

# Signed, stamped, and sealed: delivering royal justice in early sixteenth-century England\*

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## Abstract

That Henry VIII's will was stamped with a facsimile of his signature rather than authentically signed has long been taken as proof that it was 'forged' sometime around his death in 1547. This article explores the longer history of the stamp as an authorizing mechanism, locating its creation at the beginning of the reign for the purposes of justice-giving. An investigation of these earlier documents reveals that an initial 'wet' stamp served to expedite suits presented at the royal household and project the king's authority outwards. The article therefore offers a revisionary account of the priorities and workings of Tudor governance.

As Henry VIII drew his final breaths in the early hours of 28 January 1547, the future of England and the Tudor regime appeared to remain firmly in his grip. His last will and testament, drafted during a bout of illness in late December 1546, appointed a body of sixteen executors to govern during the minority of his young son and successor. Empowered by statutes passed in 1536 and 1544, and in an unprecedented projection of royal prerogative, Henry also utilized his will to set out the order of succession for his other children and descendants, including conditions for the inclusion of his technically illegitimate daughters, Mary and Elizabeth.<sup>1</sup> The first and final folios of this constitutionally significant document were endorsed with the king's signature, reading 'Henry R'.<sup>2</sup> Or so it was supposed to seem. On closer inspection it becomes apparent that this was no authentic autograph. Instead, the signature was imprinted on the page with a specially designed stamp – an obscure authorizing mechanism that for some contemporaries and historians altogether undermined Henry's royal authority in his final act.

Controversy has abounded from the appearance of the stamp on Henry VIII's will. Practically speaking, its use in this context leaves open the possibility that the ailing monarch may not have been present or conscious when his will was authorized. At best, the king was simply too unwell to write and so witnessed and approved the application of the stamp. At worst, the stamp was applied by councillors when he was already close to death, or even after he had passed – perhaps weeks later. What we do know is that once completed on 30 December 1546 (the internal date given in the version now surviving), the finalized will was 'delyvered then ... with [the king's] own hande' to Edward Seymour, earl of Hertford.<sup>3</sup> Shortly thereafter, Hertford assisted in keeping the

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<sup>1</sup> 'An Acte for the establishment of the succession of the Imperyall Crowne of this Realme', *Succession to the Crown Act, 1536*, 28 Hen. 8, c. 7; and 'An Acte concerning the establishment of the Kinges Majesties Succession in the Imperiall Crowne of the Realm', *Succession to the Crown Act, 1543*, 35 Hen. 8, c.1.

<sup>2</sup> The National Archives of the U.K., E 23/4, fos. 1, 28.

<sup>3</sup> This fate of the will was recorded by William Clerk on his register of stamped documents (T.N.A., SP 4/1, fo. 111).

king's death secret and, with the support of William Paget, Henry's private secretary, had the regency council elect him as the protector of the new king Edward VI. In light of these events, some historians have seen the will and its stamped signature as 'political dynamite': the tool for a power grab at court, and the catalyst for centuries of contention around the validity of the royal succession.<sup>4</sup>

The association of the stamp with a courtly coup has made it a touchstone for assessing the political clout of this most characterful of English monarchs and for measuring the extent to which his royal supremacy was a mask for ministerial dominance and factionalism. As early as 1566, the secretary of state for Scotland insisted to William Cecil that since the will effectively excluded Mary Queen of Scots (Henry VIII's niece) from the English line of succession it must have been a 'forged signed testament', tampered with by the late king's closest councillors to undermine the Scots and consolidate their own power in the new reign.<sup>5</sup> The secretary may have been looking to spare Henry's reputation by blaming those around him. But this version of events once seemed so impossible to reconcile with the height of monarchical supremacy represented by Henry VIII in the historical imagination that the will's earliest modern scholars, including Francis Hargrave, A. F. Pollard, Lacey Baldwin Smith and the unnamed archival 'experts' they consulted, did not believe that it was stamped rather than authentically signed at all.<sup>6</sup> If it had been, they argued, then surely it would have been rejected immediately, especially by those, like Hertford, who sought to overturn it anyway.

We have since advanced beyond this presumption that any stamp would have made the will 'technically invalid' to contemporaries.<sup>7</sup> The acts of 1536 and 1544 certainly dictated that any last testament used by the king to set out the succession ought to be 'signed with his most gracious hand'.<sup>8</sup> Yet even John Leslie, the Scottish bishop and supporter of Mary Queen of Scots, accepted that 'of the [stamp] and of [the king's] owne hand, the common sorte of men make no difference, as in deede in diverse other cases there ys no difference'. More than that, he reported that his 'adversaries' in the English court had told him that 'either we must graunte this will to be signed with [Henry's] hande, or that he made no will at all'.<sup>9</sup> In other words, most English observers either could not tell the difference between the stamp and the real signature or did not mind it. Nevertheless, the circumstances surrounding the stamp's application to the will have been the subject of sustained controversy, especially concerning the nature of Tudor rule.

Notably, a consensus among historians that the will *was* stamped first took hold in the later twentieth century, within a fresh set of studies of Henry VIII's reign that argued strongly for the role of powerful government ministers and court factions in ruling a king then recast as ultimately manipulable.<sup>10</sup> In these accounts, the culmination of constant

<sup>4</sup> J. Guy, *Tudor England* (Oxford, 1988), p. 198.

<sup>5</sup> *The Egerton Papers: a Collection of Public and Private Documents*, ed. J. Payne Collier (London, 1840), pp. 45–6; also printed in G. Burnet, *The History of the Reformation of the Church of England, With the Collection of the Records and a Copious Index* (4 vols., New York, 1854), vi. 147–8.

<sup>6</sup> A. F. Pollard, *England Under Protector Somerset* (London, 1900), p. 5; L. Baldwin Smith, 'The last will and testament of Henry VIII: a question of perspective', *Journal of British Studies*, ii (1962), 14–27, at p. 23 n. 27; M. Levine, 'The last will and testament of Henry VIII: a reappraisal appraised', *The Historian*, xxvi (1964), 471–85, at pp. 478–9; and J. J. Scarisbrick, *Henry VIII* (London, 1968), pp. 492–3.

<sup>7</sup> W. K. Jordan, *Edward VI: the Young King: the Protectorship of the Duke of Somerset* (London, 1968), pp. 52–6.

<sup>8</sup> 35 Hen. 8, c. 1.

<sup>9</sup> J. Leslie, *A Defense of the Honor of the Right, High, Mighty, and Noble Princess Mary, Queen of Scotland* (London, 1569), pp. 87, 102.

<sup>10</sup> D. Starkey, 'From feud to faction: English politics circa 1450–1550', *History Today*, xxxii (1982), 16–22; D. Starkey, *The Reign of Henry VIII: Personalities and Politics* (London, 2002); and J. Guy, *Tudor England* (Oxford, 1988), pp. 196–9.

jostling of courtiers to be at the king's ear and of a deep religious schism following the break from Rome was a battle between men of 'evangelical' leanings (principally Hertford and Paget, and other 'new' men in the royal council and chamber) against more 'conservative' parties (Thomas Howard, duke of Norfolk, his son Henry, the earl of Surrey, and Stephen Gardiner, bishop of Winchester) for political control as the old king's health declined and a new reign loomed closer. Major victories for the 'evangelicals' seemingly came in quick succession in the final months of the old king's life, with the arrests of Norfolk and Surrey for high treason, the execution of Surrey on 19 January, and the removal of Gardiner from the king's favour and last testament.

