

House of Lords Record Office: Journals, Minutes and Committee Books of the House of Lords

Record Office Memorandum No. 13 (Revised 1957)

Preface

A brief summary of the main classes of records stored in the Victoria Tower at Westminster was issued in 1950. This was enlarged and reissued in 1953, and is still available to applicants. It is now proposed to supplement the summary guide by a series of more detailed surveys, both as a further indication to students of the material likely to be found in the records, and as a 'finding aid' for those immediately handling the records. The present Memorandum is the first of these detailed surveys. It is devoted to the three allied classes of Journals, Minutes and Committee Books, since these form the natural starting point for all research into Parliamentary history. The Journals, moreover, are also of especial importance to the student of other branches of history, for all the Papers laid on the Table of the House, dealing with the widest variety of economic, religious, colonial, military and other affairs, are listed in the Journals, and are indexed in the various series of Journal indexes. The Journals thus provide a complete analysis of the vast mass of a million or more Main Papers, which constitute a principal source for the history of the country.

It is hoped to issue, at later dates, similar Memoranda on other classes of records, including, *inter alia*, Memoranda on Private Bill Records, the Parliament Office Papers, and the Records of the House of Commons.

The records dealt with in this Memorandum, together with all others preserved in the Victoria Tower at the House of Lords, are available for purposes of study to members of the public. The Search Room of the Lords' Record Office is open Mondays to Fridays inclusive throughout the year, with the exception of certain public and other holidays. The printed *Lords Journals* are also available in the British Museum Library, and in some University and other libraries.

I am most grateful to Mr. H. S. Cobb, Assistant Archivist in the Lords' Record Office, for preparing this Report, and to Mr. C. F. L. St. George, CBE, Clerk of the Journals, for most kindly reading the draft.

Record Office
House of Lords

M. F. BOND
Clerk of the Records

22 July 1955

1. THE JOURNALS

(i) The original Journals

There are 385 volumes of original Journals, dating from 1510 to 1955.

FORMAT: From 1510 to 1621 the Journals were entered on loose quires of paper which were afterwards made up into small books. In 1717 it was ordered that such of the earlier Journals as required it were to be rebound (Lords' Journal XX, 530). The Journals between 1510 and 1547 were then made up into one volume. At the same time the Journals were supplied with side headings^[1] and their pages were framed to bring them up to a uniform size (102" x 16").

From 1621 to May 1640 the Journals were engrossed on parchment by order of the House (L.J. III, 74) . In November 1640 the large parchment volumes were replaced by smaller paper books, and, in this form, the Journal persisted until the abolition of a MS Journal in 1829. From 1830 to date the Journals have been printed concurrently with the business of the session, so that the sessional volume with index can be delivered to the House during the following session (L.J. LXI, 592). A special record copy of the Journal is printed on blue paper, bound in vellum and deposited in the Victoria Tower (v. Appendix for some account of Vol. I of the MS Journals).

LANGUAGE: The early Journal entries are in Latin. As the memoranda of proceedings increased in quantity in the 16th century, new matter was entered in English. The titles of Bills sent up from the Commons were entered in English after 1542. Royal Commissioners were entered *in extenso*, those for Prorogation and Dissolution being in Latin, the remainder being chiefly in English. The records of appointment of Joint Committees with the Commons, the reports of such committees, and Messages from the Commons, are also in English. From the beginning of the 17th century all the proceedings are in English with the exception of the heading to each day's entry and the Lists of Peers (both of which are even to this day entered in Latin); the stages of Bills and the daily adjournment (in Latin until 1850); and certain Royal Commissions (until 1733). The entries concerning Receivers and Triers of Petitions are in Norman-French until they cease in 1886.

CONTENTS: It is impossible to give a full account of the contents of the Journals; the following notes indicate the main recurring items.

(A) **Presents.** From 1514 onwards the daily entries of business invariably commence with the names of those present.

