

THE WORSHIPFUL COMPANY OF SCRIVENERS

History of the Company

The mediaeval regulations and ordinances for the governance of the Scriveners Company (as for all other Livery Companies) were to ensure the integrity in business, and the competence in practice, of those engaged in the craft, thus strengthening their position and enhancing the confidence of members of the public using their services. Notaries appear as members of the Company from 1392 onwards, when it issued new ordinances to coincide with the appointment by the Archbishop of Canterbury as Papal Legate of laymen as papal and imperial notaries.

The early history of the Company was mainly concerned with its efforts to establish control over the practice of all those writing legal documents in London, especially conveyances of real property. On 12 January 1498 there was a further major revision of the ordinances, to regulate the Company's corporate and social life and, equally importantly, to require every apprentice to be tested before the Wardens to ensure satisfactory knowledge of grammar - an essential professional attribute. From 1558 onwards members of the Company, still small in numbers but increasing in wealth, were (again like all other Livery Companies) compelled by the Crown to contribute to loans to recoup the costs of the war which had resulted in England's loss of Calais. An account book of 1565 (the only document to survive the burning of Scriveners' Hall in 1666 apart from the Company's Common Paper 1357 - 1628, a compendium of its corporate annual activities and enrolments now preserved in the Guildhall Library Department of Manuscripts), shows that at this time the Company was paid annual Quarterage not only by its own Freemen and Liverymen but also by members of other Livery Companies, and by Freemen of the City of London, practising as scriveners. Such persons acknowledged the authority of the Master, Wardens and Court of the Scriveners Company over "the Art or Mistery of Scriveners", even though not themselves members of the Company.

By 12 March 1590 members of the Company were refusing to meet its quota to pay for armour, weapons, gunpowder and wheat for Her Majesty (Elizabeth I)'s service, and the Master and Wardens attended the Court of the Lord Mayor and Aldermen and were authorised to commit any Scrivener refusing to contribute, to a debtors' prison.

A new era opened with the securing by the "Master, Wardens and Assistants of the Society of Scriveners of London" of a Royal Charter of Incorporation from King James I on 28 January 1617. This, and the new ordinances made under its authority in 1635, greatly increased the Company's status (but probably - firm evidence is lacking - greatly depleted its finances). On 11 November 1634 the Company received a grant of arms, confirming the arms in use since circa 1530.

In keeping with the newly-chartered Company's growing importance, on 10 June 1628 it acquired as its Hall Bacon House, off Oat Lane in Aldersgate Ward. This Hall was destroyed in the Great Fire of 1666, and was rebuilt by the Company and again in use by 1671 - the peak of the Scriveners' fortunes

and the year in which Sir Robert Clayton became Master (he was Lord Mayor in 1680); many freemen took up their livery; and the Upper Warden, George Perryer, presented the magnificent silver-headed staff for the Beadle that is still used on formal occasions.

In 1665 occurs the first record of the admission of women to the Company. Women were admitted fairly regularly until the Victorian age, and again more recently: today the Scriveners Company has as many women members proportionately to its size as any Livery Company. In the same year it is recorded that "Attornies in the Courts of Law and Solicitors in the Courts of Equity. . . have taken upon them to exercise the proper Art or Mistery of Scriveners as well within the City of London, as elsewhere, within the Limits and Jurisdiction of the Company's Charter and By-Laws,..." From the granting of the Royal Charter, the Master, Wardens, and six Court Assistants regularly made Visitations throughout the Company's Jurisdiction covering the City of London, Liberties of Westminster, Borough of Southwark and the Circuit of three miles from the City boundary. These Visitations were to inspect the quality of the documents being written by all scriveners, whether members of the Company or not. Before 1700, the Company is reported to have had over 200 Free Scrivener members (i.e. Freemen and Liverymen).

On 13 May 1703 the Company had for reasons of financial necessity to sell its Hall, disposing of it to the Worshipful Company of Coachmakers and Coach Harness Makers. From this time also, the Company's Visitations ceased.

During the Seventeenth Century the Scriveners, having established control of conveyancing in London (though not elsewhere), gradually evolved to deal primarily with land agency and the confidential negotiation of loans as 'Money Scriveners', while their original functions were increasingly usurped by attorneys whom the Company was unable to compel to become members. Intense struggles took place between the evolving professions. From the Act of Parliament of 1729 "for the better Regulation of Attorneys and Solicitors", legislation progressively strengthened the solicitors and constrained the scriveners.

As London's trade and commerce grew in value and volume in the Eighteenth Century, so did the demand for legal services, giving increased opportunities for attorneys and solicitors to break in upon the Scriveners' traditional responsibilities. Between 1729 and 1748 the number of Apprentices and Freemen of the Company fell from 50 to 20. In 1748 the Court appointed a Committee to report on the situation, and in 1749 *The Case of the Free Scriveners* was printed and presented to the Court. This summarised the Company's constituted authority, and recommended that all those practising as scriveners be required to become Freemen of both the Company and City, in accordance with the Custom of London and the Statute of Apprentices of 1563; and that the Court petition the Lord Mayor and Court of Common Council to take action on the Company's behalf to enforce the penalties provided against offenders in these respects. Attention was drawn to the more rigorous training and qualification of Scriveners' Apprentices than of attorneys and solicitors, whose encroachments on the Scriveners' business were feared likely "to sap and destroy the very Being of the Company itself". The protection of the public, particularly in respect of title to property, was assured by the regulation of Scriveners by the Company, which was compared in this connection with the similar functions of the Companies of Surgeons, Apothecaries, Musicians, and Innholders. In 1749 the Society of Gentlemen Practitioners (the forerunners of the Law Society) secured the renewal of the 1729 Act and thus effectively achieved supremacy over the Scriveners Company.

In 1801 the Scriveners Company secured the Public Notaries Act, compelling all persons applying to the Archbishop of Canterbury for faculties to become notaries within the jurisdiction of the Company to become members of the Company before applying to the Court of Faculties (set up under an Act of Henry VIII to administer the faculty-granting and other like powers of the Archbishop). This gave the Company responsibility for ensuring that such persons were properly qualified. The Company's professional activities were effectively limited to regulating the London Scrivener Notaries in 1804; when the preparation of deeds by non-professional persons was prohibited by statute, and membership