The stamp has been taken by these historians of Henrician court politics, principally David Starkey, as the tool of an 'evangelical' conspiracy to forge the king's final wishes. It sits here amidst other evidence for their alleged power grab, including whispers exchanged and letters passed between Hertford and Paget to confirm their alliance; a discrepancy between the will's internal date of 30 December 1546 and its entry into a register of stamped documents in late January 1547 that presents a window in which it could have been edited and stamped; and the inclusion of an 'unfulfilled gifts clause' within the will that arguably allowed the appointed executors to advance grants already negotiated by Paget and promised by the king, which would ultimately benefit the men named to the regency council and facilitate Hertford's election as protector.<sup>11</sup> In this line of investigation, no longer was it supposed that the 'new' men overturned the will as soon as possible once the king was dead. Rather, the will was their own creation from the start, with the stamp ensuring that their amendments and additions passed as the dying king's personal wishes.

Revisionist scholarship on Henry VIII's final years has therefore involved unpicking the material and administrative contexts of the stamping process. Crucial to challenging assertions that the stamp can be taken as an automatic sign of forgery was Eric Ives's careful reconstruction of the application of a 'dry stamp' to state papers in the several years prior to 1547.<sup>12</sup> Throughout his reign, Henry VIII was notoriously uninterested in paperwork: in 1519 he confessed that he found writing 'somewhat tedious and paynefull', a disposition no doubt exacerbated by the ailments of his later life.<sup>13</sup> So, from September 1545 onwards around 1,600 state documents were passed to William Clerk, clerk of the Privy Chamber, 'to stamp with [the king's] privey stamp'.<sup>14</sup> This stamp impressed an outline of the royal signature onto the page, to be filled in with ink by Clerk. In August 1546 Clerk and his colleagues in the chamber, Anthony Denny and John Gate, were ordered to keep a 'schedule' of stamped documents for the king to review and sign.<sup>15</sup> These lists – within which the will would eventually appear – reveal that the stamp was also used to process numerous grants of offices and prebendaries to the king's servants;

<sup>11</sup> T.N.A., SP 10/1, fo. 1; SP 10/8, fo. 8; SP 4/1, fo. 111; and H. Miller, 'Henry VIII's unwritten will: grants of lands and honours in 1547', in *Wealth and Power in Tudor England*, ed. E. W. Ives, R. J. Knecht and J. J. Scarisbrick (London, 1978), pp. 87–195, at pp. 93–6. For this interpretation, see Starkey, *Henry VIII*, pp. 136–45; and Guy, *Tudor England*, pp. 198–9.

<sup>12</sup> E. W. Ives, 'Henry VIII's will: a forensic conundrum', *Historical Journal*, xxxv (1992), 779–804. A 'dry stamp' raises the surface of the paper or parchment to make an impression, whereas a 'wet stamp' is coated in ink and applied to the surface.

<sup>13</sup> *Letters and Papers of Henry VIII* (hereafter *L. & P.*), iii, p. 1, no. 1; G. R. Elton, *The Tudor Revolution in Government: Administrative Changes in the Reign of Henry VIII* (Cambridge, 1953), p. 69.

<sup>14</sup> S. Lipscomb, *The King Is Dead: the Last Will and Testament of Henry VIII* (London, 2015), p. 93; and T.N.A., SP 4/1/52–112.

<sup>15</sup> *L. & P.*, XXI, i, p. 767, no. 1537 (34). Only one surviving list, from November 1545, is actually signed by the king (T.N.A., SP 4/1/57).

to pardon a mariner of Harwich ‘for killing of a Duscheman’; to license a man ‘who loste his legg in the late warre against Boloigne to be an almesman at Westminster’; and even to endorse the king’s ‘letters of comferte to my Lorde Saint John Chamberlain in his sikenes’.<sup>16</sup> As a result of all of this work, the three clerks each had to be pardoned for technically counterfeiting the royal sign manual.<sup>17</sup> Still, as John Leslie observed in 1569, the routine use of the stamp for ‘diverse other cases’ meant that by January 1547 that there may well have been ‘no difference’ between the signature and the stamped version of the same.<sup>18</sup> So to Ives, and more recently to Suzannah Lipscomb in her extensive study of the will and its context, the stamp is an innocuous part of a story free of ministerial intrigue. It was, they argue, applied in the king’s presence when the will was completed and handed over to Hertford on 30 December 1546, and added to the register of stamped documents at the last minute, on or around 27 January 1547, simply to confirm its authenticity.<sup>19</sup>

Still, besides this most notorious application the stamp remains an intriguing demonstration, in black and white, of the great contradictions of Henry VIII’s style of rule: variably impassioned and distracted, self-conscious but self-absorbed. And little recognized in any of the aforementioned scholarship is the fact that a stamped facsimile of his royal signature was in use long before Henry’s ailments made it necessary. In fact, its creation pre-dates all the major developments traditionally seen to have routed authority away from the king despite evocations of royal supremacy. This includes not only the swing towards factionalism emphasized in histories of Tudor court politics, but also those high points in the ‘revolutionary’ advancement of bureaucracy identified in the traditional administrative histories of sixteenth-century England: the ascendancy of *alter rex* Thomas Wolsey in the mid 1510s, Thomas Cromwell’s governmental reforms in the 1530s, and the foundation of the Privy Council in the final years of the reign. In fact, the stamp’s origins lay close to Henry VIII’s accession in 1509, and in the much more mundane, informal and overlooked sphere of judicial administration. There, a rudimentary ‘wet stamp’ was used to expedite the ad hoc processes of new justice tribunals that had emerged around the king in the first few decades of the century. There is little evidence for the regulation of this earlier mechanism – no schedule or official orders akin to those maintained for the 1540s version – and so it has received only brief attention from scholars of the period.<sup>20</sup> Its longer history comes to light only through the rich but complex materials of the early Tudor central government, and specifically those for the judicial activities of the attendant side of the royal council.<sup>21</sup>

This article will elaborate on the stamp’s creation and use in dispensing royal justice and grace. In so doing it will carve out a space between two once-opposed poles of early Tudor scholarship: personal monarchy and organized government. Evidence for routine use of this stamp prior to and throughout all the developments in the central administration in Henry VIII’s reign further undermines the dichotomy traditionally drawn between the lumbering ‘medieval’ royal household and an efficient ‘modern’ bureaucracy, and any sense of linear transition from one to the other. In other words, the stamp illustrates how bureaucracy was built *around* rather than *apart* from monarchy

<sup>16</sup> T.N.A., SP 4/1/52–57.

<sup>17</sup> *L. & P.*, XXI. i, pp. 766–7, no. 1537 (31, 32, 33).

<sup>18</sup> Leslie, *Mary, Queen of Scotland*, p. 102.

<sup>19</sup> Ives, ‘Henry VIII’s will’, pp. 794–5; and Lipscomb, *The King Is Dead*, pp. 92–7.

