

ANNUAL REPORT

FOR THE YEAR 2017

Since our last report, members will have received vol. 130, *Reports of Sir Peter King, Chief Justice of the Common Pleas, 1714-1722*, edited by Professor Lloyd Bonfield and Professor L.R. Poos. They will also have received a copy of Professor Rebecca Probert's lecture, *Double Trouble: the Rise and Fall of the Crime of Bigamy*, which was delivered following the annual general meeting in 2013. Two further volumes are now nearing completion. The first of these is volume 131 for 2014, *The Eyre Rolls of Hugh Bigod, Chief Justiciar 1258-60*, edited by Dr Andrew Hershey. Hugh Bigod (d. 1266) was appointed to the newly revived post of chief justiciar by the Provisions of Oxford 'to right the wrongs done by all other justices, bailiffs, earls, barons and all other persons'. He remained in office until mid-October 1260. This edition includes three of the six special eyre rolls associated with Bigod. The rolls cover proceedings in twenty-one counties, in addition to London. They show him taking action even against the king himself, when the king was accused of denying justice. The second is volume 133 for 2016, *Jeffrey Gilbert on Property and Contract*, edited by Professor Michael Lobban. This is an edition of three manuscripts of Sir Jeffrey Gilbert (1674-1726), chief baron of the court of Exchequer. They include his lengthy treatise on the law of personal property and contract, as well as a shorter treatise on the law of nature and a chapter on the 'History of the Feud'. These volumes are in the hands of the Literary Director and will soon be sent to the printers.

In December 2016, Mr Michael Prichard stepped down from the Council. He was first elected to the Council in 1973 and gave the Selden Society lecture in 1976. The Council would like to express their thanks to him for his long service to the Society.

The Council would also like to record their gratitude for the very generous donation of £20,000 to the Society by a benefactor who wishes to remain anonymous.

Annual General Meeting:

At the meeting on 5th July 2017 in the Darwin Lecture Theatre, at University College London, Professor Brand was elected to serve another term as Vice President. The following were re-elected as members of the Council:

(a) Vacancies in the fifteen elected members:

Professor Cornish
Mr Taylor

Dr Macnair

(b) Members not domiciled in the United Kingdom:

Judge Arnold (USA)
Professor Donahue (USA)

Professor Helmholtz (USA)
Professor Prest (Australia)

(c) Representative of the Middle Temple: Mr Howell

Publications: As indicated in last year's report, the volumes projected for publication in 2018 are volume 131 for 2014 (Dr Hershey's volume of the eyre rolls of Hugh Bigod) and volume 133 for 2016 (Professor Lobban's edition of unpublished manuscripts of Sir Jeffrey Gilbert). They will be followed by two volumes of *Reports from the Notebooks of Edward Coke*, edited by Sir John Baker, which will make up volume 134 for 2017 and volume 135 for 2018. The edition will comprise cases in the period 1572-1579 scattered through Coke's commonplace book, together with cases from Coke's first and second notebooks (1579-1588). These notebooks show the development of Coke's legal ideas, and contain much material that did not find its way into the printed *Reports*. The notebooks were evidently much used by Coke himself, and intended by him to be read by others. These two volumes have been submitted to the Literary Director.

Volume 136 for 2019 will be Professor Thomas Gallanis's edition of the judicial notes of Sir Dudley Ryder, who was chief justice of the King's Bench from 1754 to 1756. The volume will contain Ryder's trial notes on more than 290 cases, including both civil and criminal materials. It is anticipated that this will be followed by a two-volume edition by Dr Nigel Ramsay of material relating to the High Court of Chivalry in the fourteenth and fifteenth centuries. These will make up volumes 137 for 2020 and 138 for 2021. Other volumes in preparation include Mr Nicholas Le Poidevin's edition of the fifteenth-century law reports by John Bryt and Dr Ian Williams's edition of Star Chamber reports from 1625 to 1628. The Literary Director has also discussed some possible editions with other scholars, who it is hoped will submit formal proposals to the Society in due course.

Publications on line: Individual members may like to be reminded that the whole of the Society's publications down to vol. 125 (2008) may be accessed via the Hein Online website. Members can receive the password on application to the Secretary.

