covers usually being endorsed 'Note ingrossate' with the term. The only files for Edward II which still remain unbroken are made up in counties, with cover endorsements such as 'De omnibus annis Ed. II in com' Dors'; the Notes being endorsed with the letter 'H', signifying engrossment. There are also some covers for early files endorsed 'Veteres note', 'Nove note', and 'Note ingrossande', which presumably contained Notes before engrossment. Although the files are broken, the two classes of Notes have been kept separate; those not engrossed belonging to the reigns of Edward I and II, and those

¹ *Final Concords* (Lincoln Record Society), n. xxiii.

engrossed to the reigns of Edward II and later. Entries on the Curia Regis Rolls show that Notes were made in the time of Richard I or earlier; but apparently they were not at first thought worth preserving.

The effect of a Note which has not been engrossed is doubtful. Coke says: ¹ 'Yet a fine, before it is engrossed, is a perfect record, and may be executed, and the conusee ought to sue out his *quid iuris clamat, per quae servitia* or *quem redditum reddit*, as his case lies, before the engrossment of the fine.' Against this, a few of the Notes have endorsements showing that action was delayed. In a Norfolk case 'Finis iste non ingrossetur sine precepto iustic.' In a Kent case the tenant for life was a minor: 'Ideo quo ad ipsum remaneat cognicio usque ad etatem,' &c.

A careful study of the De Banco Rolls will throw more light on this subject, but from their bulk it must be slow and laborious. In any case, the information given in an unengrossed Note is of value; for the transaction was certainly contemplated, and may have been completed by deed.

R. C. FOWLER.

A Visitation of Westminster in 1444

IN Widmore's *History of Westminster* ² there is printed an account of a curious and successful insurrection of the 'seniour and more part' of the convent against their abbot, George Norwich, who agreed to retire from Westminster, resigning the government of the house to the prior and two other monks as 'commissarii abbatis'.³ This was in 1467, and the detailed record of the abbot's autocratic misgovernment and the huge debts he piled up appears to justify the monks' action and Widmore's verdict upon him as 'an indiscreet and negligent character'. It is possible, however, that Abbot Norwich has been too harshly judged, since his money difficulties were not entirely of his own making. The Visitation of Westminster here printed carries back the evidence of serious financial troubles, if not of virtual bankruptcy, to the year 1444. It also explains the confident line of action adopted by the rebellious monks of 1467, to whom it served as a precedent.⁴ Once more the authority of the royal patron was secured to bring pressure to bear upon the abbot, while the new

¹ *Readings on Fines*, vol. i.

² App. vii, p. 191 f.

³ Pearce, *The Monks of Westminster*, p. 141. Their names were Thomas Millyng, prior, William Chertsey, and John Eastney: see *Victoria County History, London*, i. 446, where the number of the *commissarii* is incorrectly given as five.

⁴ The text of the instrument (1467) seems to contain a reference to 1444: '... Nec veniatis ad monasterium Westmonasterii . . . nec equitetis ad generalia capitula neque circa visitationes neque arripiatis aliqua itinera sumptuosa que essent vobis causa novae indebitationis' (Widmore, p. 197).