ANNUAL REPORT

FOR THE YEAR 2018

Since our last report, the two-volume edition of Jeffrey Gilbert on Property and Contract, edited by Professor Michael Lobban, has gone to press. They will be published as volumes 133 (for 2016) and 134 (for 2017). In addition, volume 131 for 2014, Special Evre Rolls of Hugh Bigod 1258-60, edited by Dr Andrew Hershey, has been completed and should be printed later in the year. The Literary Director has also received three volumes of *Reports* from the Notebooks of Edward Coke edited by Sir John Baker, which will be published as volumes 135 (for 2018), 136 (for 2019) and 137 (for 2020). Fifty years ago Professor Baker identified Coke's earliest autograph notebooks (with reports of cases) in the British Museum, and soon afterwards another of the notebooks was found in Cambridge University Library. The contents of these notebooks differ substantially from Coke's well-known printed Reports, in which there were many omissions, alterations and enlargements. They are of particular interest for cases where matter was omitted because it was too sensitive for the press at the time; but even notes which formed the basis of printed reports are useful, since they reveal the contemporary antecedents of the better known printed text. The first volume will contain Coke's early notes from the 1570s, adding some similar notes found in marginalia at Holkham Hall. All the notebooks are in law French, and the edition will have a parallel translation.

In July 2018, the Rt. Hon. Beverley McLachlin CJ stepped down as Vice-President (Overseas) of the Society, having in December 2017 retired from her position as the 17th Chief Justice of Canada. The Council would like to record its thanks for her long service as Vice-President (Overseas).

The Council express their deep regret at the death of Baron R. C. van Caenegem, who died on 15 June 2018. Professor van Caenegem first joined the Society in 1955. He became its correspondent in the Benelux countries in 1961, and joined the Council in 1995. He edited a number of volumes for the Society, including Vol. 77 (*Royal Writs in England from the Conquest to Glanvill*) and Vols. 106-107 (*English Lawsuits from William I to Richard I*).

The Council would also like to record their gratitude for the very generous donation of $\pounds 20,000$ to the Society by a benefactor who wishes to remain anonymous, to follow the similar donation given last year.

Annual General Meeting:

At the meeting on 2nd July 2018 in the Old Hall, Lincoln's Inn, Mr Le Poidevin was elected to serve as President. The following were elected as members of the Council:

(a) Vacancies in the fifteen elected members:

Sir John Baker	Professor Ibbetson
Professor Hudson	The Revd Professor Lewis
The Rt Hon Lord Judge	Mr Yale

(b) Members not domiciled in the United Kingdom:

Professor Tate (USA)

(c) Representative of the Lincoln's Inn: Mr Ainger

Publications: It was indicated in last year's report that two volumes were projected for publication in 2018, being Dr Hershey's *Special Eyre Rolls of Hugh Bigod 1258-1260*, and Professor Lobban's *Jeffrey Gilbert on Property and Contract*. Progress with these volumes has been slower hoped, though by the time members read this report Dr Hershey's edition, which will be issued as volume 131 for 2014, is expected to be at the stage of copyediting, while Professor Lobban's edition will be with the printers. It has become apparent that the length of Professor Lobban's edition is such that it will need to be issued in two parts, which will thus constitute volume 133 for 2016, and volume 134 for 2017. The Literary Director records his gratitude to Sir John Baker for his assistance in the final stages of preparing Professor Lobban's volume for the press.

As indicated in last year's report, the volumes following Professor Lobban's will be Sir John Baker's edition of *Reports from the Notebooks of Edward Coke*. Last year it was expected that this would be issued in two volumes. Since that time Sir John's work has progressed to a stage representing three volumes, which will be issued as volumes 135 to 137, for the years 2018 to 2020. The first two volumes were described in last year's report. The third volume, covering the period 1591-1596 continues the reports from Coke's autograph notebooks, their contents including more intricate property cases than did the earlier reports, together with a greater representation of public law and of material, such as that concerning treason and religious offences, linked to contemporary concerns and Coke's assumption of office as solicitor-general. The copy for all three volumes is with the Literary Director.

The following volume, number 138 for 2021 will, as previously reported, be Professor Thomas Gallanis's edition of the judicial notes of Sir Dudley Ryder, chief justice of the King's Bench from 1754 to 1756. As also reported last year, work on further volumes is under way, including a two-volume edition by Dr Nigel Ramsay of material relating to the High Court of Chivalry in the fourteenth and fifteenth centuries, and editions by the President of fifteenth-

century reports by John Bryt, by Dr Ian Williams of Star Chamber reports from 1625 to 1628, and by Dr Peter Turner of the reports of Sir George Treby for the period 1667-72.

In the Supplementary Series, work is underway on an edition by Mr David Hoffman of the records of the Northern Circuit of the Bar, 1763-1802, which will include a biographical register of all those mentioned as members of the Circuit or as attending mess.

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 2019, and continues to monitor the performance of the Society's investments.

Awards and Funding: In 2018, the Council awarded the Holt Award to Dr Matthew Raven for research into the mid fourteenth-century Exchequer of Pleas. Mr Ashley Hannay is the current holder of the Society's Milsom Studentship. He is completing a PhD at the University of Cambridge on the history of uses in the late fifteenth and early sixteenth centuries.