<sup>20</sup> Starkey, *Henry VIII*, p. 112; and J. Guy, *The Cardinal’s Court: the Impact of Thomas Wolsey in Star Chamber* (Hassocks, 1977), p. 44.

<sup>21</sup> T.N.A., REQ 2/1–13 (Pleadings).

in this period.<sup>22</sup> Crucially, whereas the infamous ‘dry stamp’ of the 1540s has served to enlighten us about the power dynamics between king and court, the use of a ‘wet stamp’ to project a care for justice outwards across the realm illustrates the bonds of obligation between king and country, too. It speaks to a socio-political interpretation of Tudor rule, besides and beyond the better-established constitutional and courtly threads of analysis. From this angle, in appearance as well as reality, authority remained in the monarch’s hands until the very end.

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Performative dispensation of justice by the monarch was of paramount importance in the early years of any dynasty, and the Tudor regime was no exception. It was universally agreed across late medieval England that justice was essential to the health and stability of the polity at large. Justice featured as the primary root of Edmund Dudley’s allegorical ‘tree of commonwealth’, as ‘the strongest bond of any society’ in Thomas More’s *Utopia*, and as the ‘preserver of the body politic’ in a reading by common lawyer John Spelman.<sup>23</sup> In orations before council and Parliament the bishop-councillors of the fifteenth and sixteenth centuries espoused justice as the ultimate virtue and the natural basis of all governmental activity.<sup>24</sup> Above all, commentators concurred, justice was the ‘goodlyest garment for a kynge’ and the administration of written laws and judicial processes his ‘chief charge’.<sup>25</sup> In theory, then, access to justice was a right of all royal subjects. The king’s personal concern for ‘the due execution and equal administration of justice’ was consistently projected outwards from the political centre and into the public spaces of cities and towns across the realm through royal proclamations and statutes.<sup>26</sup> By inviting subjects to complain to the very highest authority in the land, the delivery of justice proved to be one of the more reciprocal and participatory aspects of government.

Practically speaking, the early Tudor kings stood at the centre of a developing system of justice-giving, attuned to the demands of ordinary subjects. Any suppliant could ‘short-circuit the proper channels’ and intercept the king ‘at prayer, on horseback and as he moved around his palace’ to ask for favour in all manner of suits.<sup>27</sup> By these means, written petitions from those hoping for patronage and grants of lands and offices – for grace – routinely passed via the royal household to the king for his personal

<sup>22</sup> A view initially developed by T. F. Tout, but famously argued by Geoffrey Elton (I. Harris, ‘Some origins of a Tudor revolution’, *English Historical Review*, cxxvi (2011), 1355–85, at pp. 1364–8, 1371–2; Elton, *Tudor Revolution in Government*; and G. R. Elton, ‘The Tudor revolution: a reply’, *Past & Present*, xxix (1964), 26–49, at p. 43).

<sup>23</sup> E. Dudley, *The Tree of Commonwealth*, ed. D. M. Brodie (Cambridge, 1948), pp. 34–6; T. More, *Utopia*, ed. G. M. Logan and R. M. Adams (Cambridge, 2002), p. 83; and John Spelman’s *Reading on Quo Warranto, Delivered in Gray’s Inn (Lent 1510)*, ed. J. H. Baker (Selden Society, cxiii, London, 1997), p. 76.

<sup>24</sup> See William Warham’s speech in 1504 (*Rotuli Parliamentorum*, vi. 520). See also Cuthbert Tunstall’s parliamentary sermon in 1523 (T.N.A., SP 6/13, fos. 2–10). The same ideas were central to Wolsey’s oration to the council and Henry VIII in May 1516, and the king’s response (San Marino, Huntington Library, Ellesmere MS. 2655, fos. 10 r–v).

<sup>25</sup> Dudley, *The Tree of Commonwealth*, p. 34; T.N.A., SP 6/13, fo. 5; Sir John Fortescue, *On the Laws and Governance of England*, ed. S. Lockwood (Cambridge, 1997), p. 9; John Spelman’s *Reading on Quo Warranto*, p. 147; and S. Baron, *De Regimine Principum (1509)*, ed. P. J. Mroczkowski (New York, 1990), p. 79.

<sup>26</sup> *Tudor Royal Proclamations*, ed. P. L. Hughes and J. F. Larkin (3 vols., New Haven, Conn., 1964), i. 19, 143, 206, 263; and J. Doig, ‘Political propaganda and royal proclamations in late medieval England’, *Historical Research*, lxxi (1998), 253–80. See, e.g., ‘An Acte to admytt such persons as are poore to sue in forma pauperis’, 11 Hen. 7, c. 12; also 3 Hen. 7, c. 1; 11 Hen. 7, c. 25; and 19 Hen. 7, c. 12.

<sup>27</sup> M. Hicks, ‘What was personal about personal monarchy in the fifteenth century?’, in *The Image and Perception of Monarchy in Medieval and Early Modern Europe*, ed. S. McGlynn and E. Woodacre (Newcastle upon Tyne, 2014), pp. 8–22, at p. 12.

deliberation.<sup>28</sup> Henry VII is known to have signed off as many as sixteen such pleas in a single day and one hundred per year.<sup>29</sup> Suitors requesting justice in civil disputes could equally submit written bills of complaint wherever the king and his council happened to be. Increasingly this meant that royal progresses served as opportunities for petitioning. In late 1483 it was said that the new king, Richard III, ‘contents the people wher he goys best that ever did [a] prince’, with ‘many a poor man that hath suffred wrong’ being ‘relevyd and helpyd by hym and his commands in his progresse’.<sup>30</sup> Henry VII appears to have followed suit, with his arrival into Bristol in 1487 marked by the pageant figure ‘Justicia’ praising the new king for ‘Minisshing justice duly in every place / Thorough this region where ye ride or goo’.<sup>31</sup> It was under this first Tudor king that the hearings and orders made by the council on the move were first regularly recorded, from March 1493 onwards.<sup>32</sup> And by the time of Henry VIII’s first progress in 1510, ‘many of the commons showed grievous bills and complaints’ to the king and his councillors as they passed through the country.<sup>33</sup> Clearly, then, subjects acted upon their long-held privilege of access to the royal person, expecting that he might have a personal interest in their wellbeing.

At the early Tudor royal court, complainants would have been met with increasingly regularized judicial procedures for redress. Indeed, already by the late fifteenth century the growing number of petitions presenting all kinds of interpersonal disputes about property and money had given rise to new judicial institutions within central government. Most of these venues sprang out of the main council, which had historically set aside time to examine written complaints brought in by supplicants of ‘small charge’.<sup>34</sup> From the 1470s onwards, small groups of councillors were dispatched to the north of England and to the marches of Wales to provide provincial administration and to hear ‘all actions of debts and demands whatsoever’ when one or both disputants had no recourse to the common law.<sup>35</sup> Increasingly, too, the judicial capacities of the main council were evolving into discrete tribunals. One gathered in the Star Chamber at Westminster to hear matters arising between noblemen, to pass judgment on riots and serious breaches of the peace, and to investigate offences against the king. The other, the tribunal later known as the Court of Requests, remained within the attendant royal entourage and

<sup>28</sup> For further discussion of the difference between petitions for grace and justice, see R. W. Hoyle, ‘The masters of requests and the small change of Jacobean patronage’, *English Historical Review*, cxxvi (2011), 544–81.