(B) **Opening of Parliament.** At the Opening of a new session (or of a new Parliament) the list of names is accompanied by some or all of the following entries, normally spread over several days' sittings, and arranged in varying order: Opening by Commission, with terms of the Letters Patent *in extenso*; Accession Declaration by the new Sovereign, if it has not already been made at the Coronation (1837 onwards, but not *in extenso* until 1953); Order to the Commons to choose a Speaker; Return of Representative Peers for Scotland (after the

1707 Act of Union); List of Lords who take the Oath or affirm; List of Lords sitting for the first time; Writs of Summons and Letters Patent *in extenso* of those newly created and promoted Lords first introduced; Presentation of the Speaker chosen by the Commons and Approval of him by the Sovereign on his behalf; Speech by the Chancellor or the Treasurer (in the 16th-17th centuries), normally *in extenso*, although on occasion it was not entered; the King's Speech *in extenso*; record of laying of Garter's Roll of Temporal Lords (laid in new Parliaments and in new sessions after 1597); title of a Bill, now invariably the Select Vestries Bill, read *pro forma* 1^a; Motion for Address of Thanks to the Sovereign for his Speech, with further proceedings; Appointment of Sessional Committees; Order to prevent Stoppages in Streets; Entries of Proxies (in 16th century); Appointment of Receivers and Triers of Petitions until 1886; the record of the laying of the Roll of Lords Temporal and Spiritual by the Clerk of the Parliaments (since 1825); List of Papers received during the recess. The record of Judicial Sittings of the House or of the Lords of Appeal in the name of the House of Lords during prorogation or dissolution are prefixed to the record of a new Parliament or session.

(C) **Legislative business.** The stages in the progress of every Bill are noted; the text of the Bill is not given; amendments made in Committee of the Whole House are entered, but not normally those made in Select Committee; amendments made in Private Bill Committees are reported and entered in the Journals to 1873 (cf. next paragraph). The voting at Divisions in Committee of the Whole House, and at other stages in the House, is entered from 1857, together with the names of those voting.

(D) **Committees.** Reports from Select Committees and Joint Select Committees to the House are generally entered in full, and transcripts or summaries of documents produced, and of evidence heard, may also be printed. During the period 1825-1850 a considerable amount of valuable material was printed *in extenso*, either in a body of the Journal or as Appendices concerning, e.g. the State of Ireland; the Coal Trade; the East India Company; proceedings on Divorce Bills. The main Committee records are noted in Section 3 below.

(E) **Judicial business.** Petitions are given in summary form or merely by title; hearings are noted; and the final Order and Judgment are given *in extenso*. Further details must be sought in the Manuscript Minutes (see Section 2 below), in the original documents in the Main Papers, and in the Judicial Office records.

(F) **Accounts and Papers.** The House from time to time calls for papers in connection with legislative or other business; further papers are laid before it under statute. Both series of papers are noted in the Journals on being laid, but except in rare instances the text is not entered. (The papers themselves are preserved amongst the Main Papers; in the 19th and 20th centuries a high proportion has been printed. Cf. the *General Index to the Sessional Papers*, 1801 to date.)

(G) **Orders and Ordinances.** The full text is entered of all Orders of the House, as likewise of Ordinances made during the Civil War period (1642-9).

(H) **Motions and Resolutions.** Speeches made in the House are not recorded, with the following exceptions: Speeches at the Opening (cf. (A) above); Interrogation of witnesses, occasionally entered, especially during the period 1603-1649. For speeches (as also for modern Questions to Ministers) it is thus necessary to refer to Cobbett's *Parliamentary*

History, Hansard's *Debates*, etc. (See also Section 2(i) and (ii) below.) The text of the Motions and Resolutions is, however, given *in extenso* in the Journal.

(I) **Miscellaneous.** Letters and petitions to the House are noted and, especially in the 17th and again in the early 19th centuries, their contents may be printed *in extenso* or in summary. The full text of the Protests by Peers is always given, with names of those protesting and (to 1830) their signatures. (V. also Protest Books.)

(J) **Close of session.** Bills may receive the Royal Assent then, or at earlier dates; if passed by Commission (as they have always been since 1854) the Letters Patent are printed *in extenso* as well as the Schedule of the titles of Acts passed; the Royal Speech and the Commission of Prorogation are printed *in extenso*.

(ii) Copies of Journals; MS and Photographic

A photographic copy has been placed in the Tower of six pages of Lords' Journal, hitherto unknown, but recently discovered by Miss B. Howe of London University amongst the Harleian MSS. in the British Museum. These give proceedings in the House for 2nd and 3rd March, 1511/2, and for 4th, 5th and 12th February, 1535/6. (For other pre-1510 Journals see Appendix below.)