Membership: Membership at 31 December 2018 stood at 1651. The details, with the previous year's bracketed, are:

United Kingdom Individuals	479	(461)
United Kingdom Institutions	103	(103)
Australia	269	(275)
Canada	43	(43)
New Zealand	14	(14)
Other Commonwealth	22	(22)
USA Individuals	391	(389)
USA Institutions	207	(208)
Other Overseas	122	<u>(116)</u>
	<u>1651</u>	<u>(1631)</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 2019: Members will have received notice of the meeting on Monday 8th July 2018 in the Large Pension Room, Gray's Inn. An agenda accompanies this report. At the end of the meeting there will be a lecture by Professor Chantal Stebbings. This will be followed by a reception.

The Selden Society in the United States: Professor MacMillan gave a lecture for the Society on 'Personal Networks and the Transference of Legal Ideas: the Trans-Atlantic Career of Judah P. Benjamin' at the William and Mary Law School, Williamsburg, Virginia, on November 6th 2018.

The Council is pleased to welcome our new Honorary Correspondents for Michigan, Professor Sally Hadden, and for Alabama, Professor Alison Chapman.

The Selden Society in Australia: The Australian chapter of the Society has continued to hold a series of lectures in Brisbane. Video recordings of the lectures will be available on the website of the Australian chapter: <u>http://legalheritage.sclqld.org.au/selden-society</u>.

In addition, the branch in South Australia hosted a meeting on 11 October 2018, when Hon. Paul Finn gave a lecture on 'Unity then Divergence: the Privy Council, the Common Law of England, and the Common Laws of Canada, Australia and New Zealand'.

The Victoria branch has organised a meeting on 5 December 2018, when Professor Mark Lunney (School of Law, University of New England) will be speaking on 'Polo Ponies and Old Masters: Artistic Critique, Defamation and the Media World of 1920s Melbourne'.

The Council is pleased to welcome our new Honorary Correspondent for Queensland, The Hon. Justice Thomas Bradley.

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.

N. Le Poidevin President

Selden Society

Report of the trustees for the year ended 31 December 2018

The Trustees present their report with the financial statements of the Society for the year ended 31 December 2018. 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 2018, 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 14.

Risks

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

Selden Society

Report of the trustees for the year ended 31 December 2018 (continued)

Current Activities

In the year under report the Society maintained its programme of preparing editions of unpublished manuscripts for publication. It intends to continue in the present year with the publication of volumes for the annual series, and with the preparation of occasional publications such as its Supplementary Series and lectures, and with its other customary activities.

Appointment of Trustees

All Council members are Trustees, and are elected or appointed in accordance with the constitution of the Society.

Public Benefit

The Trustees have given due consideration to the Charity Commission's published guidance of the operation of the Public Benefit requirement and are satisfied that the activities of the charity undertaken during the year meet the Public Benefit test.

Trustees

The Trustees of the society during the year and currently are:

Mr D AINGER The Hon, M S ARNOLD Mr R BAGLEY Professor Sir John BAKER Professor P BRAND Dr S BRAND Professor W.R. CORNISH Dr D CROOK Dr S CUNNINGHAM Professor CHARLES DONAHUE Sir M FARRER Professor G GARNETT Professor J GETZLER Dr E GOLDRING Professor R H HELMHOLZ Mr J HOWELL Professor J.G. HUDSON Professor D.J. IBBETSON Dr N G JONES The RIGHT HON. LORD JUDGE Mr N LE POIDEVIN, QC

On behalf of the Trustees

Professor M Lobban Secretary

Date 8 May 2019

The Rev Professor A D F | FWIS Professor M LOBBAN Professor J LOENGARD Mr A MCKINNON Rt Hon B MCLACHLIN CJ (resigned July 2018) Professor C MACMILLAN Dr M MACNAIR Dr J MADDICOTT Professor W PREST Professor R PROBERT Professor C STEBBINGS Professor J TATE (appointed July 2018) Mr A C TAUSSIG Mr P W E TAYLOR Mr V TUNKEL Professor Dr Baron R.C VAN CAENEGEM (deceased June 2018) The Rev. Professor TG WATKIN Dr I WILLIAMS Mr D E C YALE

SELDEN SOCIETY

Registered Charity 211536

REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31st DECEMBER 2018

CONTENTS

	Page
Report of the Independent Examiner	8
Statement of Financial Activities	9
Balance Sheet	10
Notes to the Financial Statements	11-16

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 2018, which are set out on pages 9 to 16.

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: 14 May 2019

	Note	Unrestricted fund £	Designated Fund £	Total 2018 £	Total 2017 £
Income					
Income from: - Voluntary income - donations - Income on investments	3	48,125 50,667	-	48,125 50,667	7,497 55,179
Charitable activities	2	51,961	-	51,961	58,432
Total income		 150,753	 	150,753	121,108
Expenditure					
Charitable activities	4	71,192	2,000	73,192	124,277
Total expenditure		71,192	2,000	73,192	124,277
Net income before investment losses		79,561	(2,000)	77,561	(3,169)
- (Loss)/Gains on investment	6	(88,430)		(88,430)	89,845
Net movement in funds		(8,869)	(2,000)	(10,869)	86,676
Fund balances at 1 January 2018		1,712,400	8,690	1,721,090	1,643,414
Fund balance at 31 December 2018	10	1,703,531	6,690	1,710,221	1,721,090

All amounts relate to continuing activities.