<sup>29</sup> M. Hicks, ‘Attainder, resumption and coercion 1461–1529’, *Parliamentary History*, iii (1984), 15–32, at p. 16; and Hicks, ‘Personal monarchy’, pp. 11–15. For examples, see *The Politics of Fifteenth-Century England: John Vale’s Book*, ed. M. L. Kekewich and others (Stroud, 1995), pp. 134, 258; *Materials for a History of the Reign of Henry VII*, ed. W. Campbell (2 vols., London, 1873–7), i. 118, 156, 172, 273, 282, 314; ii. 110–11, 227–8, 241; and W. C. Richardson, *Tudor Chamber Administration, 1485–1547* (Baton Rouge, 1952), p. 12.

<sup>30</sup> *Christ Church Letters: a Volume of Medieval Letters Relating to the Affairs of the Priory of Christ Church Canterbury*, ed. J. B. Sheppard (Camden new series, xix, London, 1876), p. 46. For Richard III’s role in developing this conciliar function, see H. Kleineke, ‘Richard III and the origins of the Court of Requests’, *The Ricardian*, xi (2007), 22–32.

<sup>31</sup> *The Herald’s Memoir, 1486–1490: Court Ceremony, Royal Progress and Rebellion*, ed. E. Cavell (Donington, 2009), p. 95.

<sup>32</sup> T.N.A., REQ 1/1.

<sup>33</sup> *The Great Chronicle of London*, ed. A. H. Thomas and I. D. Thornley (London, 1938), p. 366.

<sup>34</sup> E.g., the conciliar ordinance of Richard II, in 1390 (*Proceedings and Ordinances of the Privy Council of England*, ed. N. H. Nicolas (7 vols., London, 1834), i. 18b); and that of Henry VI in 1429 (*Rotuli Parliamentorum*, iv. 344). See also Sir John Fortescue’s suggestions for reforming the means by which the council handled the many supplications for grants directed to the king (*John Vale’s Book*, p. 223).

<sup>35</sup> R. R. Reid, *The King’s Council in the North* (London, 1921), pp. 297, 309, 502–3.

provided on-the-road remedies to poor and disadvantaged suitors residing in the further reaches of the realm.

These emerging tribunals constituted an especially responsive route for invoking the Crown's intervention in heated local disputes. Like the more established court of Chancery, each received English petitions, summoned accused parties with letters under the king's seals to answer to accusations, ordered external commissions to collect evidence and mediate between the disputants locally, and produced written determinations on the matters in question. This process, which ran smoother and faster than the common law, proved popular with litigants. Also advantageous to petitioners was the capacious notion of justice encompassed within these new courts. As contemporary theory had it, if any member of the body politic 'for his private lucre ... do wronge or iniurye to hys neghbure' it would be against 'the order of justice', requiring remedy from 'hyme whiche hath auctorite' – usually the king.<sup>36</sup> Along these lines, petitioners to the sovereign conceptualized a broad civil jurisdiction under the auspices of personal monarchy, unlimited by case type or legal doctrine and grounded instead in the king's perceived capacity as the ultimate lord, arbiter and peacekeeper. Demand for this kind of royal conciliar remedy was so high by the mid 1510s that several extra committees had to be set up to prevent backlogs in the main courts.<sup>37</sup>

It is difficult to be certain just how far the early Tudor kings had any direct involvement in the judicial business going on in their households, of course. Most petitions were addressed openly 'to the king our sovereign lord', process was issued under his personal seals, and judgments were made in his name. Yet the oversight of daily business was delegated to ministers, councillors and household officials. Within the attendant household, it was eventually the Dean of the Chapel Royal and the royal almoner – both constantly present to attend to the king's spiritual wellbeing – who received, processed and determined suits. However, it was rumoured in the late sixteenth century that it had been Henry VII himself who, upon 'seeing his Cort pestered with sutors and sometimes out of due season', 'did appoint divers of his counsell' to convene more regularly to provide relief.<sup>38</sup> This famously attentive king is known to have routinely sat with his main council in the Star Chamber to hear disputes, and to have been 'credibly informed' enough about certain causes pending in King's Bench to halt and restart its proceedings at the behest of his courtiers.<sup>39</sup> Henry VIII certainly took seriously his own coronation oath and its clause about the dispensation of 'equytee and justice with discession and mercye': he evoked it in a speech before the council in 1516, and would later personally amend it to strengthen the emphasis on the monarch's 'conscience'.<sup>40</sup> Like his father, he occasionally sent letters to cancel decrees and dismiss causes pending before councillors in Star Chamber.<sup>41</sup> In all, the king seems to have remained central to the petitioning

<sup>36</sup> T.N.A., SP 6/13, fo. 4v.

<sup>37</sup> J. A. Guy, 'Wolsey, the council and the council courts', *English Historical Review*, xci (1976), 481–505; S. J. Gunn, *Early Tudor Government 1485–1558* (Basingstoke, 1995), p. 77; E. Hall, *Hall's Chronicle; Containing the History of England During the Reign of Henry the Fourth and the Succeeding Monarchs, to the End of the Reign of Henry the Eighth* (London, 1809), p. 585. For the Council orders to establish these short-lived committees, see Huntington Library, Ellesmere MS. 2655, fos. 12r, 16r; and T.N.A., SP 1/19, fo. 142.

<sup>38</sup> British Library, Additional MS. 25248, fo. 1v.

<sup>39</sup> As we see in the surviving transcriptions from the Henrician Council *Acta* (Huntington Library, Ellesmere MS. 2654, fos. 1r–24r; Ellesmere MS. 2655, fos. 3r–6r; and G. McKelvie, 'Kingship and good lordship in practice in late medieval England: Henry VII, the earl of Oxford, and the case of John Hale, 1487', *Journal of Medieval History*, xlv (2019), 504–22, at pp. 513–14).

<sup>40</sup> Huntington Library, Ellesmere MS. 2655, fo. 10r; and Brit. Lib., Cotton MS. Tiberius D viii, fo. 89r.

<sup>41</sup> Huntington Library, Ellesmere MS. 2652, fo. 11r.

mechanism at work at the heart of high government. Notwithstanding the presence of discrete courts for redress, in 1526 it was said that many ‘matters of justice and complaints’ were still ‘made, brought, and presented unto his Highnesse ... in his demurre or passing from place to place’ and ‘debated, digested and resolved’ by the king himself.<sup>42</sup>

This itinerant aspect of the royal judicial provision provides the most extensive evidence for regular royal input in justice-giving. All the council’s judicial business – summoning parties, inviting witnesses and establishing commissions in the localities – proceeded through a writ, issued with either the king’s privy seal or signet seal. Traditionally both these seals were used to authorize grants of lands and office that had been passed under the great seal, through warrants signed by the king. But of the two it was the signet seal that originated most directly from the king’s person; in the early Tudor period, at least, it was not yet fully ‘out of court’, remaining with the sovereign and his attendants.<sup>43</sup> Hence the signet was attached to those writs moving judicial orders from the attendant household. These small documents, usually written in English, were entitled as being ‘by the King’. Primarily they informed the addressed commissioners about the disputants, the basic matter and substance of their disagreement, and the task at hand. Such tasks usually took the form either of fact-finding – retrieving a defendant’s answer, examining witnesses and surveying property – or of arbitrating some ‘friendly end’ between the parties, and so relieving the council of a formal suit. Chosen with the assent of both parties and their representatives, commissioners had to be men of good social standing in their communities: most prevalent among the named nominees are knights, esquires and gentlemen, followed by abbots, bishops and lower-ranking local clerics.<sup>44</sup> The king’s justice was thus routinely delegated outwards from the royal household, evoking the customary role of gentry and clergy across the country in peace-keeping.