Finance: The accounts are printed as usual at the end of this report. The Finance Committee met in January 2018, and continues to monitor the performance of the Society's investments.

David Yale Prize: In 2017, the Society once again held a competition for the David Yale Prize, which is for an outstanding contribution to the history of the laws of England and Wales, from scholars who have been engaged in research on the subject for not longer than ten years. Works published since 1 January 2014 were eligible for consideration. On this

occasion, the committee considering the applications recommended that two prizes should be awarded, one for the best article submitted and one for the best book submitted.

The David Yale Article Prize was awarded to Dr Kenneth F. Duggan for his article, 'The Hue and Cry in Thirteenth-Century England', in *Thirteenth Century England* XVI, ed. Andrew M. Spencer and Carl Watkins (Woodbridge, 2017), pp. 153-72.

The David Yale Book Prize was awarded to Dr Sean Bottomley for his book, *The English Patent System during the Industrial Revolution 1700-1852: from Privilege to Property* (Cambridge, 2014).

The committee also recommended that an honourable mention be given to Dr Guido Rossi for his book, *Insurance in Elizabethan England: The London Code* (Cambridge, 2016).

Membership: Membership at 31 December 2017 stood at 1631. The details, with the previous year's bracketed, are:

United Kingdom Individuals	461	(475)
United Kingdom Institutions	103	(108)
Australia	275	(271)
Canada	43	(43)
New Zealand	14	(14)
Other Commonwealth	22	(21)
USA Individuals	389	(387)
USA Institutions	208	(215)
Other Overseas	<u>116</u>	<u>(112)</u>
	<u>1631</u>	<u>(1652)</u>

The Council extend a warm welcome to the new members, and express their pleasure at the continuing increase in the membership of the Society. Their names appear in the Appendix.

Annual General Meeting 2018: Members will have received notice of the meeting on Monday 2nd July 2018 in the Old Hall of Lincoln's Inn. An agenda accompanies this report. At the end of the meeting there will be a lecture by Professor Stefan Vogenauer. This will be followed by a reception.

The Selden Society in the United States:

Professor Peter Larson, our Honorary Correspondent in Florida, organised two panels on behalf of the Society at the 2017 annual meeting of the North American Conference on British Studies, which was held in Denver, Colorado. Professor Larson chaired and commented on a panel on 'Politics, Individual Rights, and the Courts in England, 1377-1817', for which papers were presented by Professor Jonathan Rose (our Honorary

Correspondent for Arizona) on ‘Judicial Development of the Law of Maintenance, 1377-1485’ and by Professor Danaya Wright (of the University of Florida) on ‘Romanticism and Revolution: Percy Shelley’s Children and the Development of the *Parens Patriae*’. Professor Susan Amussen of the University of California, Merced, chaired a session on ‘Slavery, Religion, and Gin: Social Discourse and Legal Thinking in the Seventeenth and Eighteenth Centuries’, presenting the work of doctoral students. Papers were presented by David Clemis from Mount Royal University (on ‘Criminal Liability in England’s Age of Gin’), Casey Schmitt of the College of William and Mary (on “‘The Ancient knowne Court’: Saint Christopher and the Transnational Origins of Slavery’) and Jennifer Warburton of the University of Kansas (on ‘The Sheriff’s Case and the Re-Definition of Religious Toleration in Eighteenth-Century England’). Professor Greg Smith of the University of Manitoba commented on the papers.

The Council is pleased to welcome our new Honorary Correspondent for Ohio, Professor Sara Butler.

The Selden Society in Australia: The Selden Society has organised another series of lectures for this year in the Banco Court at the Supreme Court of Queensland:

3 May 2018, The Hon Justice Glenn Martin AM, *Guns and judges: Antonin Scalia and the right to bear arms*

28 June 2018, Professor Hector MacQueen, *Private law’s revolutionaries: authors, codifiers and merchants?*

30 August 2018, The Hon Justice Patrick Keane AC, *The Irish convict doctor who delivered Dick Atkin—Dr O’Doherty*

(This is the second annual Lord Atkin lecture)

25 October 2018, The Hon Justice John Dowsett AM, *Barwick—his place in the legal pantheon*

22 November 2018, Prof Nicholas Aroney, *Law and politics in McCawley’s case*

Video recordings of the lectures will be available on the website of the Australian chapter: <http://legalheritage.sclqld.org.au/selden-society>.