The original Journal of the Protectorate House of Lords does not survive at Westminster. There is however, a copy, made in 1906, of the Journal Book then in the possession of Sir Richard Tangye of Coombe Bank, Kingston-on-Thames. It has since been printed in *The MSS. of the House of Lords*, Vol. IV (New Series), 1699-1702, pp. 503-567. It deals with the period 20th January, 1657/8, to 22nd April 1659.

There is also in the Tower a full transcript, in 124 volumes, of the Journals 1510-1750, made c.1750. It was probably made for the first Earl Harcourt, and was presented to the House of Lords' Library, on whose behalf it is stored in the Tower.

(iii) Draft Journals

In 1953 the House acquired from Lord Braye the series of 43 volumes of Draft Journals made by his ancestor, John Browne, Clerk of the Parliaments, and by other clerks. The periods covered, with certain gaps, are 1621-1628; 1640-1642; 1661-1690. They supply further detail not entered in the final Journals, and were themselves compiled from the Manuscript Minutes (see Section 2 below).

(iv) Printed Journals

The Journal was for centuries kept merely in manuscript. In 1767, however, the House ordered that 'The Journals of this House be printed', (L.J. XXXI, 509). The text was prepared under the direction of a sub-committee of the House (L.J. XXXIV, 730). The sub-committee made a fruitless search for Journals prior to 1510, and for those of the missing Sessions of Henry VIII, the corresponding Parliament Rolls being added to the first printed volume in substitution for the latter (L.J. XXXI, 656). The MS Journals were not collated with Minute

Books or Draft Journals. Passages deleted in the originals were not printed, and 18th century side headings were reproduced with no indication as to which were not contemporary. (For other defects of the early printed Journals see the separate description of Volume I in Appendix below.)

By 1771 the Journals for 1510-1649 had been printed in 13 volumes (L.J. XXXIV, 235), and 9 more volumes (up to the last Session of George I) had been completed by 1776. It was then stated that a further 9 volumes (up to October 1767) would be completed by the next Session (L.J. XXXIV, 728). The Journals up to 1820 had been printed by 1827 and it was estimated that the arrears would be made within four years (L.J. LIX, 232). From 1830 onwards the Journals have been printed concurrently with the proceedings which they record and the printed volume delivered during the following Session (L.J. LXI, 592). There are now 61 volumes of printed Journals for 1510-1829; and a further 127 for 1830-1956.

(v) Calendars of the Journals

The original guides to the Journals made in the Parliament Office for its own use consisted principally of books of tabulated entries under names and general subjects. These MS books were known as Calendars^[2]. The following volumes survive: for 1640-1642, 2 volumes; for 1701-1747, 1753-64, 1774-5, 1 volume each; for 1510-1807, 6 volumes. The last named set of six volumes originated from an order in 1717 that 'a calendar be perfected of the Whole Journals, in a separate book, referring to the date in the said Journals, whereby such proceedings as are most material may be readily found' (L.J. XX, 530). The entries to 1971 were copies made then, and later entries were added yearly. In addition there are three similar series of MS Calendars, as follows:-

Set II: 1510-1728; 1771-1810, 5 volumes, marked with the arms of Shelburne.

Set III: 1510-1880, 5 volumes.

Set IV: 1660-1756, 1791-1813, 3 volumes.

These Calendars afforded a useful résumé of the principal contents of the Journals and in 1808 it was decided to print a complete and rearranged Calendar. Two volumes were completed, the first for 1510-1808; the second for 1808-1826. There are separate tables of 'Peers Introduced', 'Appeals' and 'Writs of Error', the latter two being indexed.

(vi) Indexes of the Journals

The Calendars, however, do not provide a detailed guide to the Journal and therefore the MS Journals for 1510-1628 and 1660 onwards were supplied with MS indexes at the back of each volume by the order of 1717 (L.J. XX, 530). From 1717 onwards the Journals seem to have been indexed concurrently with their compilation. The printed Journals up to 1819 were not provided with volume indexes, but each printed volume from 1820 onwards contains an index.