It was for the purpose of endorsing these intermediary orders to local power-holders that Henry VIII’s stamp was eventually created. This procedure mimicked the more hands-on role of Henry VII, who had signed the same documents himself. But whether signed or stamped, the presence of any personal royal authorization in this context was unusual in two respects. Firstly, signet-seal writs were not otherwise typically signed in any form, especially in Henry VIII’s reign. Secondly, there was no equivalent royal input in the council/court of Star Chamber or in Chancery, which were both overseen by the Chancellor at Westminster and used unsigned privy seal writs to direct orders. Though surviving examples of the signed signet writs are relatively scarce within the Court of Requests archive, the practicalities of their production illustrate personal kingship at work in routine administration across the realm.<sup>45</sup>

We might initially suppose that the presence of royally authorized writs indicates that early Tudor kings viewed and read some of their subjects’ petitions, many of which are

<sup>42</sup> *A Collection of Ordinances and Regulations for the Government of the Royal Household, Made in Divers Reigns* (London, 1790), pp. 159–60. For the later history of petitioning the monarch, see F. Dabhoiwala, ‘Writing petitions in early modern England’, in *Suffering and Happiness in England 1500–1850: Narratives and Representations – a Collection to Honour Paul Slack*, ed. M. J. Braddick and J. Innes (Oxford, 2017) pp. 127–48; *Heard Before the King: Registers of Petitions to James I, 1603–1616*, ed. R. W. Hoyle, D. Tankard and S. R. Neal (List and Index Society Special Series, xxxviii–xxxix, Kew, 2006).

<sup>43</sup> For the processes and late medieval developments of these seals, see Elton, *Tudor Revolution in Government*, pp. 14–15, 57, 273–4; and S. B. Chrimes, *Henry VII* (London, 1972), pp. 115–18. The signet-seal writ could also be used to summon defendants to Requests, as in T.N.A., REQ 2/2/102.

<sup>44</sup> According to entries recording commissions in the order books (T.N.A., REQ 1/1–5, 1/104–105).

<sup>45</sup> This article analyses 126 writs of this type found among the Requests pleadings dating to the Henrician period (T.N.A., REQ 2/1–13) and from the first ten boxes of the ‘miscellaneous’ part of the court’s archive (T.N.A., REQ 3/1–10). Of these, 13 date to the reign of Henry VII and 113 to Henry VIII’s.

still attached to the writs in the archive today. The text of the writs could on occasion be quite detailed as to the nature of a case and the motivations for commission. In the king's voice, one from 1502 relayed that a former commission had taken pleadings and depositions but made no determination, 'as we nowe undrestande by the said complaynaunt'.<sup>46</sup> A writ from 1538 made similar allusions to communication between the petitioner and the king, explaining to the appointed examiners that 'we be enformed [that the petitioner] hath persewed our dyvers letters of comyssion' with other local arbiters 'and yet could never have any maner of ordre at theyr hands ... to his greate hynderaunce'.<sup>47</sup> For those cases that had been presented multiple times already, the commissioners might be asked to ensure that 'we here noo further complainte in this behalfe hereafter' or that the parties would have 'no cause reasonable eftsonys to retourne unto us for further remedie'.<sup>48</sup> Occasionally the king's role as ultimate overseer was emphasized, with some commissions expressly formed 'to thentent that we may shewe unto you ayenward our further mynde and pleasur'.<sup>49</sup> In other words, there was enough variation within the council's signet-seal writs that we cannot entirely rule out that they *were* 'by the King', even if the personal intimations therein contained could equally have been shaped by the councillors and clerks who handled these matters daily.

Whoever composed the writs, the desired effect of their royal endorsement was to move suits on from the attendant household to local examiners and arbiters in a timely manner. Details about date and location of issue included in the final line of each writ demonstrate that these documents were drawn up, signed, and sealed whenever and wherever required, in order to swiftly respond to any petitioner who happened to approach the king and his entourage for redress. Under both early Tudor kings, writs were sent out from a wide range of locations, within and outside of the normal circuit of royal residences in the south of England: including Westminster, but just as often Greenwich, Woodstock, Windsor and Richmond, as well as places visited on royal progresses such as Nottingham Castle, Salisbury and Reading Abbey. They could be written by the clerks, signed by the king, countersigned by a royal councillor, sealed and sent to the commissioners on any day of the week. Overall, there appears to have been no designated time or place for judicial writs to be signed off, nor any day on which the king was more or less easily approached for that task. According to its registers, the conciliar committee of Requests also met for hearings of summoned parties and gathered evidence in any palace, manor house or town hall in which the king himself resided.<sup>50</sup> It did not restrict itself to a set weekly schedule nor to legal term time. Apparently its processes of delegation were constantly at work, too.

Remaining free of any strict timetable for processing petitions for justice meant that the attendant council could be more efficient in this work. Even when Henry VII applied his signature to outgoing orders manually, as he did from at least 1495 onwards, a relatively speedy response system for incoming petitions resulted. On 8 October 1505, as Henry and his council were travelling northwards through Hampshire, they received a commission certificate regarding a suit between John Thacham and his son-in-law, Edmund Eyre, relaying the depositions taken for the defendant at Salisbury. Just five

<sup>46</sup> T.N.A., REQ 2/2/99.

<sup>47</sup> T.N.A., REQ 2/12/5; REQ 2/2/60.

<sup>48</sup> T.N.A., REQ 2/2/85; REQ 2/9/36; REQ 3/10, Symmes v Beckford.

<sup>49</sup> T.N.A., REQ 2/2/153. This perhaps pre-empted the more formalized procedure developed almost a century later under James I, wherein the king's primary response to petitions was to defer to the advice of local judges (*Heard Before the King*, p. xvii).

<sup>50</sup> T.N.A., REQ 1/1-5.

days later, on 13 October, a signed signet-seal writ was sent from Reading back to the same commissioners, ordering them to use their knowledge of the matter to now ‘sette a liefull ordre and direccion’ between the two men. The commission duly convened again on 19 October, though with less success: they reported the defendant’s obstinacy to their summons back to the council after only two days.<sup>51</sup> Accounting for the time taken for these documents to travel between the roving royal court in Hampshire and Berkshire and the commissioners in Salisbury – admittedly no great distance – it seems that the signet writs could facilitate the passing of a case back and forth between the originating tribunal and external examiners, and passage through various stages of examination, within a matter of days. As a result of this efficiency, this mechanism seems to have become more frequently turned to over time. While there are only two surviving signed signet writs dating to the 1490s, there are several extant for each year after 1500. By Henry VIII’s reign his councillors sitting for judicial business seem to have opted for the signet seal more than twice as often as the privy seal to issue commissions, with the latter only used to order disputants to appear before them.<sup>52</sup> The king’s authorization was seemingly deemed most suitable for the act of delegating his justice-giving to others.