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

Balance sheet at 31 December 2018

Charity number 211536	Note	2018 £	2018 £	2017 £	2017 £
Fixed assets					
Investments	6		1,438,309		1,536,142
Current assets					
Debtors	7	70,675		52,794	
Cash at bank and in hand	8	224,323		151,536	
		294,998		204,330	
Creditors: amounts falling due within					
one year	9	23,086		19,382	
Net current assets			271,912		184,948
Total net assets	10		1,710,221		1,721,090
Founds of the shorthy					
Funds of the charity Unrestricted funds:					
General fund	11		1,703,531		1,712,400
Designated funds	11		6,690		8,690
	11		0,050		0,090
Total funds			1,710,221		1,721,090

Approved and authorised for issue by the Council on 8 May 2019

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.

Royalties are recognised on a received basis.

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.

1 Accounting policies (continued)

(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

	2018 £	2017 £
Subscriptions from members - United Kingdom and overseas members	45,053	47,709
	45,053	47,709
Sale of publications	3,098	7,329
Royalties	3,810	3,394
Total	51,961	58,432

3 Investment income

	2018 £	2017 £
Dividends from listed investments Interest on bank and other deposits	50,452 208	55,102 77
Foreign Exchange Gain	7	
	50,667	55,179

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

4 Resources expended in furtherance of charity objects

	2018	2017
	£	£
Cost of production, binding and dispatch of the annual volume	6,166	49,024
Contribution for services provided by Queen Mary College	5,623	16,149
Literary director	4,000	4,000
Secretary's and clerical salaries	4,000	7,350
Secretary's disbursements	2,801	1,058
Investment expenses	9,978	11,533
Studentships	21,297	21,026
General expenses	4,537	1,450
Accountancy Costs	4,085	3,585
Annual Report	2,901	4,352
Treasurer's Honorarium	4,000	4,000
Sponsorship	-	750
Legal Expenses	1,140	-
Bank Fees	639	-
PayPal Fees	25	-
David Yale Prize (Designated Expenditure)	2,000	-
	73,192	124,277

There were no employees whose emoluments exceeded £60,000 per annum (2017 - None). The average monthly number of employees during the year was 2 (2018 - 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

	2018	2017
	£	£
Market value at 1 January 2018	1,536,142	1,457,844
Additions	48,073	234,842
Disposals	(18,335)	(287,893)
Increase/(decrease) in cash	(39,141)	41,504
Change in market value	(88,430)	89,845
Market value at 31 December 2018	1,438,309	1,536,142

All investments are held within the United Kingdom and comprise:

	2018 £	2017 £
	Ľ	Ľ
Fixed interest securities	62,510	62,516
Other listed investments	1,362,346	1,421,032
Cash deposit	13,453	52,594
	1,438,309	1,536,142
Investments representing over 5% by value of the portfolio are as follows:		
	2018 £	2017 £
M&G Securities Limited 19,434 Charifund shares	276,746	319,238

Notes forming part of the financial statements for the year ended 31 December 2018 (continued)

7 Debtors

/	Deptors		2018 £	2017 £
	Unremitted subscriptions due from members Income tax recoverable		69,804 -	48,957 2,312
	VAT		871	1,525
			70,675	52,794
8	Cash and cash equivalents			
			2018 £	2017 £
	Cash at Bank and in hand		224,323	151,536
9	Creditors: amounts falling due within one year			
			2018 £	2017 £
	Subscriptions in advance Amount due to Queen Mary		204	675 7,125
	Trade Creditors		7,382	-
	Accrued Expenses		15,500	11,582
			23,086	19,382
10	Analysis of net assets between funds			
10	Analysis of het assets between funds	General	Designated	Total
		fund	Fund	Funds
		£	£	£
	Investments	1,438,309	-	1,438,309
	Current assets	288,308	6,690	294,998
	Current liabilities	(23,086)		(23,086)
	Total net assets	1,703,531	6,690	1,710,221
		·		

11 Funds

	Balance at 1 January 2018 £	Incoming Resources £	Resources expended £	Gain on Investments £	Transfers £	Balance at 31 December 2018 £
Designated funds: David Yale Prize fund						
	8,690		(2,000)			6,690
	8,690	-	(2,000)	-	-	6,690
General fund:	1,712,400	150,753	(71,192)	88,430	-	1,703,531
	1,721,090	150,753	(73,192)	88,430		1,710,221

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 (2017 - £4,000), in relation to consultancy. No monies were outstanding at the year end.

Trustee A McKinnon received £4000 (2017 - £4,000) for services as an honorarium.

Trustee M Lobban has accrued £4000 for secretarial services during the year. At 31 December 2018, the amount of £1200 was owing, including services for 2016, 2017 and 2018.