General indexes to the printed Journals were ordered to be prepared in 1776 (L.J. XXXIV,

728), but the first completed volume (Index to the Journals for 1714-79) was not published until 1817. There followed general indexes for 1510-1649; 1660-1714; 1780-1820; 1820-1833; 1833-1853. The indexes, decennial from 1854, continued to be published, very much in arrear, until 1906. Since 1906 the decennial indexes have been issued shortly after the expiration of each ten-year period.

A classified index to the Journals was undertaken by Sir John Lefevre, Clerk of the Parliaments, c. 1863, and was printed in five sections: all appear, however, to have been also incorporated in the General Indexes, 1833-1863.

2. THE MANUSCRIPT MINUTES

The Journals of the House represent the final stage in the recording of daily events. During the greater part of the 17th century there seem to have been four stages in the process: first, rough minutes were made in the House as business proceeded; secondly, formal manuscript minutes were entered in a book (sometimes by two or more clerks in two or more books); thirdly, a draft Journal was compiled for inspection and approval by the Committee of Journals (the final version itself was inspected after 1660); fourthly, the official Journal was written out in a fair hand. No rough minutes or draft Journals, however, have survived for any date later than 1690, and it appears that the record was from that time onwards first entered in one or more Minute books (after 1776 on the Clerk Assistant's sheets as well), and that from them the final Journal was directly compiled.

(i) Rough Minutes

The only surviving Rough Minutes were, until 1953, all amongst Lord Braye's family papers at Stanford Hall. The House has now acquired the following:-

November 1640: Trial of E. Strafford; preliminary debate.

12 March, 1643/4 to 11th October 1644: Trial of Archbishop Laud.

(Both of these are in course of publication *in extenso* in Volume XI of *Manuscripts of the House of Lords*.)

Photographic copies of Rough Minutes as follows:-

1640 (1 sheet);

1660-1663 (11 sheets);

1667-1680 (12 sheets);

1688 (1 sheet).

For further details of the Braye Papers see Record Office *Memoranda* 7 and 11.

(ii) Manuscript Minute Books

Twelve volumes of Minute Books survive for 1621-1647, and 170 volumes for 1661-1827.

Certain volumes for the period 1621-1628 exist elsewhere, and the contents of these, in so far as they vary from that of the Original Journals, have appeared in print, as follows:-

(a) Minute or 'Scribbled' Books, 17th March, 1620/1 to 8th February, 1622/3 in *Notes of the Debates in the House of Lords ... in ... 1621*, ed. S. Gardiner, Camden Society (1870).

(b) Minute or 'Scribbled' Books for 23rd February, 1623/4 to 15th June, 1626 in *Notes of the Debates in the House of Lords ... in ... 1624 and 1626*, ed. S. R. Gardiner, Camden Society (1879).

(c) Minute or 'Scribbled' Books for various dates in 1621, 1625 and 1628, in *Notes of the Debates in the House of Lords*, ed. F. H. Relf, Royal Historical Society (1929).

The whole series of Minute and Scribbled Books are valuable supplements to the Journals. The Books for 1621-1628 contain many summaries of speeches, as do some later books up to c.1714. All contain figures of voting in divisions (invariably after 1661); from 1661 onwards the speeches of Counsel in Appeal Cases are also given in some detail, together with the opinions of Judges called in as assistants to the House. Throughout the period 1621-1827 details may be given on particular subjects which did not finally gain a place in the Journals, e.g. a series of speeches on a Treaty, the examination of witnesses, etc. In general, it may be said that it is always desirable to investigate the entries in the Minute Books whenever the proceedings in the House are being studied. Certain extracts from the Minutes, notably for Appeal Cases, have been printed in the *Manuscripts of the House of Lords* for 1678-1714, but no complete edition of the Minutes has been undertaken.

(iii) Printed Minutes

A Select Committee of 1824 (L.J. LVI, 322) recommended that 'a printed copy of the Minutes of the Proceedings of the House be distributed daily during the session, together with a note of the business appointed by the House for that day'. The Minutes were printed in this form from 1825 onwards, the daily prints being bound together annually. These printed Minutes superseded the MS. Minute Books after 1827. The printed Minutes are more summary than the Minute Books, and omit the Lists of Peers present, the occasional details of debates, the full record of Appeal Cases, etc. Little, if any, material is now to be found in the printed Minutes which does not appear in the Journals.