After his accession to the throne in April 1509, the teenage Henry VIII committed to his father’s practice of signing commission writs only briefly. Just two examples of his authentic autograph survive, from 20 August and 26 September that same year.<sup>53</sup> From as early as October 1510 onwards his signature on such documents was always figured by a crude replica applied with an inked stamp. There are two significant observations to be made of the appearance of the stamp in this context. Firstly, in the early years of the reign the stamp was not exclusive to the council’s judicial work. As has been acknowledged before, it was also used to ‘authenticate circulars and the like’ now surviving among the warrants to the great seal and the state papers archive.<sup>54</sup> These ‘circulars’ were letters sent to order preparations for the king’s planned military campaign in France throughout the spring of 1512; the task of copying and signing dozens of copies would presumably have been greatly expedited by the stamp.<sup>55</sup> Yet, crucially, the stamp appears *more regularly* and much *earlier* within the attendant council and its Requests committee – from late 1510 onwards. We might even speculate that the stamp was designed in the first place for the efficient execution of conciliar justice. Secondly, Henry VIII otherwise continued to personally sign a range of administrative documents, including his chamber account books (initially on each page, and then monthly), warrants to the privy seal to reward and pay his servants and companions, and orders to the great seal authorizing individual pardons, the annulment of recognizances, and determinations in maritime matters and high-profile legal suits.<sup>56</sup> It was only for his council’s everyday judicial business that the king saw fit to permanently substitute a stamped signature. This solution was viable enough that across the first twenty years of the reign the stamp was carefully redesigned so as to match the king’s changing autograph.

<sup>51</sup> T.N.A., REQ 2/2/149.

<sup>52</sup> That is, of the surviving writs issued in the period 1509 and 1533, 107 were under the signet seal and 49 under the privy seal.

<sup>53</sup> T.N.A., REQ 2/5/379; REQ 2/12/21.

<sup>54</sup> Starkey, *Henry VIII*, p. 112.

<sup>55</sup> T.N.A., C 82/337, no. 3147; C 82/378, no. 3193; SP 1/229, fo. 114; and *L.&P.*, i. 550, no. 1172 (5); p. 562, no. 1217. Notably the stamp does not appear at all on the warrants to the privy seal issued in these years (T.N.A., PSO 2/4).

<sup>56</sup> Discussed in Elton, *Tudor Revolution in Government*, pp. 176, 264, 268, 270–4, 276–7; T.N.A., E 36/215, 216; Brit. Libr., Add. MS. 21481; T.N.A., C 82/335–380; and T.N.A., PSO 2/4.

The stamp probably operated under the same principles and protocols as the authentic sign manual. Although not regulated in the same way as the 1540s version, the successive wet stamps of the earlier period were probably in the possession of an individual official – possibly the royal secretary but, as he was not otherwise involved in the Requests aspect of the council, more likely one of the itinerant tribunal's own judges. The extent of the king's direct supervision of the stamp is unclear. At least one stamped writ from the early 1520s is annotated as being 'by order of the king' ('*ex mandato regis*') and countersigned by John Stokesley, the royal almoner and presiding judge, perhaps alluding to some communication between the two about this case.<sup>57</sup> On the other hand, the application of the stamp on several writs issued in November 1520 from Greenwich, while the king resided eight miles away at Wanstead, may suggest that royal oversight was not necessarily required.<sup>58</sup> It therefore seems that very quickly after Henry VIII's accession this became a personal process in appearance only. Yet by the late 1510s the stamp in use was a sophisticated enough replica of the real signature to be conspicuous only when poorly applied. Any obvious falsity in the authorization probably did not matter to recipients either. As Ives has said of the dry stamp, 'to make a distinction between documents authenticated by the stamp and those carrying the king's own hand would have defeated the whole exercise', and it seems unlikely that 'contemporaries could readily distinguish between them'.<sup>59</sup> In this earlier judicial context, it was never questioned by the commissioners on the receiving end.

Practically speaking, the transition from the sign manual to the stamp in *c.* 1510 probably helped to shorten the time between petition and commission even further than before. Where we possess both the original bill of complaint, complete with a dated order for commission, *and* the resulting stamped writ, it is apparent that they were often produced on the very same day and under the authority of the same councillor, perhaps in a single sitting. So, for example, in a suit between one John Burges and the Abbot of Malmesbury that was processed by the council in early 1520, a commission order recorded on the back of the petition and the resulting signet-seal writ were both dated 8 February and signed off by John Clerk, the dean of the Chapel Royal, at Greenwich.<sup>60</sup> In the long run, not requiring the king to personally sit down and sign documents likely made it easier for the council to respond effectively to the rising volume of cases submitted there across the late 1510s and early 1520s. Between 1515 and 1523 the number of surviving writs per year rises to nine, with at least fourteen writs surviving from 1518 alone. This upwards trend was reversed only when the Requests function started to move 'out of court' and to settle in the White Hall at Westminster in the early 1530 – when the privy seal became the primary mechanism for all outgoing orders, to defendants and commissioners.<sup>61</sup> Even then, though, the signet seal and stamp could be revived whenever itinerant justice was required, as they were on two consecutive days that the king and his entourage spent at Thornbury, Gloucestershire, in August 1535.<sup>62</sup>

So, notwithstanding the centralization and bureaucratization of most governmental functions in the latter half of the reign – *away* from the king and household, it has been

<sup>57</sup> T.N.A., REQ 2/9/57.

<sup>58</sup> T.N.A., REQ 2/8/283; REQ 2/9/94; REQ 2/11/148; and N. Samman, 'The Henrician Court during Cardinal Wolsey's ascendancy, *c.* 1514–1529' (unpublished University of Wales Ph.D. thesis, 1988), p. 357.

<sup>59</sup> Ives, 'Henry VIII's will', p. 783.

<sup>60</sup> T.N.A., REQ 2/7/96. See also T.N.A., REQ 2/9/42, 57, 94; REQ 2/12/43.

<sup>61</sup> This change also coincided with the organization of the signet clerks into a more discrete office under Cromwell as royal secretary (Elton, *Tudor Revolution in Government*, pp. 261–8).

<sup>62</sup> T.N.A., REQ 2/6/166; REQ 2/11/30.

emphasized – the attendant royal entourage continued to deliver judicial remedies on the spot and the king's signature remained their preferred method of authorization. And just as petitions were addressed to the sovereign and procedures moved under his hand, so too were final decisions issued in the king's name. There is even limited evidence to suggest that the king signed copies of decrees, provided to parties to take home. In the margin of one order recorded in the books in 1517, a note added much later by Richard Oseley, a master of Requests in Elizabeth I's reign, states that 'this decree was exemplified under the pryvie seale and signed by the hande of king Henry the Viiijth' and that it remained in the custody of the petitioners' descendants to that day.<sup>63</sup> Again, whether this was a true autograph or a stamp will have made little difference to the plaintiffs, adversaries and local enforcers who might have seen these decrees. It mattered only that every aspect of this extraordinary form of justice-giving ran under the monarch's hand, in theory and in practice.

