XXI. *Some Account of the Trial of the Pix. By the Rev. Rogers Ruding, B. D. F. A. S. in a Letter to William Bray, Esq. Treasurer.*

Read 14th January, 1808.

DEAR SIR,

Great Russell Street, 28th Dec. 1807.

OUR worthy Member, the Rev. Rogers Ruding, submits to the consideration of the Society the following paper on a subject which, from its importance, deserves to be better known than it is.

I am, Sir, your most obedient,
And very humble servant,

W. BRAY.

Nicholas Carlisle, Esq. Secretary to the Society
of Antiquaries of London.

SOME ACCOUNT OF THE TRIAL OF THE PIX.

THE wisdom of our ancestors is in few circumstances more conspicuous than in the jealousy with which they guarded the integrity of the Coins, and in the expedients which they adopted for that purpose. Their utmost care was exerted to preserve the standard inviolate, by assays made, within the Mint, in the presence of officers who were mutually checks upon each other: and before the monies were allowed to be issued, they were submitted to the public trial of a jury, composed of men who, by their professional knowledge, were well qualified to decide upon their purity, and who were bound by a solemn oath to return a true verdict.

As this trial, although an open one, is but little known, it may not be uninteresting to trace it from the earliest period in which it is to be found on our records, to state the changes which it has undergone, and the manner in which it is conducted in the present times.

Its technical name is derived from the pix, or box, in which the coins, that have been selected for examination, are contained. This box is secured by three locks, the keys of which are respectively in the keeping of the Warden, Master, and Comptroller of the Mint.

It does not appear that *the antients* had any such public trial;^a and the earliest notice of the pix, which I have met with, in any modern foreign mint, is in the reign of Philip VI. of France,^b in the fourteenth century: but whether the passage in which it occurs relates to a public trial, cannot be determined.

The invention of it in this kingdom, or at least its introduction into our courts, is probably of high antiquity, for in the ninth or tenth year of Edward I. it is mentioned as a mode well known, and of common usage. In one of those years the King, by his writ, commanded the Barons of the Exchequer to take with them Gregory de Rokesle (then Master of the Mint), and straightway, before they retired from the Exchequer, to open the boxes of the assay of London and Canterbury, and to make the assay, *in such manner as the King's Council were wont to do*, and to take an account thereof, so that they might be able to certify the King touching the same, whenever he should please.^c

From this record, which is the most ancient hitherto discovered relating to this trial, it appears that, previous to the above date, it had usually been made before the King's Council, but that, by the authority of the writ above quoted, it was then to be held in the Court of Exchequer, in the presence of the Barons. It was afterward taken from their cognizance, and came again under the power of the Lords

^a Arbuthnot's Tables, p. 8.

^b Du Cange sub voce Assaia. The circumstance there referred to is not noticed by Le Blanc, in his History of the French Money.

^c Madox, Hist. of the Exchequer, Vol. I. p. 291.

of the Council in the Star Chamber, where it is found to have been in the year 1595 (as appears from a verdict of that date),^d and where it continued until 1699, when it again became subject to the Court of Exchequer,^e under which it has remained to the present time.

From memoranda of assays, which are still preserved in that court, it seems that this trial used to be made annually; and the same is stated to have been the regular practice until the usurpation, when it was held at such times as the state pleased.^f At present, I believe, it is not customary for the Master to require it to be held until, upon his removal from the office, it becomes necessary, in order that he may receive his quietus.

As the authority, under which these trials were held, occasionally varied, so did likewise the persons who sat as judges in the court. Thus, as we have seen above, they were first the Members of the King's Council, then the Barons of the Exchequer, and again the Members of the Privy Council, as Judges of the Star Chamber, where sometimes the King himself presided; as did James I. at an assay, which was made upon the 9th of May, 1611.

In 1643, a committee of Lords and Commons was appointed by order of Parliament, for the purpose of making this trial.^g

At one period (in 1649), the court was held before the Lord President of the Council of State, the Commissioners of the Great Seal, and others of the Council of State, and Committee of Revenues, by virtue of an act of Parliament:^h at another (in 1657), by the Lords Commissioners of the Great Seal, assisted by the Lords Commissioners of the Treasury, the Justices of the several Benches, and Barons of the Exchequer, or some of them, under the authority of a warrant signed by the Protector Cromwell;ⁱ and it is now composed of such Members of the Privy Council, as are expressly summoned for that

^d Mint Roll in the Exchequer.

^e Pollett's MS. Notes on Conduit's Observations on the Trial of the Pix.

^f Answer of the Moniers to Blondeau, pp. 25. 27.

^g Pollett's MS.

^h Folkes, p. 100.

ⁱ Ibid. p. 99.

purpose; the Lord High Chancellor, or, in his absence, the Chancellor of the Exchequer, presiding.

The manner in which this trial was formerly conducted in the Court of Exchequer appears, from a verdict of the eleventh year of Henry VI, to have been by an assay made in the presence of the court, and of other persons who were appointed to assist, by the King's Assay Master, and to have been determined without the intervention of a jury.^k

The earliest notice which has occurred, in which the judgment of professional artists was required to sanction, as a jury, the judgment of the court, is dated in the thirty-seventh of Elizabeth, when a trial was held in the Star Chamber.^l

The number of the jurors has occasionally varied considerably. No less than nineteen names appear to the verdict of the thirty-seventh of Elizabeth:^m and in 1651, the Moniers speak of a jury of twenty-four men;ⁿ whilst the number usual at the present time is no more than twelve.