The Council is pleased to welcome our new joint Honorary Correspondent for Victoria, Dr James McComish.

Thanks: Thanks are due to the overseas Treasurers and Secretaries for their ready and efficient help with the administration of their section of the membership; to the Honorary Correspondents for their representation; to the auditors, BDO; to the Literary Director; and to the Treasurer and Secretary and their assistants.

J. H. Baker
President

APPENDIX

NEW MEMBERS 2017

UNITED KINGDOM

Alexander Chester (London)
Ben Darlow (Leicester)
Daniel F. Gosling (Surrey)
George Hallam-Attree (Watford)
Guy Holborn (London)
Michelle L. Johnson (London)
Dr Tom Johnson (York)
Julia Kelsoe (Cambridge)
Dr Hannes Kleineke (London)
Steven Matthews (Eastbourne)
Jesse Norman (London)
Yuan Yi Zhu (Oxford)

AUSTRALIA

The Hon John Byrne AO RFD
(Indooroopilly, QLD)
Pip Coore (Chapel Hill, QLD)
Grant Donaldson (Perth, WA)
Eric Halden (Highgate Hill, QLD)
Carole Hinchcliff (Melbourne, VIC)
Michael Hodge (Brisbane, QLD)
Robert Lawnton (Adelaide, SA)
Richard Macedo (Red Hill, QLD)
Ian Martin (Southport, QLD)
Iain McCowie (Salisbury, QLD)
Sarah McKibbin (Centenary Heights, QLD)
Lisa Meyers (Graceville, QLD)
Jason Taliadoros (Burwood, VIC)
Mandy Tibbey (Sydney, NSW)
Mal Varitimos QC (Brisbane, QLD)
Colin Veerman (West End, QLD)
Michael Wilson (Brisbane, QLD)

CYPRUS

Dr Nikitas Hatzimihail (Nicosia)

UNITED STATES

Hayley Cotter (Amherst, MA)
Josiah M. Daniel III (Dallas, TX)
Professor Kristi Di Clemente (Columbus, MS)
Professor Bryan A. Garner (Dallas, TX)
David George (Houston, TX)
Diana B. Glick (Davis, CA)
Toni J. Hardin (Hampstead, NC)
The Hon. David M. Hawkins (Sunnyside, NY)
Vincent R. Johnson (San Antonio, TX)
The Hon. D. Arthur Kelsey (Portsmouth, VA)
Robert W. Kilroy (Hampstead, NC)
William C. Loeffel (Peoria, IL)
Patrick G.H. Mott (Richmond, VA)
Professor Gerald R. Powell (Waco, TX)
Professor Julia Rudolph (Raleigh, NC)
Jeff Steinport (Grandville, MI)
Marion B. Stokes (Atlanta, GA)
Neal Gordon Wiley (Philadelphia, PA)
Danaya C. Wright (Gainesville, FL)

GERMANY

Dr Kirk W. Junker (Cologne)

JAPAN

Dr Kazuhiro Matsumoto (Hyogo)

NETHERLANDS

Professor Sebastian Sobecki (Groningen)

Selden Society

Report of the trustees for the year ended 31 December 2017

The Trustees present their report with the financial statements of the Society for the year ended 31 December 2017. The financial statements have been prepared in accordance with the accounting policies set out in note one to the accounts and comply with the Society's governing document.

Constitution

The Selden Society is an unincorporated association constituted as a trust. The internal organisation of the Society is subject to a set of Rules, a copy of which is sent to every member. The Society is a registered charity (Registration Number 211536).

Objectives and activities

The purposes of the Society are to encourage the study and to advance the knowledge of the history of English law, especially by the publication of original documents, the reprinting or editing of works of rarity or importance, and the compiling of information as a tool for further research.