(iv) The Clerk Assistant's Sheets

The second clerk at the Table, known as the Clerk Assistant, has, since 1775, made special memoranda of his own or proceedings in the House, on loose sheets which are subsequently bound up into sessional volumes. There are 143 volumes for 1775-1951. The sheets for 1809-1829, however, were never bound, and survive loose amongst the Main Papers. Up to 1808 the volumes include Indexes to the MS Journals, sessional lists of Bills printed, Peers first sitting in Parliament, Petitions for Private Bills, Appeals withdrawn, voting in Divisions. These are omitted after 1808; the present volumes include Lists of Peers present, stages of Bills, judicial business, Papers laid, and Motions. Two features of somewhat greater interest are original Messages from the Commons and the Clerk Assistant's notices concerning

forthcoming business. Since 1954 the Clerk Assistant has also noted important points of procedural interest on the sheets.

3. COMMITTEE RECORDS

The House normally refers Bills after their Second Reading to a committee for detailed examination. Committees are also appointed to deal with special topics, Petitions, Appeal business etc. The main types of committee are SELECT, where certain Peers are nominated to deal with a specific Bill or other matter; STANDING or SESSIONAL, where the committee deals with all of a given class of matter for the duration of a session[3]; JOINT, where Peers nominated are joined by a number of Members nominated by the Commons; COMMITTEES OF THE WHOLE HOUSE, when no individual Peers are named, but all present may participate.

When the committee reports back to the House, its report becomes part of the records of the House itself and may be found entered in the Journals, and the original filed amongst the Main Papers. The records of previous deliberations of the committee, material produced before it, etc., however, constitute separate series, complex in nature, and they survive from 1621. These are detailed below. *Note*, however, that the Committee of the Whole House proceedings for 1620-1827 were entered in the MS. Minutes (though not in the Journals) of the House, and for 1856 to date in the Minutes, the Clerk Assistant's sheets and the Journals. Prior to 1856 amendments to Bills made in Committee of the Whole House were entered in the Journals.

(i) Appointment Books

The names of the committee members and the times and places appointed for their meetings were entered in a now defunct series of Appointment Books. There is 1 volume for 1621, 3 volumes for 1624-8, 1 volume for 1660-4, and 133 volumes for 1690-1861. The volume for 1621 is prefaced with a table of the Bills considered in committee. The early volumes contain the names of witnesses ordered to appear before the committees (from 1642 there is, however, a separate series of Witness Books). From 1790 onwards the books contain orders for the hearing of Petitions concerning Bills.

(ii) Minutes of Proceedings

The proceedings at committees are entered in several series of Committee Books. Those in the Record Office date from 1661-1931; the more recent are kept in the Committee Office of the House of Lords.

(A) Committees of the Whole House. Separate Minute Books for proceedings in Committee of the Whole House were kept for 1828-1855 (see note above). There are 8 volumes.

(B) Committee for Privileges. A series of 46 Minute Books, known as the 'Vellum Set', is preserved for 1661-1880. (Later volumes are in the Judicial Office.) It includes not only the proceedings in peerage claims[4], but also those in claims to vote for Representative Peers, and proceedings in cases of privilege of the House or its members, together with

consideration of any other similar matter referred to it by the House. Peerage claim entries are noted in the Lords' Library card index of peerage claim material. Use is made of the Privilege Books in the *Calendar of House of Lords Manuscripts*, 1661-1714.

(C) Committee Proceedings to 1837.

1. Minutes of Proceedings at Committees on Private Bills and other matters. 86 volumes for 1661-1837. These volumes contain proceedings in practically all committees other than (A) and (B) above and (C) 2. and 3. below. They include amongst the summary proceedings details of voting and discussions in committee. Occasionally original letters, petitions and other documents produced in committee are sewn or pasted into the volumes. Up to 1797 the volumes contain the signatures of trustees accepting trusts entered into through Bills. (Later these are entered in Trustees Acceptance Books.) Important material concerning Private Bills has been extracted from these Books and printed in the *Calendars of House of Lords Manuscripts*, 1666-1714.

2. As Private Bill legislation increased in quantity and complexity the main series became inadequate to hold its records. Detailed evidence offered before the Select Committees was increasingly printed; and 11 volumes of *Printed Evidence taken before Private Bill Committees* survive for 1818-1832. Other evidence may be found in Main Papers and, after 1835, also in Private Bill records. (V. details in Memorandum on Private Bill Records.) Printed evidence was also incorporated in the volumes of the main series [(C) above] between 1793 and 1817.