As I have not been able to discover any ancient ceremonial, by which the forms of this trial were regulated, I must now proceed to state the modern practice of summoning the court, and conducting the business of it.

Upon a memorial being presented by the Master of the Mint, praying for a Trial of the Pix, the Chancellor of the Exchequer moves his Majesty, in Council, to that purpose. A summons is then issued to certain Members of the Privy Council, to meet at the house which is now allotted to the office of Receiver of the Fees in his Majesty's Exchequer, at eleven o'clock in the forenoon, on a certain day. A precept is likewise directed, by the Lord High Chancellor, to the Wardens of the Goldsmith's Company, requiring them to nominate, and set down, the names of a competent number of sufficient and able freemen of their company, skilful to judge of, and to present the defaults of the

^k Folkes, p. 60, note.

^l Roll in the Exchequer.

^m Id.

ⁿ Answer to Blondeau, p. 27.

coins, if any should be found, to be of the jury, to attend at the same time and place. This number is usually twenty-five, of which the Assay Master of the company is always one.

When the Court is formed, the clerk of the Goldsmith's Company returns the precept, together with the list of names; the jury is called over, and twelve persons are sworn. The President then gives his charge, which used formerly to be general, like the oath, to examine by fire, by water, by touch, or by weight, or by all, or by some of them, in the most just manner, whether the monies were made according to the indenture, and standard trial pieces, and within the remedies. But in 1754, the Lord High Chancellor Talbot directed the jury to express precisely how much the money was within the remedies;^o and the practice which he thus enjoined is still continued. The other parts of the charge necessarily vary according to the ability of the President, and his knowledge of the subject.

When it is concluded, the Pix is delivered to the jury, and the court is commonly adjourned to the house of the President, where the verdict is afterwards delivered.

The jury then retire to the court-room of the Duchy of Lancaster, whither the Pix is removed, together with the weights of the Exchequer and Mint, and where the scales which are used upon this occasion are suspended, the beam of which is so delicate, that it will turn with six grains, when loaded with the whole of those weights, to the amount of 48 *lb.* 8 *oz.* in each scale.

The jury being seated, the indenture, or the warrant, under which the Master has acted, is read. Then the Pix is opened, and the money which had been taken out of each delivery,^p and enclosed in a paper parcel under the seals of the Warden, Master, and Comptroller

^o Mr. Conduitt. Pollett's MS.

^p By this term is to be understood the monies which have been coined within certain periods; and the pieces are thus set apart from the gross sum for trial.

From every journey, as it is technically styled, of gold or silver, two pieces at the least are taken at hazard, one for the private assay, the other for the public trial.

A journey of gold is fifteen pounds weight, a journey of silver, sixty pounds.

of the Mint, is given into the hands of the foreman, who reads aloud the indorsement, and compares it with the account which lies before him. He then delivers the parcel to one of the jury, who opens it, and examines whether its contents agree with the indorsement.

When all the parcels have been opened, and found to be right, the monies contained in them are mixed together in wooden bowls, and afterwards weighed.

Out of the said monies so mingled, the jury take a certain number of each species of coin, to the amount of one pound weight, for the assay by fire. And the indented trial pieces of gold and silver,^a of the dates specified in the indenture, being produced by the proper officer, a sufficient quantity is cut from either of them, for the purpose of comparing with it the pound weight of gold or silver which is to be tried (after it has been previously melted and prepared), by the usual methods of assay.

When that operation is finished, the jury return their verdict, wherein they state the manner in which the coins they have examined

^a The trial pieces are in the custody of the Auditor and Chamberlains of the Exchequer, who produce them in obedience to a warrant which is directed to them by the Chancellor of the Exchequer. If the Master has reason to suspect that the trial pieces, which are specified in the indenture, are inaccurate, he has a right to demand that they may be compared with the indented standard trial pieces, which were made in the seventeenth year of Edward IV. To these pieces, whose corresponding parts are kept in the Exchequer and in the Tower, the following certificate is annexed, which will show with how much solemnity these standards were prepared, and their purity attested.

“ The first day of July, the xvij. yere of the reigne of Kyng Edward the Fourth, Robert Hill, William Wodeward, John Kyrkeby, and Miles Ades, were sworn upon the hooly Evangeliste in the Sterre Chamber, before the Chaunceler of England, Tresourer, and Pryve Seale, and many other noble Lords of the Kyng's Councell sp^uall and temp^lall, to make this standard of xxij. carrats ij. greynes and an halfe of p^rfite fyne gold, and half a greyne of allay, accordyng to the old standard, as it appereth in the record in the Kyng's Chauncery and Eschequer of Kyng Edward the ij^{de} and Kyng Richard the Secunde, Henry the iiijth, the vth, and the vjth, Kyngs of England. The which Robert Hill, William Wodeward, John Kyrkeby, and Miles Ades, have certified that this standard is truly made as is aforsaid.”

The certificate which is annexed to the silver agrees with the above, except that it is stated to be of “ xj. uncs and ij. penyweight of p^rfite fyne sylver, and xvij^d weight of allay.

have been found to vary from the weight and fineness required by the indenture, and whether, and how much, the variations exceed, or fall short of, the remedies^r which are allowed; and according to the terms of the verdict, the Master's quietus is either granted or withheld.

ROGERS RUDING.

^r The remedies are wisely intended to compensate those unavoidable errors to which all human workmanship is liable. They are an allowance of one-sixth of a carat, or forty grains, in the pound weight of gold, and of two pennyweights in that of silver, considered either as to fineness, or weight, or both of them taken together.

The moneyers are, however, at this time so expert, that these quantities are much greater than are necessary.