Achievements and Performance

During the year 2017, the Society continued its work of editing legal manuscripts for publication, and hosted a number of meetings in the United Kingdom and overseas to promote the study of English legal history. It also supported scholarship by the provision of a PhD studentship.

Structure, governance and management

The management of the affairs of the Society are vested in a President, Vice-Presidents, and the Council, who are elected at the annual general meeting for a term of three years. The officers of the Society are the Honorary Treasurer, Literary Director and Secretary, who are ex officio members of the Council. Three Trustees, also ex officio members of the Council, hold the copyrights and property of the Society. The Inns of Court and Law Society are each entitled to nominate one representative on the Council; and the British Academy may nominate two such.

Administration

The office of the Society is at the School of Law Building, Queen Mary, 337 Mile End Road, London, E1 4NS.

Bankers

Coutts & Co of 440 Strand, London, WC2R 0QS

Independent examiners

Richard Faulkner FCA of BDO LLP, 31 Chertsey Street, Guildford, Surrey, GU1 4HD.

Investment

The Council have unrestricted discretion in all matters concerning the investment of the Society's monies. Their policy is to maintain a reasonable balance between capital and income.

Reserves

The policy of the council is to maintain substantial reserves to meet the ever-increasing cost of production, storage and dispatch of volumes, administration costs and new initiatives.

Financial Review

The results for the year are set out in the statement of financial activities on page 13.

Risks

The Council have reviewed the risks applicable to the Society and consider that they are adequately provided for.

SELDEN SOCIETY

Registered Charity 211536

REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST DECEMBER 2017

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BDO
CHARTERED ACCOUNTANTS
Park Street, Guildford, Surrey GU1 4HN

Selden Society

Independent examiner's report to the trustees of Selden Society

TO THE TRUSTEES OF SELDEN SOCIETY

I report to the trustees on my examination of the accounts of the Society for the year ended 31 December 2017, which are set out on pages 13 to 20.

This report is made solely to the charity's trustees, as a body, in accordance with Regulation 31 of the Charities (Accounts and Reports) Regulations 2008. My work has been undertaken so that I might state to the charity's trustees those matters I am required to state to them in an independent examiner's report and for no other purpose. To the fullest extent permitted by law, I do not accept or assume responsibility to anyone other than the charity's Trustees as a body, for my work, for this report, or for the statement I have made.

Responsibilities and basis for report

As the charity trustees of the Society you are responsible for the preparation of the accounts in accordance with the requirements of the Charities Act 2011 ("the Act").

I report in respect of my examination of the Society's accounts carried out under section 145 of the 2011 Act and in carrying out my examination I have followed all the applicable Directions given by the Charity Commission under section 145 (5) (b) of the Act.

Independent examiner's statement

I have completed my examination. I confirm that no material matters have come to my attention in connection with the examination giving me cause to believe:

1. accounting records were not kept in respect of the Society as required by section 130 of the Act; or
2. the accounts do not accord with those records; or
3. the accounts do not comply with the accounting requirements concerning the form and content of the accounts set out in the Charities (Accounts and Reports) Regulations 2008 other than any requirement that the accounts give a true and fair view which is not a matter considered as part of an independent examination; or
4. the accounts have not been prepared in accordance with the methods and principles of the Statement of Recommended Practice for accounting and reporting by charities applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102).

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached.

Richard Faulkner FCA
BDO LLP
Guildford
United Kingdom

Date: 29 May 2018

Statement of financial activities for the year ended 31 December 2017

	Note	Unrestricted fund £	Designated Fund £	Total 2017 £	Total 2016 £
Income					
Income from:					
- Voluntary income - donations		7,497	-	7,497	6,584
- Income on investments	3	55,179	-	55,179	48,994
Charitable activities	2	58,432	-	58,432	69,918
Other income		-	-	-	237
Total income		121,108	-	121,108	125,733
Expenditure					
Charitable activities	4	124,277	-	124,277	111,146
Total expenditure		124,277	-	124,277	111,146
Net income before investment gains/ (losses)		(3,169)	-	(3,169)	14,587
- Gains on investment	6	89,845	-	89,845	153,740
Net movement in funds		86,676	-	86,676	168,327
Fund balances at 1 January 2017		1,625,724	8,690	1,643,414	1,466,087
Fund balance at 31 December 2017	10	1,712,400	8,690	1,721,090	1,634,414

All amounts relate to continuing activities.