3. Miscellaneous pre-1837 committees. The following miscellaneous volumes or sub-series are extant for the earlier period of committees:-

2 volumes *Committee for Petitions*, for 1628 and 1660-1695. Contain summary record of proceedings on Petitions; for other proceedings on Petitions *see* the Books of Orders and Ordinances and the main Committee Proceedings 1696 onwards.

3 volumes *Committee Books on Popish Plot (Examination Books)*, 1678-1681. Mainly printed in *Manuscripts of the House of Lords*, 1678-1688.

1 volume *Minutes of Joint Committees 'concerning the trial of the Lords in the Tower'*, 1679-1695. Quoted *op. cit.*

(D) Committee Proceedings 1837 onwards. From 1837 the Minutes of Proceedings were grouped as follows:-

1. Minutes of Proceedings at Committee on Estate Bills and in Select Committees, 1837-1931. 103 volumes which contain printed proceedings and evidence taken at Select Committees on Public Bills and other matters.

2. Minutes of Proceedings before the Standing Orders Committee on Railway Bills and Opposed Private Bills, 1837-58. There are 23 volumes. (The volumes for 1847-58 are entitled 'Committees on Private Bills' but include Railway Bills.)

Before the Second Reading of any Private Bill relating to railways and before the sitting of the committee on any opposed Private Bill (not being an Estate Bill or a Divorce Bill) such Bills were referred to the Standing Orders Committee for proof of compliance with Standing Orders relating to notice, to the depositing of plans and sections and books of reference, etc. The volumes contain printed statements and other evidence of compliance with the Standing Orders and also verbatim evidence taken before the committee.

3. Minutes of Proceedings at Committees for Nominating Select Committees on Opposed Private Bills and at such Select Committees, 1837-58. 22 volumes. The Chairman of Committees and four other Lords named by the House constituted a sessional committee to nominate five Lords to form a Select Committee on each opposed Private Bill. Every opposed Private Bill, not being an Estate Bill, was referred to a Select Committee.

4. Minutes of Proceedings at Committees on Unopposed Private Bills and before the Appeal Committee, with the exception of those on Estate Bills, 1839-1931. 90 volumes. Committees on unopposed Private Bills consisted of the Chairman of Committees with two or more members ordered to bring in the Bills. After 1848 the Appeal Committee Minutes appear amongst the Appeal Case records.

5. Minutes of Proceedings of Select Committees on Opposed Private Bills, 1859-1931. 69 volumes. For evidence taken before Select Committees on Bills *v.* the Memorandum on Private Bill Records.

6. Minutes of Proceedings at Committees: Standing Orders Committee, 1859-1912. 50 volumes. From 1859 the decisions of the Clerks who served as Examiners of Petitions for Private Bills upon their compliance or non-compliance with Standing Orders became final. Statements and evidence regarding compliance with Standing Orders from 1859 onwards are contained in volumes of *Examiners' Evidence (v. Memorandum No. 16 on Private Bill Records of the House of Lords)*. Cases of non-compliance with the Standing Orders were referred by the Examiner to the Standing Orders Committee for its decision as to whether the Standing Orders should be relaxed or suspended in such cases. Printed statements and evidence of the parties concerned are included in the volume.

7. Index to Proceedings at Committees. 1800-46. 2 volumes. Alphabetical index of Bills and other matters considered at committees. The volumes of *Minutes of Proceedings, 1792 onwards*, also contain short indexes.

1 Certain side headings had already been made for entries 1614-1717; these were retained and supplemented.

2 It is hoped to discuss in a later Memorandum on the Parliament Office Records the

valuable Precedent Books made in the Parliament Office, 17th to 19th centuries, including the so-called 'Relfe's Journals', which are in calendar form and almost entirely based on the Journals.

The customary Sessional Committees now appointed are as follows:
Committee for Privileges; Committee on the Journals; Appeal Committee; Standing Orders Committee; Committee of Selection (for membership of Select Committees); House of Lords Offices Committee; Special Orders Committee; Procedure Committee; Personal Bills Committee; Appellate Committee.

Further material on peerage claims may be found in the Main Papers and in the files of printed and manuscript peerage claim proceedings.