Both the signature and the stamp represented a consistent commitment to royal justice in the early Tudor period. Rather as Henry VII altered his own signature to a less elaborate and more expedient short-form in 1492, and as Henry VIII would eventually switch from signing every page of his chamber account books to just the total for each month, the stamp constituted an effort to streamline a largely bureaucratic process while retaining personal discretion over the whole system.<sup>64</sup> It certainly seems to have done little damage to perceptions of the king's genuine care for justice-giving. In 1536, in his response to the rebels of the Pilgrimage of Grace, Henry VIII evoked his reputation as a sovereign 'most prone and ready to hear all his subjects of all degree resorting with petitions unto him ... according to justice'.<sup>65</sup> The expectation that the king himself would intervene in his subjects' private disputes whenever asked was ingrained enough by that time that Sir Adrian Fortescue daringly complained 'in the kinges presence, that the kyng had done hym wronge in an awarde', and another man, John Snowe, protested 'to the king that no Justice could be had' in his cause.<sup>66</sup> Both men were swiftly imprisoned; the king's divine capacity to dispense justice was well-acknowledged but ultimately unquestionable, a principle that no doubt helped make the new royal tribunals so popular with litigants across the sixteenth century. Though one small part of a larger judicial machine, the stamp and the practical advantages it brought may have helped fulfil this key responsibility of personal monarchy in the minds of English subjects and suitors – and, specifically, in the minds of the local power-holders to whom investigatory commissions and arbitrations were delegated. This direct involvement of the sovereign in centralized petitioning would endure and even expand from this point on, especially after the accession of James VI and I to the English throne in 1603. Yet, incidentally, it was only in the early Tudor period that supplications for justice, as well as those for grace and favour, were channelled through the king's hands rather than being filtered out to a separate court.<sup>67</sup>

We might wonder whether, along with pageantry, progresses, and portraiture, procedural documents headed with the sign manual assisted in projecting Tudor sovereign authority outwards from the political centre. Certainly, the dispensation of royal favour to subjects of all walks of life is a point of continuity between the 'wet' and 'dry' stamps. Interestingly,

<sup>63</sup> T.N.A., REQ 1/4, fo. 60v. The same process of exemplification occurred through the great seal in Star Chamber, according to Guy, *The Cardinal's Court*, p. 108.

<sup>64</sup> Chrimes, *Henry VII*, p. 145.

<sup>65</sup> T.N.A., E 36/121, fos. 4–5, quoted in R. W. Hoyle, 'Petitioning as popular politics in early sixteenth-century England', *Historical Research*, lxxv (2002), 365–89, at pp. 366–7.

<sup>66</sup> Huntington Library, Ellesmere MS. 2652, fo. 14r.

<sup>67</sup> Hoyle, 'The masters of requests', pp. 551–8, 563–6, 578.

in the 1540s various grants of alms, prebendaries, offices, and pardons sent to William Clerk for authorization with the 'privy stamp' were said to be 'at the request of Mr Hare' – that is, Nicholas Hare, the master of Requests.<sup>68</sup> Since 1537 Hare had been the primary judge in the Requests tribunal, which had by that time moved away from the attendant household and settled down in the White Hall at Westminster. In relation to this work Hare often attended the Privy Council to discuss 'thaffayres of the suttours'.<sup>69</sup> At least some of these were matters of justice: as many as 218 petitions and procedural documents bearing Hare's signature are extant among the requests pleadings surviving from Henry VIII's later reign.<sup>70</sup> Yet the suits for justice handled by Hare proceeded entirely under the privy seal, with only the supplications for grants and offices directed to Clerk and processed under the 'dry' stamp and signet. So, while the stamp returned to shore up the benevolent face of royal administration, it came to facilitate grace more than justice – and, perhaps, to communicate with a smaller swathe of royal subjects as a result.

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The longer administrative chronology for the stamp outlined above substantiates Ives's observations about its normality by the 1540s. Of course, this does not change the fact that the stamp was scrutinized by its contemporaries, in England as well as in Scotland. On 27 January 1547, the day before his death, Henry VIII had given his assent to a bill of attainder against Thomas Howard, the duke of Norfolk, via a stamped letters patent that ended up being the very last document entered on Clerk's schedule.<sup>71</sup> On that same day, the attainder was discussed and passed in the House of Lords, in the absence of the ailing king but with his express command that it be confirmed urgently.<sup>72</sup> Given that the king's condition is said to have declined very suddenly that evening – so much so that there was not enough time for Archbishop Thomas Cranmer to properly administer any last rites – he was likely cogent enough earlier in the day or the one before to have approved the stamped attainder.<sup>73</sup> Indeed, all the actions taken in the preceding few weeks are consistent with his personal concern with removing ambitious noblemen (the Howards) and troublesome councillors (Gardiner) who would disrupt governance in the reign of his young son.<sup>74</sup> After all, Norfolk was saved from execution only by the king's death, suggesting that his life was in Henry's hands and not those of any ruling faction. He simply remained imprisoned for the whole of Edward VI's reign.

Upon Norfolk's release and return to royal favour at the accession of Mary I in 1553, his attainder was re-examined and declared null by Parliament, apparently on the grounds that it had been stamped rather than signed. Just as the succession acts of 1536 and 1544 had done for the king's last testament, an earlier act of Parliament – that indicting Catherine Howard in 1542 – had established that letters patent moving attainders for

<sup>68</sup> T.N.A., SP 4/1/52–59.

<sup>69</sup> Hare was granted an annuity of £100 in November 1537, around the same time he started working in Requests (T.N.A., C 66/675, m. 26; *L. & P.*, XII. ii, p. 354, no. 1,008 (38); and T.N.A., REQ 2/2/179). He was also named as one of the 'Comissioners appointed to sit in the Court of Requests in the Whitehall at Westminster' in January 1538 (Julius Caesar, *The Ancient State, Authority and Proceedings of the Court of Requests* (London, 1597), p. 91; *Acts of the Privy Council of England*, ii: 1547–1550, ed. J. Roche Dasent (London, 1890), pp. 355, 358, 410). For more on the masters, see Hoyle, 'The masters of Requests'.

<sup>70</sup> T.N.A., REQ 2/7/62.

<sup>71</sup> T.N.A., SP 4/1/III.

<sup>72</sup> *House of Lords Journal*, i. 289.

<sup>73</sup> J. Foxe, *The Acts and Monuments*, ed. G. Townsend and S. R. Cattley (8 vols., London, 1838), v. 689.