The notes on pages 11 to 16 form part of these financial statements.

Balance sheet at 31 December 2017

<i>Charity number 211536</i>	Note	2017 £	2017 £	2016 £	2016 £
Fixed assets					
Investments	6		1,536,142		1,457,844
Current assets					
Debtors	7	52,794		67,633	
Cash at bank and in hand	8	151,536		126,928	
		204,330		194,561	
Creditors: amounts falling due within one year	9	19,382		17,991	
Net current assets			184,948		176,570
Total net assets	10		1,721,090		1,634,414
Funds of the charity					
Unrestricted funds:					
General fund	11		1,712,400		1,625,724
Designated funds	11		8,690		8,690
Total funds			1,721,090		1,634,414

Approved and authorised for issue by the Council on 9 May 2018

A McKinnon
Hon Treasurer

The notes on pages 11 to 16 form part of these financial statements.

1 Accounting policies

(a) Basis of preparation

The financial statements have been prepared under the historical cost convention and are on a going concern basis. The Trustees have reviewed reserve levels and cash flow forecast for the next 12 months and believe the going concern basis to be appropriate.

The financial statements have been prepared in accordance with Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2015) – (Charities SORP (FRS 102)), and the Charities Act 2011.

The charity constitutes a public benefit entity as defined by FRS 102.

Income

UK and overseas subscription income is recognised when receivable and applied over the relevant period. Subscriptions from overseas members are stated net of exchange gains and losses.

US subscriptions are recognised when received in the US. Subscriptions received in the United States of America are shown as subscription debtors until the money is transferred to the UK, until then these are held in a separate US bank account.

Voluntary donations are accounted for when received.

Investment income

Dividends from listed investments are accounted for when receivable. Interest on deposits is taken into account on an accruals basis. All investment income is stated inclusive of related taxation recoverable.

Foreign currencies

Assets and liabilities denominated in foreign currencies are translated at the rate of exchange ruling at the balance sheet date. Transactions in foreign currencies are recorded at the rate ruling at the date of the transaction. All differences are taken to the Statement of Financial Activities.

Expenditure

All expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all costs related to the category. Where costs cannot be directly attributed to a particular heading, they have been allocated to activities on a basis consistent with use of the resources.

The cost of publications is recognised in the year to which the publication relates. No value has been placed in the financial statements on publications stock.

Governance costs are those incurred in connection with Governance of the charity and compliance with constitutional and statutory requirements.

Investments

Investments are stated at 'bid' prices at the balance sheet date. Any gains or losses on revaluation are taken to the Statement of Financial Activities.

(b) Reconciliation with previous Generally Accepted Accounting Practice

Funds of the Charity

The charity's funds are segregated between:

(a) *Designated funds* - represent monies, which have been designated for a specific purpose by the Council.

(b) *General fund* - represents undesignated monies retained, which provide the working capital to enable the Council to carry out its charitable activities.

The Council regularly reviews the level of Income Funds and the strategic needs of the Society. The publications produced by the Society require income to be generated by its investments at a level sufficient to supplement subscription income to produce the income required to finance the publications. As such, the level of reserves is monitored regularly by the council and maintained at a level appropriate to meet the ongoing objectives of the Society.

Debtors

Short term debtors are measured at transaction price, less any impairment. Loans receivable are measured initially at fair value, net of transaction costs, and are measured subsequently at amortised cost using the effective interest method, less any impairment.

Cash and cash equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours. Cash equivalents are highly liquid investments that mature in no more than three months from the date of acquisition and that are readily convertible to known amounts of cash with insignificant risk of change in value.

Creditors

Short term creditors are measured at the transaction price. Other financial liabilities, including bank loans, are measured initially at fair value, net of transaction costs, and are measured subsequently at amortised cost using the effective interest method.