<sup>74</sup> This is the consensus of more recent scholarship (R. A. Houlbrooke, 'Debate: Henry VIII's wills: a comment', *Historical Journal*, xxxvii (1994), 891–9; J. Loach, *Edward VI* (London, 2002), pp. 21–7; L. Wooding, *Henry VIII* (Abingdon, 2015), pp. 285–95; and Lipscomb, *The King is Dead*, pp. 67–81).

high treason should be signed with the king's 'most gracyous hande'.<sup>75</sup> Yet the justices of Serjeants' Inn tasked with inspecting the letters pertaining to Norfolk in 1553 found that the affixed royal signature 'was so perfect, that it could never have been written by a man so ill and near his death as the king was ... and some farther said, that it was a stamp'. Paget gave testimony before the Commons confirming that it 'was not subscribed with the hand of the king, but the stamp only put thereto'.<sup>76</sup> The attainder was swiftly voided, fuelling speculations in the Scottish camp that the late king's stamped will had also been a last-minute contrivance of the men gathered around his deathbed.<sup>77</sup>

This perceived correlation underpinned the faction-centric scholarship of the mid twentieth century, too. But there are considerable breaches in the supposedly 'incontrovertible' account of these events surrounding the royal will: Norfolk's survival, for one, but also the absence of any evidence that the will now surviving was at all amended.<sup>78</sup> We might also add to this the concern expressed in letters between Paget and Hertford in the hours immediately following the king's death that the will was 'not convenyent to satisfi the worduld [the world]' and should not be published in its entirety, which would seem a strange sentiment if these two men had manufactured its contents themselves.<sup>79</sup> Of course, a wide interpretation of the clauses regarding the regency council and the 'unfulfilled gifts' enabled them to promote Hertford to the dukedom of Somerset, remove Thomas Wriothesley (lord chancellor and opponent to any protectorate), and have the council elect Somerset as protector of the new king, all within eight weeks.<sup>80</sup> Yet we should not let the benefit of hindsight construct a coup from these circumstances. Careful administrative reconstruction provides another side to the story: for example, Ives convincingly suggested that Henry VIII's will was passed not to William Clerk but directly from the king to Hertford, which meant that it fell outside the system in place for keeping track of stamped documents, and would explain its misleading appearance on the schedule for January, not for December.<sup>81</sup> And, in general, more recent scholarship on the life and death of Henry VIII has been less convinced of factionalism at his court, especially that drawn up along religious lines, and more accepting of the king's own volition in controlling his councillors and setting the terms for the transition of power in 1547.<sup>82</sup> Undoubtedly, there was at the time and there remains an air of ambiguity around the final wishes of a paranoid king, and the stamp has served as a convenient point of argument for suspicious contemporaries and historians alike.

Looking beyond Henry VIII's death reveals that the stamp resumed a more routine role in early modern central administration, though. Later Tudor and Stuart monarchs made use of stamped autographs too, though usually only to issue circulars like those from the 1512 campaign. From the very start of Edward VI's reign, letters levying

<sup>75</sup> 'The Bill of Atteynder of Mestres Katherin Hawarde late Quene of England, and divers other personnes her complices', 33 Hen. 8, c. 21.

<sup>76</sup> J. Dyer, *Reports of Cases in the Reign of Henry VIII, Edu. VI., Q. Mary, and Q. Eliz.*, ed. J. Vaillant (3 vols., London, 1794), i. 93a.

<sup>77</sup> The Scottish secretary insisted that the other living privy councillors be made to give depositions too (*The Egerton Papers*, p. 47).

<sup>78</sup> Lipscomb, *The King is Dead*, p. 95.

<sup>79</sup> T.N.A., SP 10/1, fo. 1.

<sup>80</sup> See the account in Ives, 'Henry VIII's will', pp. 803–4; Lipscomb, *The King is Dead*, pp. 153–7; and A. J. Slavin, 'The fall of Lord Chancellor Wriothesley: a study in the politics of conspiracy', *Albion*, vii (1975), 265–86.

<sup>81</sup> Ives, 'Henry VIII's will', p. 794.

<sup>82</sup> Houlbrooke, 'Henry VIII's will'; Loach, *Edward VI*, pp. 21–7; Wooding, *Henry VIII*, pp. 285–95; and Lipscomb, *The King is Dead*.

soldiers for an attack against Scotland were authorized with a stamped signature and the countersignature of the Edward Seymour, by then lord protector and duke of Somerset.<sup>83</sup> Given the context of the royal minority this was again controversial. In October 1549 the rest of the council wrote to all local justices and royal officers accusing the increasingly unpopular duke of ‘abusing the kinges hand, stamp and signet’ and telling them to ignore his orders.<sup>84</sup> The visible consent of the monarch became an essential tenet of the stamped signature of Edward’s successors. Elizabeth I possessed a stamp, too, which she sometimes authorized William Cecil to affix to missives calling men to arms for service in the North – though only when ‘we can not in due time with our hand writing signe them all’.<sup>85</sup> It was for a similar reason that James I ordered the wardens of his mint to cause a ‘stampe to bee engraven with James R’ in July 1624, a year before his death. He explained that an ‘indispicion in our hand’ meant that he could not ‘but with much paine and trouble give dispatch to such businesses as require our owne signature’.<sup>86</sup> From its origins in the flexible provision of patronage and protection in Henry VIII’s royal council, the stamp became a recurring, though occasional, tool for efficiently organizing a sprawling network of royal servants – to call in favours as well as to give them out. Unsurprisingly given the events of the mid sixteenth century, it was also increasingly seen to require close guarding.<sup>87</sup>

Overall, the longer history of this authorizing mechanism not only reassures us about the continual centrality of monarchy to governance in this period but also demonstrates how this monarchy worked within and alongside bureaucratic developments. Justice-giving was a facet of government that was simultaneously attuned to the duties of divinely ordained monarchy, responsive to the health of the commonwealth and its people, and inclined towards improved administrative efficiency. Growing demand from the king’s subjects for flexible and authoritative mediation in their private disputes encouraged efforts within the central administration to effectively respond to that demand, with the creation of new tribunals and the stamp to ease their processes. The stamp is therefore one small part of a larger story about the development of responsive and participatory national governance through petitionary procedures, with the royal person and household as their focal point. Since these relatively ephemeral documents do not survive in great numbers, we cannot be certain how regularly they were in use. Still, we can speculate that handling petitions and delegating to local authorities accrued to the monarchy a heightened authority over centre and periphery. It is perhaps remarkable that there does *not* seem to have been any provable conspiracy moved by the stamp later on. Certainly, consistent use over a near-forty-year period ensured that the image of the royal signature was as good as the real thing. This ensured that personal monarchy could imbue all the business of governance, even when physically out of the king’s hands.

<sup>83</sup> T.N.A., SP 10/2, fo. 4; SP 10/13, fo. 62; and SP 15/3, fo. 56. One stamped writ from October 1549 called for Sir Henry Seymour to assemble as many armed men as possible and bring them to court to confront ‘a certain conspiracy’ that had arisen against the king (T.N.A., SP 10/9, fo. 4).

<sup>84</sup> T.N.A., SP 10/9, fo. 42; and Guy, *Tudor England*, p. 215.

<sup>85</sup> T.N.A., SP 12/67, fo. 23.

<sup>86</sup> T.N.A., SP 14/169, fo. 46.

<sup>87</sup> The right of the sovereign to appoint an official to affix replica signatures to documents was written into legislation with the Royal Signature by Commission Act, 1830, 11 Geo. 4 & 1 Will. 4, c. 23.