2 Activities in furtherance of charity objects

	2017	2016
	£	£
Subscriptions from members		
- United Kingdom and overseas members	47,709	63,571
	47,709	63,571
Sale of publications	7,329	3,085
Royalties	3,394	3,262
	58,432	69,918
Total	58,432	69,918

3 Investment income

	2017 £	2016 £
Dividends from listed investments	55,102	48,873
Interest on bank and other deposits	77	121
	<hr/>	<hr/>
	55,179	48,994
	<hr/>	<hr/>

All investment income is derived from investments held within the United Kingdom.

4 Resources expended in furtherance of charity objects

	2017 £	2016 £
Cost of production, binding and dispatch of the annual volume	49,024	30,828
Contribution for services provided by Queen Mary College	16,149	17,978
Literary director	4,000	4,000
Secretary's and clerical salaries	7,350	10,832
Secretary's disbursements	1,058	3,513
Investment expenses	11,533	7,718
Studentships	21,026	19,786
General expenses	1,450	2,915
Donations	-	2,256
Accountancy Costs	3,585	3,023
Annual Report	4,352	4,297
Treasurer's Honorarium	4,000	4,000
Sponsorship	750	
	<hr/>	<hr/>
	124,277	111,146
	<hr/>	<hr/>

There were no employees whose emoluments exceeded £60,000 per annum (2016 - None). The average monthly number of employees during the year was 2 (2016 - 2).

5 Taxation

The Society is a charity registered in England under the Charities Acts 1960 and 1993, and as a result no taxation liabilities occur on its activities under that registration.

6 Investments

	2017 £	2016 £
Market value at 1 January 2017	1,457,844	1,312,404
Additions	234,842	108,838
Disposals	(287,893)	(105,022)
Increase/(decrease) in cash	41,504	(12,116)
Change in market value	89,845	153,740
	<hr/>	<hr/>
Market value at 31 December 2017	1,536,142	1,457,844
	<hr/>	<hr/>

All investments are held within the United Kingdom and comprise:

	2017 £	2016 £
Fixed interest securities	62,516	63,113
Other listed investments	1,421,032	1,383,641
Cash deposit	52,594	11,090
	<hr/>	<hr/>
	1,536,142	1,457,844
	<hr/>	<hr/>

Investments representing over 5% by value of the portfolio are as follows:

	2017 £	2016 £
M&G Securities Limited 19,434 Charifund shares	319,238	298,394
	<hr/>	<hr/>

7 Debtors

	2017 £	2018 £
Unremitted subscriptions due from members	48,957	65,200
Income tax recoverable	2,312	2,433
VAT	1,525	
	<u>52,794</u>	<u>67,633</u>

8 Cash and cash equivalents

	2017 £	2016 £
Cash at Bank and in hand	151,536	126,928
	<u>151,536</u>	<u>126,928</u>

9 Creditors: amounts falling due within one year

	2017 £	2016 £
Subscriptions in advance	675	363
Amount due to Queen Mary	7,125	7,125
Other taxation and social security	-	800
Other creditors	11,582	9,703
	<u>19,382</u>	<u>17,991</u>

10 Analysis of net assets between funds

	General fund £	Designated Fund £	Total Funds £
Investments	1,536,142	-	1,536,142
Current assets	195,640	8,690	204,330
Current liabilities	(19,382)	-	(19,382)
	<u>1,721,400</u>	<u>8,690</u>	<u>1,721,090</u>

11 Funds

	Balance at 1 January 2017 £	Incoming resources £	Resources expended £	Gain on Investments £	Transfers £	Balance at 31 December 2017 £
Designated funds:						
David Yale Prize fund	8,690					8,690
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	8,690	-	-	-	-	8,690
General fund:	1,625,724	121,108	(124,277)	89,845	-	1,712,400
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	1,634,414	121,108	(124,277)	89,845		1,721,400
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

The general fund includes expendable endowment, see accounting policies.

Purposes of designated funds:

David Yale Prize Fund: the fund awards a prize for original research by young scholars.

12 Related parties

During the year £4,000 was paid to trustee Dr Neil Jones (2016 - £4,000), in relation to consultancy. No monies were outstanding at the year end.

Trustee A McKinnon received £4000 (2016 - £4,000) for services as an honorarium.